

Bankruptcy Case Opening (Voluntary)

This module will demonstrate the steps to take to open a new voluntary bankruptcy case in the CM/ECF system. Note: If your bankruptcy petition software program provides the auto-upload case feature, it will not be necessary to enter the information as described in the module, nor to upload the creditor matrix. This will be auto-uploaded by the bankruptcy program into CM/ECF. Check with your petition software company to find out if the case feature is available.

STEP 1 Click the [Bankruptcy](#) hypertext link on the CM/ECF Main Menu Bar.

STEP 2 The **Bankruptcy Events** menu displays.

Click the [Open BK Case](#) hypertext link.

STEP 3 The **Case Data** screen displays. (See Figure 1)



The screenshot shows a web browser window titled "Starter Database Area - Microsoft Internet Explorer". The address bar contains the URL: https://ecf-train.tnwb.uscourts.gov/cgi-bin/login.pl?928742519086207-L_916_0-1. The page header features the CM/ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, Logout, and a help icon. The main content area is titled "Open New Bankruptcy Case" and contains a form with the following fields:

- Case type:
- Date filed: 11/6/2003
- Chapter:
- Joint Petition:
- Deficiencies:

At the bottom of the form are "Next" and "Clear" buttons.

Figure 1

The **Case Type** defaults to **bk**. This is the only option. No action is necessary.

The current date is displayed in the **Date Filed** field. This date cannot be altered. The file date of the petition will be the current date.

Click the arrow to reveal the list of available **Chapter** options. (**NOTE:** the system defaults to Chapter 13). Select the appropriate Chapter.

Click the arrow to reveal the list of **Joint Petition** options. **NOTE:** The system defaults to 'n' for no - meaning this is *not* a joint (husband and wife) filing. Accept the default, or click to select 'y' to indicate that the filing includes husband and wife.

Click the – arrow to reveal the list of **Deficiencies** options. The system defaults to ‘n’ meaning there are *no* deficiencies, and that this new filing contains all required documents. If any items are missing from the petition, change the **Deficiencies** box to ‘y.’

STEP 4 An informational screen displays. (See Figure 2)

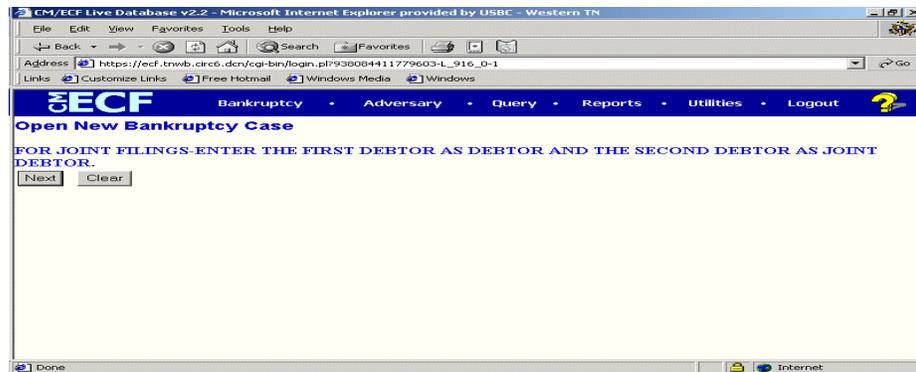


Figure 2

Click **[Next]**.

STEP 5 The **Search for a Party** screen displays. (See Figure 3)

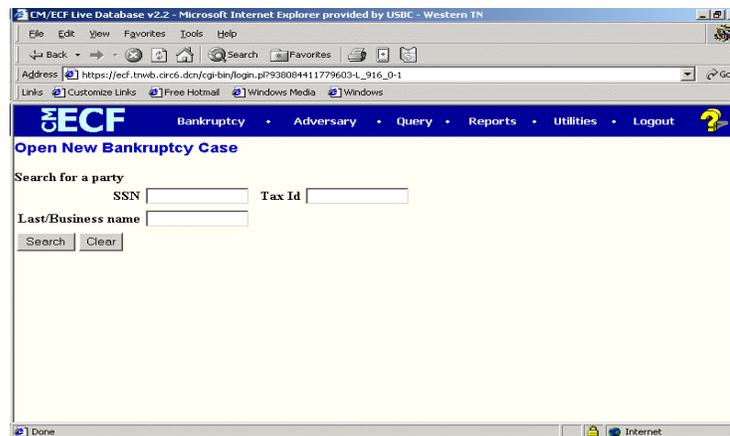


Figure 3

The database must always be searched to see if the debtor(s) exist before a new party may be added.

Type the Social Security Number and/or Last Name
OR
Type the Tax Identification Number and/or Business Name.

Click **[Search]** to continue.

Search Hints

- Format Social Security Number or Tax ID with hyphens.
- Search is *not* case sensitive. (Smith or smith)
- Include punctuation. (O'Brien)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild Cards (*) are not required at the end of search strings.
- Wild Cards (*)(?) may be used before or within search strings (*son, Gr*y, Gr?y)

STEP 6 The Party Search Results screen displays. (See Figure 4)

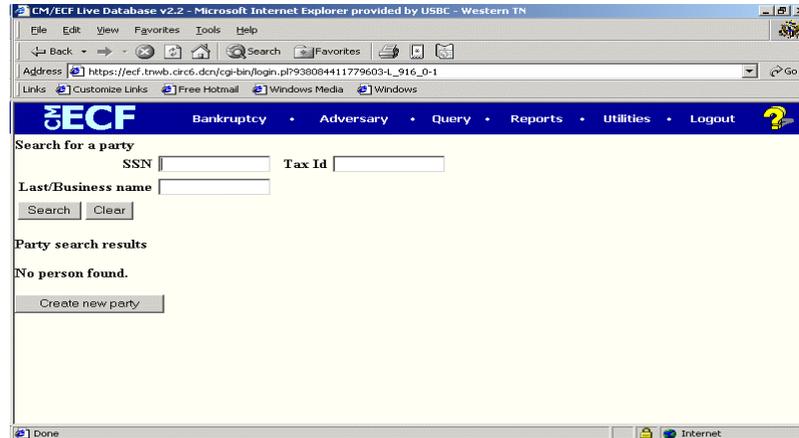


Figure 4

If the system does not locate the party in the database, a message will be displayed: **No person found.**

Click **[Create new party]** to add the debtor into the system.
Proceed to **STEP 7.**

If the system does locate the party in the database, a **Party search results** list will display. (See Figure 5)

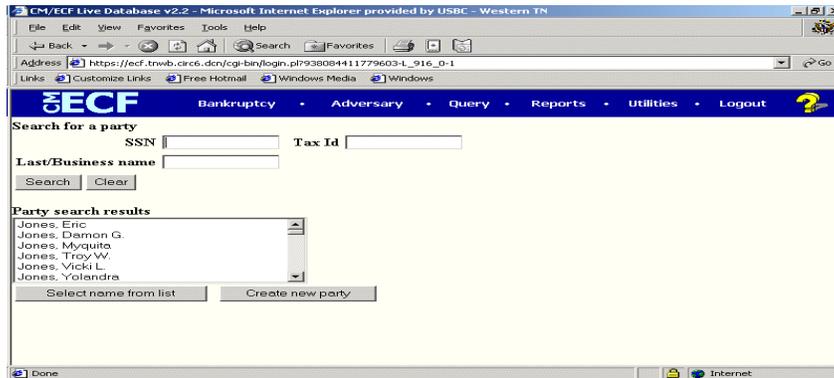


Figure 5

- , Click the – arrow to scroll the entire list of search results, if necessary.
- , Highlight the debtor’s name if it appears on the list.
- , The **Person Address** box displays. (See Figure 6).

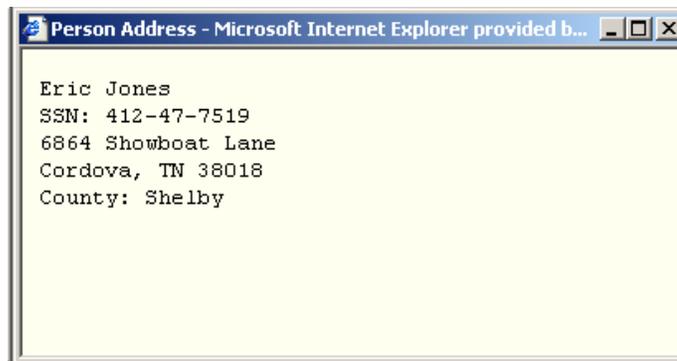


Figure 6

- , If you cannot locate the information for your party click **[Create new party]** and proceed to **STEP 7**.
- , If this is your party (name and social security number match; address could be different), click **[Select name from list]**. (See Figure 5)

STEP 7 The **Party Information** screen displays. (See Figure 7)

Starter Database Area - Microsoft Internet Explorer

Address: https://ecf-train.tnwb.uscourts.gov/cgi-bin/login.pl?337987926197181-L_916_0-1

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

Party Information

Eric Jones SSN:Unknown

Office Address 1 6864 Showboat Lane

Address 2 Address 3

City Cordova State TN Zip 38018

County Shelby Country

Phone Fax

E-mail

ProSe no Role blank (blank)

Party text

Alias... Review... Add all aliases before clicking the Submit button.

Submit Cancel Clear

Figur

e 7

Review the information outlined in the screen. Make any necessary changes (address change, phone number change, etc..)

If you are **creating a new party**, enter the following information as shown on the voluntary petition (Debtor's last name and Social Security Number will be reflected from the party search):

- Debtor's **First name**
- Debtor's **Middle name**
- Debtor's **Generation**, if applicable (Jr., Sr., III, etc.)
- The Office box may be used to indicate the office name of a business debtor. (This field is used infrequently.)
- Use **Address 1**, **Address 2**, and **Address 3** lines to type the debtor's mailing address as shown on the petition (Do not list the residence address if different from the mailing address).
- Type **City**, **State**, and **Zip** information.
- Click the down arrow to reveal the list of **County** options. Click to highlight the county shown on the petition.
- It is not necessary to enter a country name unless the country of debtor's residence is not the United States of America.
- Phone, Fax, and E-Mail information of the debtor is optional.

The **Pro Se** box automatically defaults to ‘n’ for no, meaning that the debtor is not representing himself. By virtue of your ECF password, you will automatically be added as the attorney for this debtor by the CM/ECF system once the case is filed.

The **Role** type **MUST** be entered. Click on the down arrow and select “**Debtor.**”

Party Text may be used to add additional information to the debtor’s name. For example: If the debtor was *General Foods Store* in the **Last name** field, and enter *a division of General Motors Corporation* in the Party text field.

If the debtor has any aliases, click [**Alias**] to enter this information. Refer to Step 8.

STEP 8 The **Alias Information** screen displays. (See Figure 8)

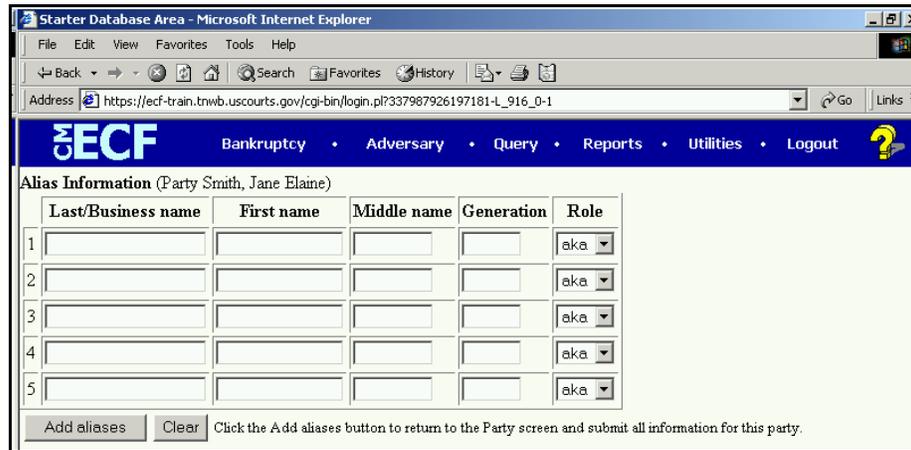
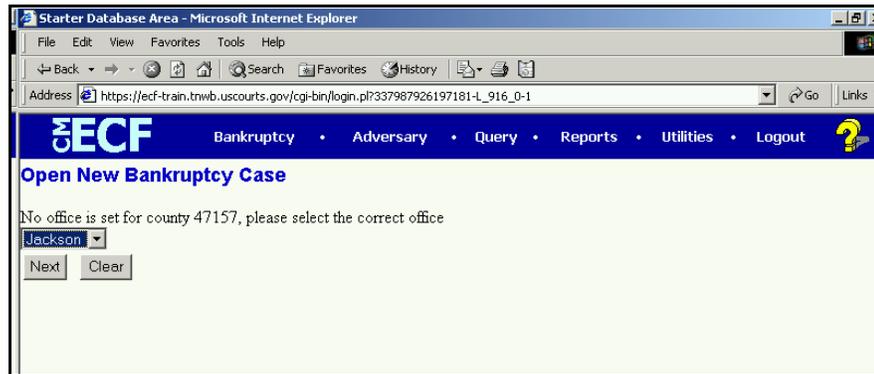


Figure 8

Enter the **Last Name/Business Name, First Name, Middle Name** and **Generation** of the alias, as applicable.
 Click the – arrow to reveal the list of **Role** options.
 Enter the appropriate **Role** for the alias (aka, dba, faw, fdba, fka)
 When all aliases are listed, Click [**Add aliases**] to return to the **Party Information** screen (Figure 7).

STEP 9 Party Information screen displays again. (See Figure 7)

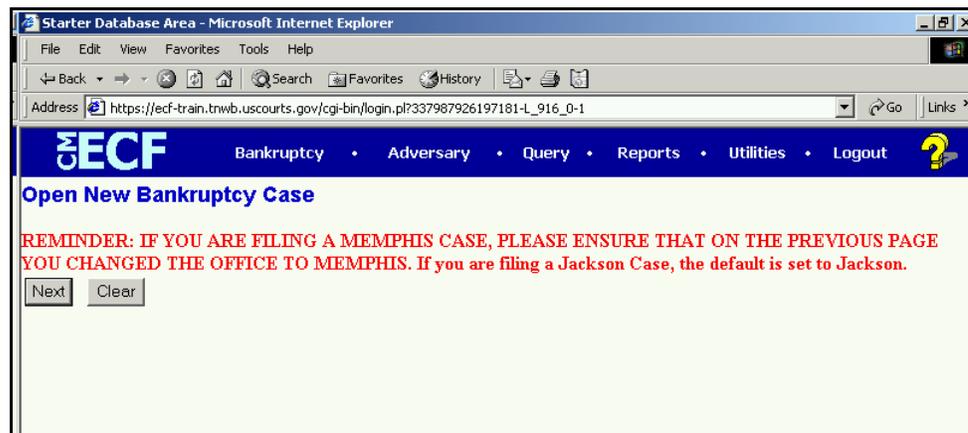
Click **[Submit]** to submit all information for this party.

STEP 10 The Office screen displays. (See Figure 9)**Figure 9**

The Office screen defaults to “Jackson”. If you are filing a case in the Eastern Division(Jackson), keep the default as “Jackson”.

If you are filing a case in the Western Division (Memphis), Click the – arrow to reveal the list of **Offices**. Highlight “Memphis”.

Click **[Next]**.

STEP 11 A Reminder screen displays. (See Figure 10)**Figure 10**

Click **[Next]** to continue, or your **[Back]** button if you need to verify that you chose the correct Office.

[NOTE: If there is a joint debtor, repeats steps 5 - 9 to add the joint debtor information. The joint debtor's **Role** type must be **Joint Debtor**.]

STEP 12 The **Type of Debtor** screen displays. (See Figure 11)

Figure 11

Click to T the appropriate **Type of debtor**.

Click the – arrow to reveal the list of **Fee Status** options.

They system defaults to '**Paid**', for filing fee paid in full.

Highlight '**Installment**', if application to pay filing fee in installments is being filed.

Click the – arrow to reveal the list of **Nature of Debt** options. Highlight '**consumer**' or '**business**', as appropriate. Leave the **Voluntary** option as '**Voluntary**'.

The **Origin** will remain '**Original**'. (The other options are used for Split Conversion and Intra-District transfers).

The **Date Split/Transfer** will remain blank. (This date is only filled in when a Split Conversion or Intra-District Transfer is filed).

Click the – arrow to reveal the list of **Asset Notice** options. Highlight '**No**' if it is a *no asset* case OR highlight '**Yes**' if it is an *asset* case. (All Chapter 13 cases are asset cases.) **DO NOT HIGHLIGHT 'UNKNOWN'**.

Click the – arrow to reveal the list of **Estimated number of creditors** list. Highlight the appropriate number of creditors.

Click the – arrow to reveal the list of **Estimated assets** list. Highlight the appropriate amount of assets.

Click the – arrow to reveal the list of **Estimated debts**. Highlight the appropriate amount of debts.

Click **[Next]** to continue.

STEP 13 The **Receipt and Fee Information** screen displays. (See **Figure12**)

CM/ECF Bankruptcy · Adversary · Query · Reports · Utilities · Logout ?

Open New Bankruptcy Case

If receipt # has been provided, enter it here, otherwise, for Receipt # Enter **CC** for Credit Card or **O** for Other Payment.

Receipt #: Fee: \$209

Figure 12

- , If the receipt number has been provided, enter it here.
- , Otherwise, for receipt number enter **CC** for Credit Card Payment, or **O** for Other Payment.
- , Click **[Next]** to continue.

STEP 14 A screen with no information displays. (See Figure 13)

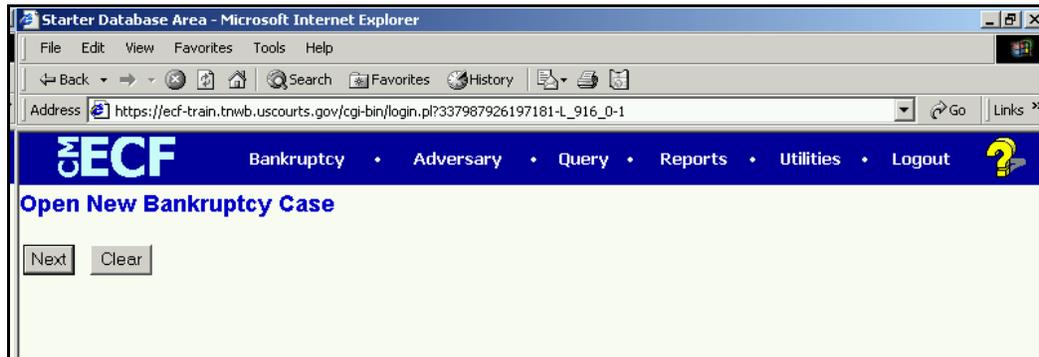


Figure 13

Click **[Next]** to continue. (This screen is needed for processes happening in the background).

STEP 15 The **Select the pdf document** screen displays. (See Figure 14)

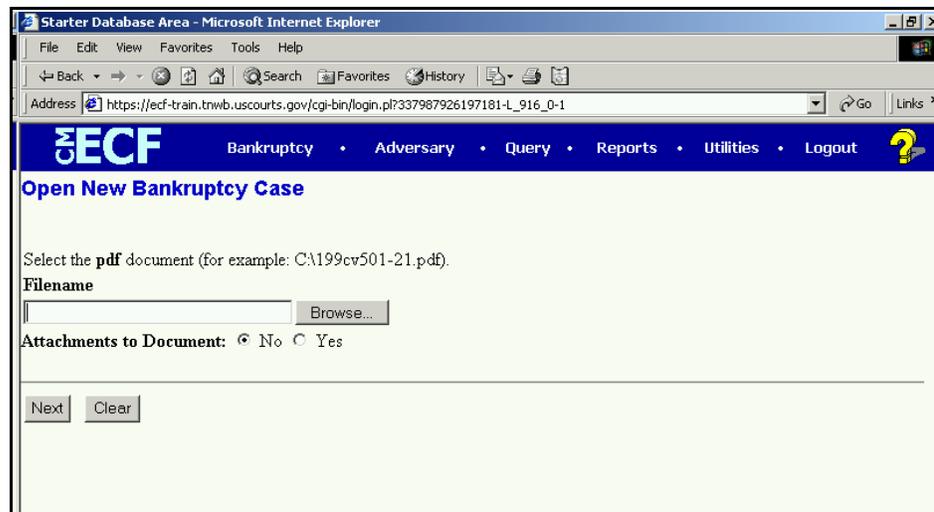


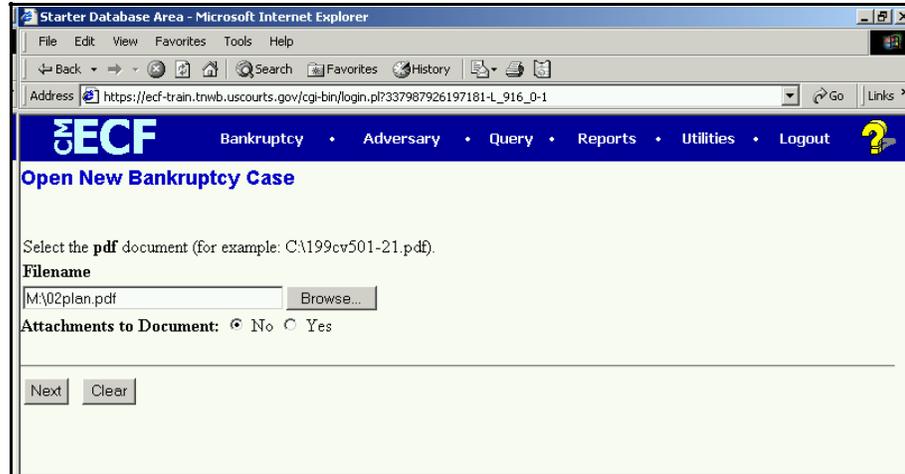
Figure 14

Click **[Browse]** to search for the appropriate PDF (Portable Document Format) document.

Always remember to right click on the file, prior to attaching it to the docket entry, to ensure the correct document is being added.

Double Click on the appropriate PDF to attach it to the docket entry.

STEP 16 The **Select pdf document** screen displays again, with the **Filename** inserted. (See Figure 15)

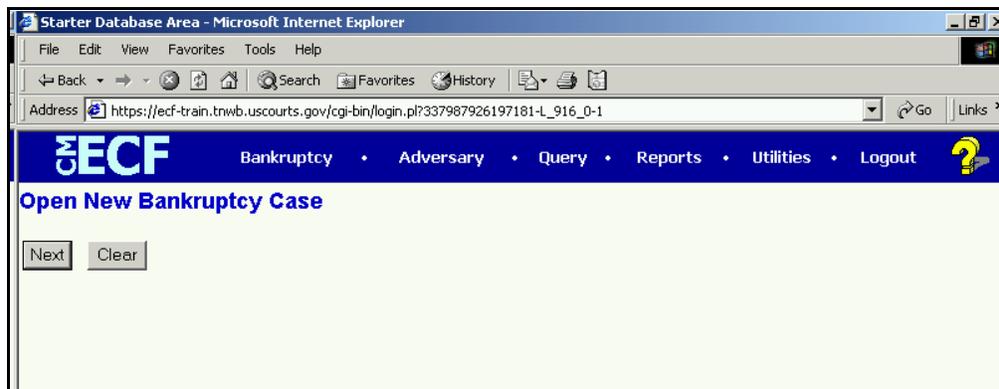


The screenshot shows a Microsoft Internet Explorer browser window titled "Starter Database Area - Microsoft Internet Explorer". The address bar contains the URL "https://ecf-train.tnwb.uscourts.gov/cgi-bin/login.pl?337987926197181-L_916_0-1". The page header features the ECF logo and navigation links: "Bankruptcy", "Adversary", "Query", "Reports", "Utilities", and "Logout". The main heading is "Open New Bankruptcy Case". Below this, there is a text prompt: "Select the pdf document (for example: C:\199cv501-21.pdf)". A "Filename" label is positioned above a text input field containing "M:\02plan.pdf" and a "Browse..." button. Below the input field, there is a section for "Attachments to Document:" with radio buttons for "No" (selected) and "Yes". At the bottom of the form area, there are "Next" and "Clear" buttons.

Figure 15

Click **[Next]** to continue.

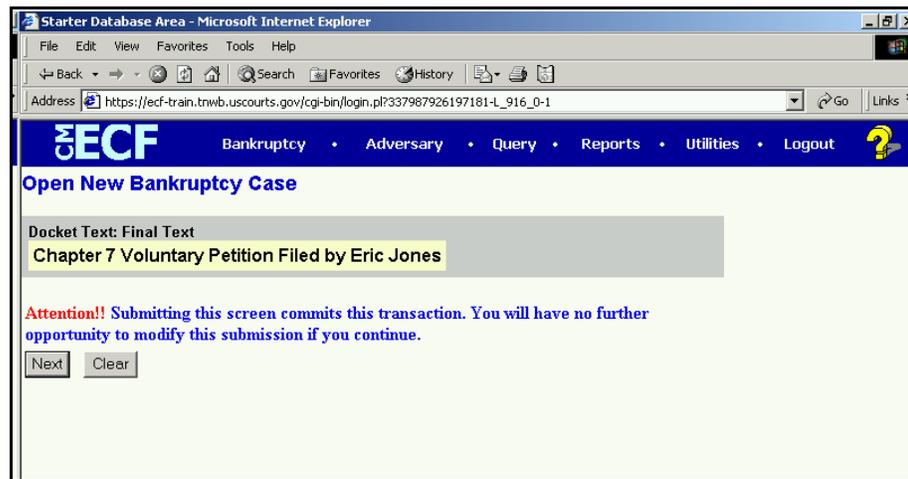
STEP 17 A screen with no information displays. (See Figure 16)



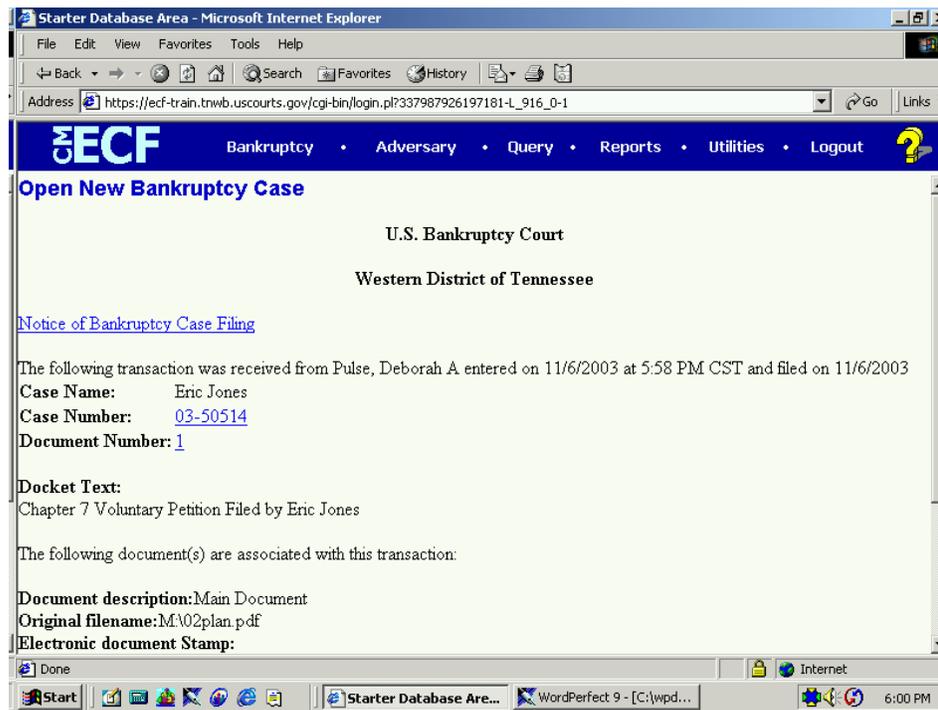
The screenshot shows the same browser window as Figure 15. The page content is mostly blank, with only the "Next" and "Clear" buttons visible at the bottom of the form area. The header and navigation links remain the same.

Figure 16

Click **[Next]** to continue. (This screen is needed for processes happening in the background).

STEP 18 The **Docket Text: Final Text** screen displays. (See Figure 17)**Figure 17**

Verify all docket text information is correct.
Click **[Next]** to accept all information and to finalize case opening.

STEP 19 The **Notice of Bankruptcy Case Filing (Notice of Electronic Filing)** screen displays. (See Figure 18)**Figure 18**

- Scroll down to see participants who have and have not registered for electronic noticing on this case.
- , You may also save the notice through the browser **File/Save** option.

Notice of Electronic Filing:

Date and time stamp information

Case Title

Case number hyperlink to Pacer

Docket text

- Annotated text in italics
- Text produced from docket event
- Attachment type, description and attachment number which is a hyperlink to the PDF file of the attached document if there is one.

Associated (PDF) documents:

Document description:	Defaults to Main Document being docketed.
Original filename:	Filer's full directory path from firm or court's hard drive or network.
Electronic document stamp:	Unique identifying name of the document being filed for security purposes. Key file of the court used for encryption

Notice will be electronically mailed to:

Any party on the case who has registered their e-mail address with the court will be listed here with their current e-mail address, not their street address.

Notice will not be electronically mailed to:

Name and address of other parties on the case who have not furnished their e-mail address with the court.

NOTE: Participants in a case are billed for all pages accessed in CM/ECF, except when they receive a Notice of Electronic Filing via email. If they click on the hyperlink to the document which was filed, they will not be asked to log in and will not be billed for this first view. This free view is only available during the first 30 days after the docket entry is made. If they access the same document again, they will have to log and will be charged; to avoid additional charges, they should download the document during the first (free) viewing. The free view is also available to those who receive email notification but are not participants in the case.

NEXT: Refer to instructions for:

Judge/Trustee Assignment

Uploading a Creditor Matrix

Application To Pay Filing Fee In Installments

Chapter 13 Plan