

Bankruptcy Case Opening

This process shows the steps and screens required for attorneys to open a bankruptcy case on CM/ECF. The case is a chapter 13, individual consumer, with deficiencies.

Internet users will access CM/ECF filing, queries and reports using PACER.

This module will assume that the Internet user has accessed CM/ECF using their PACER username and password.

STEP 1 Click on the Bankruptcy hyperlink on the CM/ECF Main Menu Bar. (See Figure 1.)



Figure 1

STEP 2 The **BANKRUPTCY EVENTS** screen displays. (See Figure 2a.)



Figure 2a

NOTE: Because of differences between courts, your actual menu options may vary from this list.

- ◆ For further information on each of these categories, click the **HELP** icon on the CM/ECF Main Menu Bar (the question mark, pictured below). That will bring up a help screen. (See Figure 2b.)

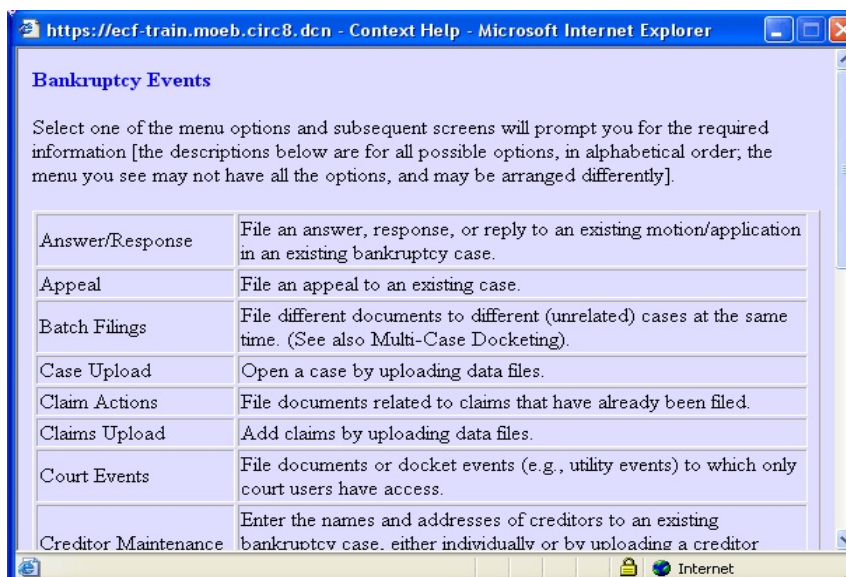


Figure 2b

- ◆ This screen gives you more information about the menu selections. To see information for other options, scroll down using the arrows or scroll bar on the right. (See Figure 2b.)
- ◆ To close this help screen, click on the "X" in the top right corner of the screen, or click on the **[Close]** box at the bottom of the screen. This will return you to the Bankruptcy Events screen. (See Figure 2a.)

STEP 3 At the Bankruptcy Events screen, click on the Open a Voluntary BK Case hyperlink. The Open New Bankruptcy Case screen will display (See Figure 3.)

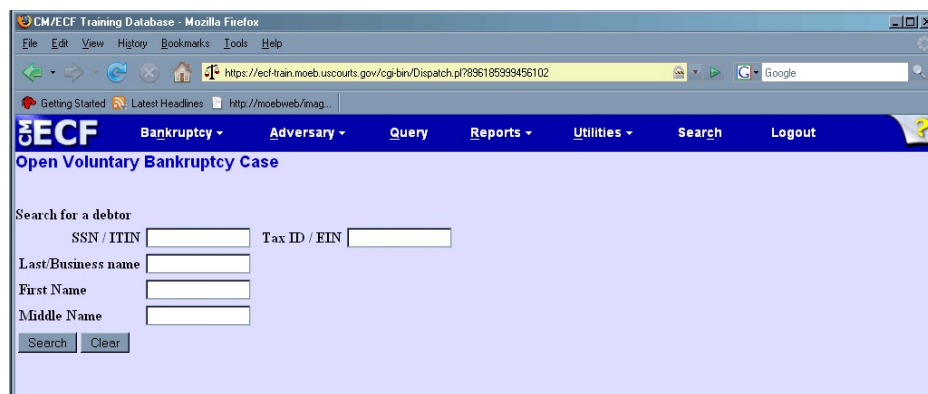


The screenshot shows the 'Open Voluntary Bankruptcy Case' form. At the top, there is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The form itself has a light blue background and contains the following fields: 'Case type' with a dropdown menu set to 'bk', 'Date filed' with the date '6/5/2006', 'Chapter' with a dropdown menu set to '13', 'Joint Petition' with a dropdown menu set to 'n', and 'Deficiencies' with a dropdown menu set to 'y'. At the bottom of the form are two buttons: 'Continue' and 'Clear'.

Figure 3

- ◆ The case number will be generated later in this process and will be displayed on the Notice of Electronic Filing.
- ◆ The Case Type will always be displayed as **bk**.
- ◆ The current date will always be displayed in the **Date Filed** field.
- ◆ Select the **Chapter** from the pick list box.
- ◆ The default value for **Joint Petition** is **n** (no); for a Joint filing select **y** (yes).
- ◆ If there are any required items missing from the petition, change the **Deficiencies** box from **n** to **y**. A deficiency list will then be presented on a later screen.
- ◆ When this screen is correct, click [**Continue**].

STEP 4 The **PARTY SEARCH** screen displays. (See Figure 4.)



The screenshot shows the 'Open Voluntary Bankruptcy Case' form with the 'PARTY SEARCH' section. The form is displayed within a Mozilla Firefox browser window. The search section includes the following fields: 'Search for a debtor' (a label), 'SSN / ITIN' (a text input field), 'Tax ID / EIN' (a text input field), 'Last/Business name' (a text input field), 'First Name' (a text input field), and 'Middle Name' (a text input field). At the bottom of the search section are two buttons: 'Search' and 'Clear'.

Figure 4

- ◆ This screen is for you to enter the parties on the case. Before you add the debtor, or any party, you should search the database to see if that party already exists in the database from another case, to eliminate duplicate records in the system. You can search by Social Security Number, Tax Identification Number, Last Name or Business Name, First Name, or Middle Name.
 - The preferred and most accurate method of searching the database is by Social Security Number.
 - You can enter the last, first, and middle name to search the database. If this is a business filing, enter the first word or significant words of the business name to search. The entire business name is stored in the **Last/Business name** field. The field size is 200 characters.

Search Hints

- Enter one field of data for each search.
- Format Social Security Number or TaxID with hyphens.
- Include punctuation. (Garcia-Carrera)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (*) should not be used at the end of search strings.
- Wild cards may be used before or within search strings. (*son,Gr?y)
- The asterisk * should not be used by itself. It will search ALL records in the database and use unnecessary system resources.

- ◆ In this lesson, we will enter the debtor's last name and click **[Search]**.

NOTE: The entire name of businesses resides in the **Last/Business** field. Therefore, for business filings, entering the first part of the name may be sufficient to find a match.

STEP 5 If there are no matches, the system will return a **No Person Found** message. (See Figure 5a.)

The screenshot shows the CM/ECF search interface. At the top, there is a navigation bar with links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this, the search form is titled 'Search for a debtor'. It contains input fields for SSN, Tax Id, Last/Business name, First Name, and Middle Name. There are 'Search' and 'Clear' buttons. Below the search fields, the text 'Party search results' is followed by 'No person found.' and a 'Create new party' button.

Figure 5a

NOTE: Your name search may find more than one record having the same name as shown in **Figure 5b**. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

CM/ECF Training Database - Mozilla Firefox

Bankruptcy Adversary Query Reports Utilities Logout

Search for a debtor

SSN Tax Id

Last/Business name

First Name

Middle Name

Party search results

SMITH, JOSEPH WAYNE

SMITH, Joe E.

SMITH, Abe

SMITH, Albert B.

SMITH, Alias Jones

SMITH, Alice

https://ecf-train.moeb.circ8.dcn - Person Add...

JOSEPH WAYNE SMITH

SSN: xxx-xx-7159

Route #2 - Box 288

Mineral Point, MO 63660

County: Washington

Done ecf-train.moeb.circ8.dcn

Figure 5b

- ◆ Once you have tried alternative searches and determined that the party is not already on the database, you can add them to the database. Click **[Create New Party]**.

STEP 6 The **PARTY INFORMATION** screen displays. (See Figure 6.)

CM/ECF Training Database - Mozilla Firefox

File Edit View History Bookmarks Tools Help

https://ecf-train.moeb.uscourts.gov/cgi-bin/AddParty.pl?115495353489906-L_261_0-1

Getting Started Latest Headlines http://moebweb/mag...

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Debtor Information

Last name First name

Middle name Generation Title

SSN / ITIN 222-11-1234 Tax ID / EIN 11-222222

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

Party text

Add all aliases and corporate parents or affiliates before clicking the Submit button.

Figure 6

- ◆ Enter the debtor's **Name** and **Address** information in the appropriate boxes . (For this lesson, our debtor is Walter Daniels.)

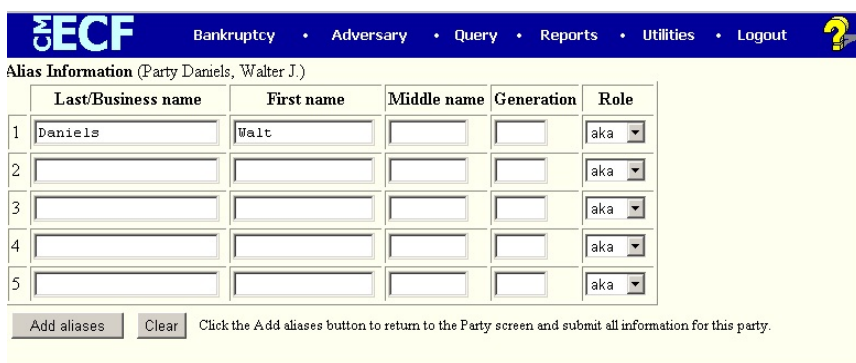
NOTE: Do not use special characters such as parentheses, brackets, or percent signs. These codes may cause problems with the BNC noticing program.

- ◆ Select the debtor's **County** of residence from the pick list box. List will contain all counties for the state you enter.

NOTE: Type the first letter of the county name for a faster search.

- ◆ Enter further descriptive text for the debtor in the **Party text** field, if appropriate (such as A Connecticut Corporation, Guardian of the Estate, etc.)
- ◆ It is not necessary to add the attorney representing the debtor. Because you are the filing attorney, your name will be linked to the party you are representing automatically at the end of this transaction. Your login will furnish your attorney information to the system.
- ◆ If the party has an alias, click the **[Alias]** button.

STEP 7 The **ALIAS** screen appears. (See Figure 7.)



	Last/Business name	First name	Middle name	Generation	Role
1	Daniels	Walt			aka
2					aka
3					aka
4					aka
5					aka

Click the Add aliases button to return to the Party screen and submit all information for this party.

Figure 7

- ◆ You can enter up to five alias names at a time. **Alias Role** selections include aka, dba, fdbs, fka, and nka.
- ◆ Click **[Add aliases]**.

STEP 8 The **PARTY INFORMATION** screen reappears. (See Figure 8.)

The screenshot shows the 'Debtor Information' form in the CM/ECF system. The form has a blue header with the CM/ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The form fields are organized into two columns. The left column includes: Last name (Daniels), Middle name, SSN (222-11-1234), Office, Address 2, City, County (dropdown), Phone, E-mail, and Party text. The right column includes: First name, Generation, Title, Tax ID, Address 1, Address 3, State, Zip, and Country. At the bottom, there are buttons for Alias..., Corporate parent..., Review..., Submit, Cancel, and Clear. A note states: 'Add all aliases and corporate parents before clicking the Submit button.'

Figure 8

- ◆ Clicking on the **[Review]** button at any time presents a screen summarizing the attorney and alias activity for this debtor. (See Figure 9.)

The screenshot shows the 'Review attorneys, aliases and corporate parents' screen. The header is blue with the CM/ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The main content area is light blue and contains the following information:

- Debtor Name: Walter J. Daniels
- Instruction: Uncheck to remove from list
- Attorneys added: None added.
- Aliases added: ☒ Daniels, Walt (aka)
- Corporate parents added: None added.

 At the bottom, there are buttons for 'Return to Party screen' and 'Clear'.

Figure 9

- ◆ Verify the information.
- ◆ Be careful about clicking the **[Clear]** button. You could accidentally delete information.
- ◆ Click **[Return to Party Screen]**.

STEP 9 The **PARTY INFORMATION** screen will return again as shown in Figure 8a. If you are finished adding information for this new party, click **[Submit]** to continue with Case Opening.

- NOTE:** If this were a joint debtor filing, a **JOINT DEBTOR PARTY** screen would appear next.
- STEP 10** Next, the system will display a screen confirming the assignment of the Divisional Office code. The assignment is based on the county code or zip code of the debtor. (See Figure 10.)

Figure 10

- STEP 11** The **STATISTICAL DATA** screen appears next. (See Figure 11.)

Figure 11

- ◆ Select the **Type of Debtor** by clicking the appropriate radio button and box(es).
- ◆ Select the **Nature of business**. "Tax-Exempt Entity" may be selected in conjunction with any type of business.
- ◆ Choose Yes or No for **Prior filing within last 8 years**.
- ◆ The **Fee Status** values are Paid, Installment, and fee not paid. If the petition is accompanied by an Application to Pay Filing Fees in Installments, you would select Installment from the pick list box.

- ◆ Designate the **Nature of Debt** as Consumer or Business.
- ◆ Choose Yes, Unknown, or No for **Asset notice** designation.
- ◆ Select the range of **Estimated Creditors** from the pick list box.
 - 1 - 49
 - 50 - 99
 - 100 - 199
 - 200 - 999
 - 1,000 - 5,000
 - 5,001 - 10,000
 - 10,001 - 25,000
 - 25,001 - 50,000
 - 50,001 - 100,000
 - Over 100,000
- ◆ Select the correct dollar range for **Estimated Assets**.
 - \$0 to \$50,000
 - \$50,001 to \$100,000
 - \$100,001 to \$500,000
 - \$500,001 to \$1 million
 - \$1,000,001 to \$10 million
 - \$10,000,001 to \$50 million
 - \$50,000,001 to \$100 million
 - \$100,000,001 to \$500 million
 - \$500,000,001 to \$1 billion
 - \$1,000,000,001 to \$10 billion
 - \$10,000,000,001 to \$50 billion
 - More than \$50 billion
- ◆ Select the correct dollar range for **Estimated Debts**.
 - \$0 to \$50,000
 - \$50,001 to \$100,000
 - \$100,001 to \$500,000
 - \$500,001 to \$1 million
 - \$1,000,001 to \$10 million
 - \$10,000,001 to \$50 million
 - \$50,000,001 to \$100 million
 - \$100,000,001 to \$500 million
 - \$500,000,001 to \$1 billion
 - \$1,000,000,001 to \$10 billion
 - \$10,000,000,001 to \$50 billion
 - More than \$50 billion

- ◆ Click **[Continue]**.

STEP 12 The **SELECT A PDF DOCUMENT** screen appears. (See Figure 12.)

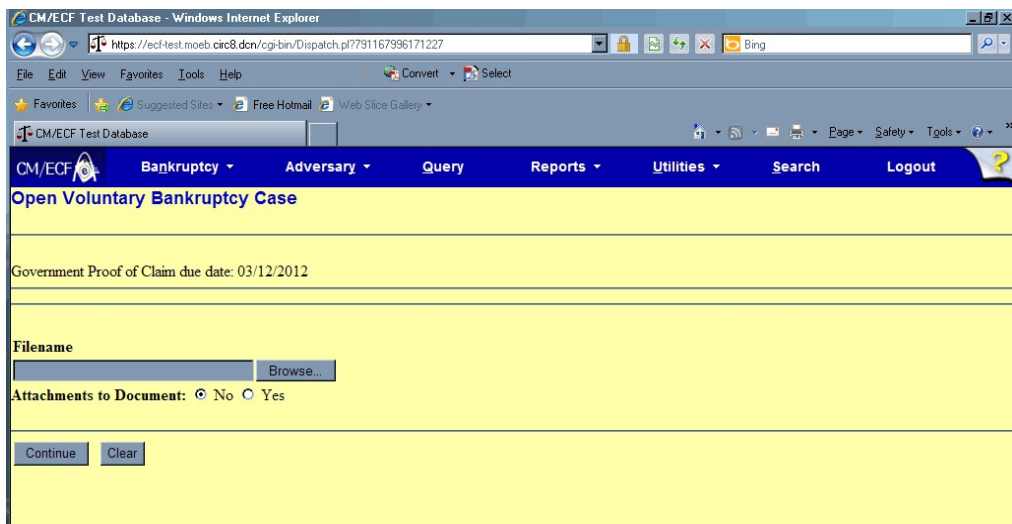


Figure 12

- NOTE:** This screen is used for associating the imaged document with this entry. Attorneys may not bypass associating an imaged document.
- ◆ Click **[Browse]**, then click on the down arrow ▼ for the **Files of type** field.
 - ◆ In the drop-down box, click on **All Files (*.*)**.
 - ◆ Navigate to the directory where the appropriate PDF file is located.
 - ◆ Highlight the file. Then right click with your mouse and select **Open** to verify the contents of the document. If this is the correct file, double-click the PDF file to select it.
 - ◆ Accept the default setting of **No** for the **Attachments to Document** radio buttons. Attachments will be covered in another module.
 - ◆ Click **[Continue]**

STEP 13a The **SUMMARY OF SCHEDULES** screen appears. (See Figure 13a.)



CM/ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Voluntary Bankruptcy Case

New Statistical Reporting Requirements: You Are Now Required to Input Totals From Schedules A/B,D,E/F,I,J,Current Monthly Income Nondischargeable Debt. This Information Can Be Found On Official Form B106 Summary of Schedules.

Summary of Assets and Liabilities and Certain Statistical Information

Report the totals from Schedules A/B, D, E/F, I, J, Forms 122, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
Schedule A/B - Total Real Estate/Property			
Schedule A/B - Total Personal Property			
Schedule D - Total Secured Claims			
Schedule E/F - Total Priority Unsecured Claims			
Schedule E/F - Total Nonpriority Unsecured Claims			
Schedule I - Monthly Income			
Schedule J - Monthly Expenses			
Current Monthly Income (Official Form 122A-1, 122B or 122C-1)			
Total Nondischargeable Debt (Official Form 106Sum, 9g)			
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E/F, or total nondischargeable debt is not known.			

Figure 13a

- ◆ The Summary of Schedules screen collects numeric data within the system and is used when opening a case under Chapters 7, 11, 12 and 13. Report the totals from Schedules A/B, D, E/F, I, J, Form 122, and Nondischargeable Debt in the boxes provided.
- ◆ The figure for **Total Dischargeable Debt** is automatically calculated by adding the figures from Schedules D, E/F and then subtracting the figure from the Total Type of Liability field from the Statistical Summary of Certain Liabilities.
- ◆ The calculated figure only works if all relevant fields have numeric data.
- ◆ Click **[Continue]**

STEP 13b The **EOUST DATA FOR CHAPTER 12 AND CHAPTER 13 INDIVIDUAL CASES** screen appears. (Figure 13b.)

CM/ECF Bankruptcy Adversary Query Reports Utilities

Open Voluntary Bankruptcy Case

Schedules

Schedule C: Total value of claimed exemptions

Schedule I line 2: Monthly gross wages, salary, and commission Debtor Spouse

Schedule I line 6: Subtotal of payroll deductions Debtor Spouse

Schedule J line 23c: Monthly net income

Figure 13b

- ◆ This screen captures data elements at case opening for the Executive Office of the United States Trustee. Figure 13b is used for Chapter 12 and Chapter 13.
 - ◆ The screens will vary depending on the chapter of the bankruptcy case. (See Example 1a on Page 20 of Tab 2 for Chapter 7 screen.)
 - ◆ Click **[Continue]**

NOTE: Screens which appear after the **EOUST Data for Chapter 7** screen may be found on Page 20 of Tab 2. (See Examples 1b and 1c.)

STEP 13c The **INCOMPLETE FILINGS DEADLINES** screen is presented.
(See Figure 13c.)

The screenshot displays the 'Open Voluntary Bankruptcy Case' screen. At the top is a navigation bar with links: CM/ECF, Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below the navigation bar, the title 'Open Voluntary Bankruptcy Case' is shown. The main content area lists the due dates for various schedules, each with a calendar icon for selection:

Schedule	Due Date
Summary of schedules	12/24/2015
Schedule A/B	12/23/2015
Schedule C	12/24/2015
Schedule D	12/24/2015
Schedule E/F	12/23/2015
Schedule G	12/24/2015
Schedule H	12/24/2015

Figure 13c

- ◆ The deadline for filing each document is calculated and displayed. This will print on the final docket text and will exist as a schedule record for queries and reports.
- ◆ **You must delete deadlines for the documents you are filing at the time of opening the case.**
- ◆ Deadlines will vary by court. The court will monitor deadlines for compliance and will verify deficiencies.
- ◆ Click **[Continue]**

STEP 14 You will receive the screen in **Figure 14a** for Fee Paid cases.

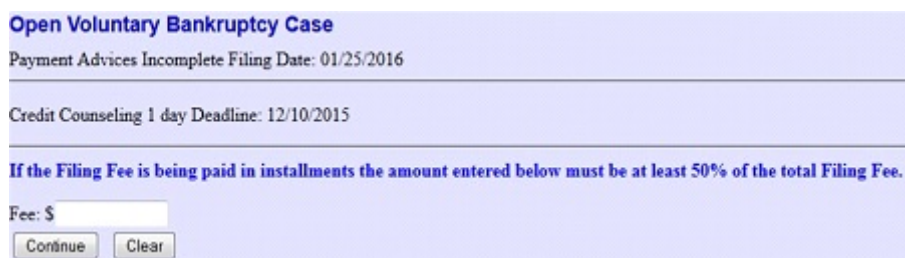


Open Voluntary Bankruptcy Case

Fee: \$310

Figure 14a

You will receive the screen in **Figure 14b** for Fee Paid in Installment cases.



Open Voluntary Bankruptcy Case

Payment Advices Incomplete Filing Date: 01/25/2016

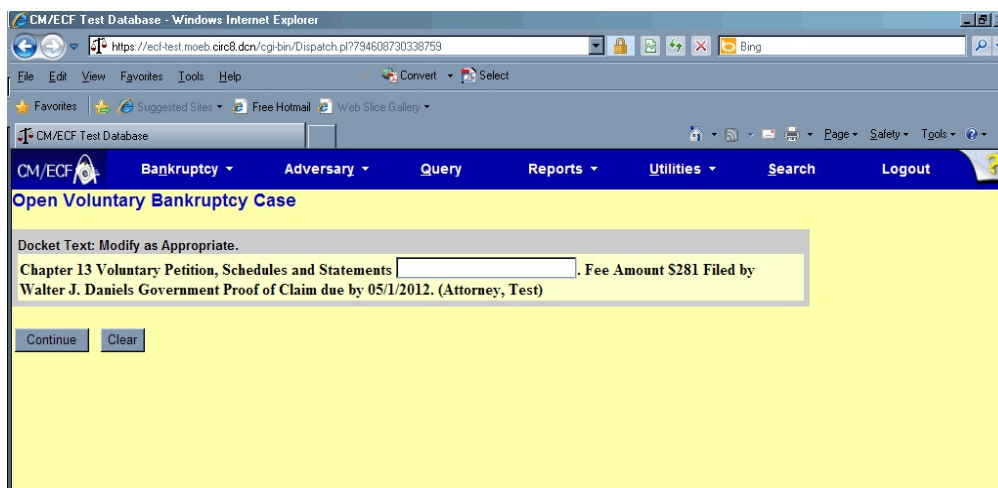
Credit Counseling 1 day Deadline: 12/10/2015

If the Filing Fee is being paid in installments the amount entered below must be at least 50% of the total Filing Fee.

Fee: \$

Figure 14b

STEP 15 The **MODIFY DOCKET TEXT** screen appears. (See Figure 15)



CM/ECF Test Database - Windows Internet Explorer

https://ecf-test.moeb.circ8.dcn/cgi-bin/Dispatch.pl?794608730338759

File Edit View Favorites Tools Help

CM/ECF Test Database

CM/ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Voluntary Bankruptcy Case

Docket Text: Modify as Appropriate.

Chapter 13 Voluntary Petition, Schedules and Statements . Fee Amount \$281 Filed by Walter J. Daniels Government Proof of Claim due by 05/1/2012. (Attorney, Test)

Figure 15

- ◆ Depending on your local court, you may or may not be able to add text to this entry. Your court will give instructions for annotating this docket text.
- ◆ Click **[Continue]**.

STEP 16 The **FINAL TEXT EDITING** screen displays. (See Figure 16.)

NOTE: This is the last opportunity to make any changes before the case is officially opened.



Figure 16

- ◆ Proof this screen carefully! This is what will print on the docket sheet.
- ◆ If the docket text is incorrect, click the browser **[Back]** button at the top of the screen one or more times to find the screen to be modified, make the correction, and continue through the event.
- ◆ To abort or restart the transaction, click on the Bankruptcy hyperlink on the **CM/ECF Main Menu Bar**. Although this can be done at any time, this is your last opportunity to change the event.
- ◆ Click **[Continue]**. The case number will now be assigned.

STEP 17 The **NOTICE OF ELECTRONIC FILING** screen displays. (See Figure 17.)

NOTE: The electronic payments screen also now appears. This screen is covered in Step 19.



Figure 17

- ◆ This **Notice of Electronic Filing** is the verification that the filing has been sent electronically to the court's database. It certifies that the petition is now an official court document.
- ◆ Make a note of the case number, which appears in blue. Clicking on the case number hyperlink, [05-40091](#), will take you to the PACER login screen. After login, the docket report for this case will be displayed.
- ◆ Clicking on the document number hyperlink [1](#), will take you to the PACER login screen. After login, the PDF image of the petition just filed will be displayed.
- ◆ The [Notice of Bankruptcy Case Filing](#) hyperlink appears at the top of the Notice of Electronic Filing. Clicking on this hyperlink reveals a notice (via PACER) summarizing the pertinent details and participants of this case. (See Figure 18.)

NOTE: You must enter your PACER login and password to view any documents or reports or perform any queries.

STEP 18 If you click on the [Notice of Bankruptcy Case Filing](#) hyperlink at the top of the Notice of Electronic Filing, the Notice of Bankruptcy Case Filing will be displayed. This notice summarizes the pertinent details and participants of this case. (See Figure 18.)

NOTE: The Notice of Bankruptcy Case Filing will NOT initially include judge and trustee information. Therefore, a user may choose to produce this notice after the judge and trustee have been assigned to the case, either manually by the court or automatically by the Judge/Trustee Assignment.

Follow local court procedures for Judge/Trustee assignment (see Tab 4).



Figure 18

- ◆ This certification was created in addition to the initial notice of filing. It also displays the debtor(s), attorney, trustee, case number, time, and filed date of the case opening information. It can be used to notice creditors as an official notice of stay besides the 341 Meeting Notice to stop foreclosures and other creditor actions. It may be saved or printed at the time of filing.
- ◆ The Notice of Bankruptcy Case Filing is also available for viewing or printing through the Query Main Menu Bar selection.

- ◆ To print a copy of this notice, click the browser **[Print]** button or icon.
- ◆ To save a copy of this receipt, click **[File]** on the browser menu bar and select **Save Frame As**.

STEP 19 The electronic payments screen appears at the same time as the Notice of Electronic Filing screen. (See Figure 19a.)

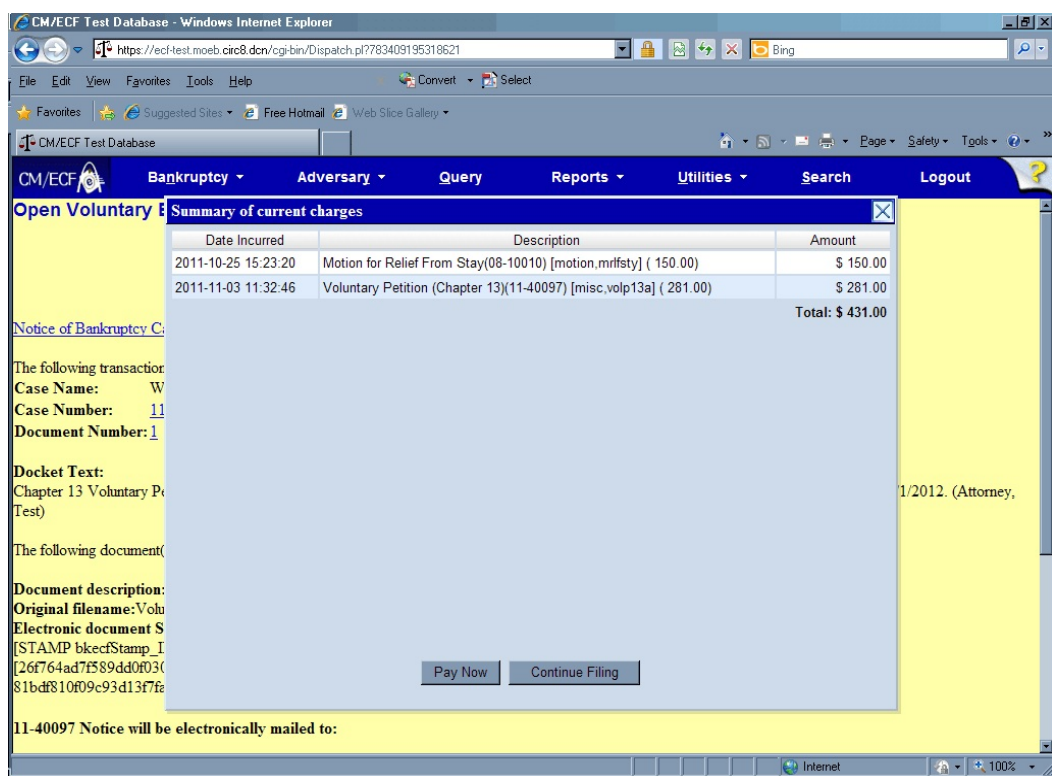


Figure 19a

If you choose Pay Now, the Online Payment screen appears. (See Figure 19b.) See Administrative Procedures, Appendix 7-A, for On-Line Credit Card Attorney Manual.

Online Payment - Microsoft Internet Explorer

Online Payment [Return to your originating application](#)

Step 1: Enter Payment Information 1 | 2

Pay Via Plastic Card (PC) (ex: American Express, Diners Club, Discover, Mastercard, VISA)

Required fields are indicated with a red asterisk *

Account Holder Name: *

Payment Amount: *

Billing Address: *





Billing Address 2:

City:

State / Province: -----

Zip / Postal Code:

Country: United States

Card Type: *    

Card Number: * (Card number value should not contain spaces or dashes)

Expiration Date: * / *

Select the "Continue with Plastic Card Payment" button to continue to the next step in the Plastic Card Payment Process.

[Continue with Plastic Card Payment](#) [Cancel](#)

Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.

Figure 19b

If you choose Continue Filing, the Online Payment screen will be removed and reappear after future filings that require a fee.

EXAMPLE 1a:

EOUST Data for Chapter 7 Individual Cases screen

Open Voluntary Bankruptcy Case

Schedules

Schedule C: Total value of claimed exemptions

Schedule I line 2: Monthly gross wages, salary, and commission Debtor Spouse

Schedule I line 6: Subtotal of payroll deductions Debtor Spouse

Schedule J line 23c: Monthly net income

Form B122A-1

Line 1: Marital and filing status

Line 11: Total current monthly income Debtor Spouse

Line 13: Number of people in debtor's household

Line 13: Applicable median family income

Form B122A-1Supp

Line 1: Declaration of non-consumer debt ☐

Line 2: Disabled veteran ☐

Form B122A-2

Line 4: Adjusted current monthly income

National Standards

Line 6: Food, clothing and other items

Line 7c: Out-of-pocket health care allowance: people under 65 years of age

Line 7f: Out-of-pocket health care allowance: people 65 years of age or older

Local Standards

- ◆ This screen captures data elements at case opening for the Executive Office of the United States Trustee. Figure 20 is used for Chapter 7.

EXAMPLE 1b:

Chapter 7 Means Test screen

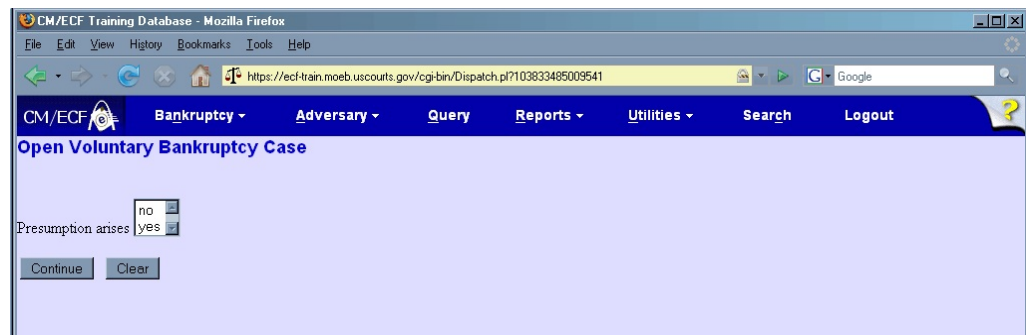
Open Voluntary Bankruptcy Case

Is the Chapter 7 Statement of Current Monthly Income and Means Test Calculation Form filed?

- ◆ The Means Test screen allows the filer to indicate whether the means test has been filed at the time of case opening. It will appear after the **EOUST Data for Chapter 7 Individual Cases** screen.

EXAMPLE 1c:

Chapter 7 Presumption Arises screen



The screenshot shows a web browser window titled "CM/ECF Training Database - Mozilla Firefox". The address bar displays the URL "https://ecf-train.moeb.uscourts.gov/cgi-bin/Dispatch.pl?103833485009541". The navigation menu includes "Bankruptcy", "Adversary", "Query", "Reports", "Utilities", "Search", and "Logout". The main heading is "Open Voluntary Bankruptcy Case". Below this, there is a label "Presumption arises" followed by a dropdown menu. The dropdown menu is open, showing two options: "no" and "yes". The "yes" option is selected. Below the dropdown menu are two buttons: "Continue" and "Clear".

- ◆ The Presumption Arises screen appears if the query in example 1b is answered as "yes." The response chosen will reflect the box marked on the means test.