Bankruptcy Case Opening

This process shows the steps for attorneys to open a bankruptcy case on ECF. A number of bankruptcy software programs automatically upload the case information into ECF allowing attorneys to bypass this procedure.

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

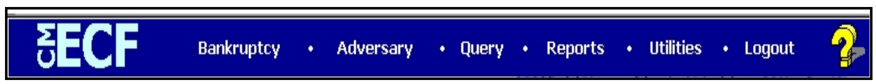

Figure 1

STEP 2 The **BANKRUPTCY EVENTS** screen displays.

❑ Click on **Open A BK Case.**

➢ For further information on each of these categories, click the (Help) icon.

STEP 3 The **CASE DATA** screen displays.

❑ The **Case Number** will be automatically generated at the end of case opening in the YY-NNNNN format (i.e. 01-00001).

❑ Select the **Office** from the pick list or skip over it to accept the default.

- **Juneau**
- **Nome**
- **Anchorage**
- **Fairbanks**
- **Ketchikan**

❑ The current date is displayed as the **Case Filed** date.

❑ Select the **Chapter** from the pick list. **7, 9, 11, 12, 13** or **304.**

❑ The default value for **Joint** is **n (no)**, for a Joint filing select **y (yes)**.

- ❑ The **Case Type** defaults to **bk**. No action is necessary.

- ❑ If there are any items missing from the petition or from the required schedules and statements, change the **Deficiencies** box from **n (no)** to **y (yes)**. A deficiency list will then be presented on a later screen.

➢ **NOTE:** When opening a bankruptcy case the voluntary petition, matrix, and matrix verification **MUST** be part of the opening event. The schedules and statements may be filed as attachments to the opening event or they can be filed as their own entries, after the case opening has been completed. If any required schedules, statements or other items will not be filed at the same time as the petition, you should check **y** in the deficiency box.

- ❑ Click the **[Next]** button.

STEP 4 The **SEARCH FOR A PARTY** screen displays.

- ❑ **Before adding a party, a search of the database for that party must be performed**. A search may be performed by Social Security Number, Tax Identification Number, Last Name or Business Name.

  - Enter the last name or the first few characters of the last name to search. If this is a business filing, enter the first word or significant words of the business name to search the database. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters

Search Hints:

- **Enter one field of data for each search.**
- **Format Social Security Number or Tax ID with hyphens.**
- **Include an apostrophe or hyphen if part of the name. (O'Brien) Omit other punctuation, such as periods or commas.**
- **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)**

- ❑ Click the **[Search]** button.

STEP 5 If the debtor has filed before, in our district, he will show up on the party search results screen.

- ❏ Highlight the name and click the **[Select Name From List]** button.
- ❏ Check to see if the address is correct on the Party Information Screen. If it is incorrect then highlight and delete the address listed and enter the correct address. This will change the address for this case only and not the previously filed case.
- ❏ Go to **[Step 6]** to finish entering the debtor information.

If there are no matches, the system will return a **NO PERSON FOUND** message.

- ❏ Since the party is not already in the database, proceed to add the debtor. Click the **[Create New Party]** button.

STEP 6 The **PARTY INFORMATION** screen displays**.**

- ❏ Enter debtor **Name** and **Address** information in the appropriate boxes. Refer to the Attorney Style Guide for correct input of all parties.
  - ▸ **REMINDER: DO NOT USE COMMAS OR PERIODS WHEN ADDING DEBTOR NAME AND ADDRESS INFORMATION TO A CASE.**
- ❏ Select the debtor's **County** of residence from the pick list.

➢ **NOTE:** Refer to the list of cities and their corresponding counties at the end of this guide. If the city is not listed, notify the court prior to opening the case and selecting a county of residence.

➢ **NOTE:** You may type the first letter of the county name to conduct a faster search.

- ❏ **Pro se** field should be **no**.
- ❏ The **Role Type** selection is defaulted to Blank. You **Must** change this and choose **Debtor** from the drop down menu.
- ❏ Enter further descriptive text in the **Party Text** field, if appropriate. (A Connecticut Corporation, etc.)

- ❑ If the party has an alias, click the **[Alias]** button.

STEP 7 The **ALIAS** screen displays.

- ❑ You can enter up to 5 alias records at a time. If you have more than 5 you will have to add the first 5 aliases, return to the party information screen and then click on the alias button again and enter the next 5 aliases. Repeat for as many aliases as you have. **Alias Role** selections include aka, dba, fdba, fka.
- ❑ Click **[Add aliases]** button.

STEP 8 The **PARTY INFORMATION** screen appears once more.

- ❑ Clicking the **[Review]** button presents a screen summarizing the attorney and alias activity for this debtor.

➢ **NOTE**: The system will automatically add the attorney to the case, based upon the login and password information provided by or for the attorney who is logged into ECF. When you review the information you have input to this point, it will indicate that No Attorney has been added, but the attorney will be added to the case automatically.

- ❑ Verify the information.
- ❑ Clicking the **[Clear]** button will clear all information entered in the text boxes and then the information would need to be re-entered.
- ❑ Click the **[Submit]** button.

➢ **NOTE:** When the case is a joint filing, the joint debtor screen displays. Enter the joint debtor information as outlined above.

➢ **IMPORTANT NOTE:** BE CAREFUL when using your BACK ARROW to review previous screens after you have added a party to the database. If you **DO NOT** make any changes, in any of the previous screens, then you must use the FORWARD ARROW to return to your current screen. If you **DO** make changes to **ANY** screen you **MUST** use the NEXT button to submit the changes to the system. If you make changes and come to a screen to search or add a party you need to conduct a search for the party again. By doing a search you should find them in the database. DO NOT CREATE A NEW PARTY if you have already previously submitted them. If you get totally lost then abort your entry by clicking on Bankruptcy and start over.

STEP 9 The **STATISTICAL DATA** screen displays.

- ❑ Select the **Type of Debtor** by clicking in the appropriate box(es).

- ❑ **Fee Status** values are “Paid” and “Installment”. If the petition is accompanied by an Application to Pay Filing Fees in Installments, choose Installment from the pick list. Payments other than credit cards are to be either mailed to the Clerk of Court not later than the next business day or hand delivered to the Clerk of Court not later than the second business day after the electronic filing.

- ❑ Designate the **Type of Debtor** as Consumer or Business.

- ❑ The default value is for a **Voluntary** Petition. For Involuntary Petitions, select Involuntary from the pick list.

- ❑ The **Origin** code should be *Original*.

- ❑ **Date Split/Transfer** should NOT be used. Ignore and bypass this field.

- ❑ Choose Y or N for **Asset notice** designation.

  Chapter 7 (no asset) = n
  Chapter 7 (asset) = y
  Chapter 11 = y
  Chapter 13 = y

- ❑ Select the range of **Estimated Creditors** from the pick list.

  - 1 -15
  - 16 - 49
  - 50 - 99
  - 100 -199
  - 200 - 999
  - 1,000 - over

- ❑ Select the correct dollar range for **Estimated Assets**.

  - Under $50,000
  - $50,001 - 100,000
  - $100,001 - 500,000
  - $500,001 - 1 million
  - $1,000,001 - 10 million
  - $10,000,001 - 50 million
  - $50,000,001 - 100 million
  - More than $100 million

❑ Select the correct dollar range for **Estimated Debts**.

- Under $50,000
- $50,001 - 100,000
- $100,001 - 500,000
- $500,001 - 1 million
- $1,000,001 - 10 million
- $10,000,001 - 50 million
- $50,000,001 - 100 million
- More than $100 million

❑ Click **[Next]** to continue.

STEP 10 If you have selected **y** for **Deficiencies** on the **Case Data** screen, the **DEFICIENCY LIST** screen appears.

❑ Place a check in the box for each item that will **NOT BE filed during or immediately** following the opening of this case.

❑ Click **[Next]** to continue.

STEP 11 The **PDF DOCUMENT SELECTION** screen displays.

❑ Click **[Browse]**, then navigate to the directory where the appropriate PDF file is located or type in the full directory and file path name for the document being filed.

➢ **NOTE:** When opening a bankruptcy case, your main PDF document will be the voluntary petition, **ONLY**. The matrix and the matrix verification will be in PDF format and will be entered into the system as an attachment to the petition. The required schedules and statements may also be entered into the system as attachments to the petition or they may be filed separately from the petition, as their own entries.

❑ To verify that this is the appropriate document, highlight the document name.

- Right click with your mouse.
- Select **open** to view the imaged document.
- Click **X** in the upper-right corner to exit the image.
- If correct, double-click the PDF file to select it.

❑ To attach the matrix, matrix verification, and the schedules and statements to the petition entry you select the **Yes** radio button to the right of the **Attachments to Document:** prompt.

- ❏ Click the **[Next]** button.

STEP 12 The **ATTACHMENTS SELECTION** screen displays. *(Optional: Screen appears only when answering **yes** to **attachments to document**.*)

- ❏ Click **[Browse],** then navigate to the directory where the appropriate PDF matrix is located or type in the full directory and file path name for the matrix and matrix verification you are attaching.
- ❏ If appropriate you may select the type of document you are attaching from within the **Type** drop down list of options or in the **Description** box type in a brief description of the attachment (i.e. matrix and matrix verification).
- ❏ Click **Add to List.** The attachment name and location displays.
- ❏ If you are attaching the schedules and statements to the petition, repeat this step for each of the schedules and statements being filed.
- ❏ Click the **[Next]** button.

STEP 13 The **INCOMPLETE FILING SUBMISSION** screen is displayed**.**

- ❏ The deadline for missing documents is calculated and displays. This will print on the final docket text and as a schedule record for queries and reports.
- ❏ The Statement of Intent is automatically set as a missing document and the court will review the case and remove the deadline if the document has been filed.
- ❏ Click the **[Next]** button.

STEP 14 The **RECEIPT** screen is displayed.

- ❏ Leave the receipt field **BLANK** if paying by a credit card (**NOTE** - you may only pay by credit card if the Court has first assigned the permission to your account) . For any other type of payment type **"Other"**. Payments other than credit cards are to be either mailed to the Clerk of Court not later than the next business day or hand delivered to the Clerk of Court not later than the second business day after the electronic filing.

- ❏ Click the **[Next]** button.

STEP 15 The **DOCKET TEXT** screen is displayed.

- ❏ Verify the accuracy of the docket text. This is what will display 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 error to be corrected.
- ❏ Click the **[Next]** button.

STEP 16 The **FINAL TEXT** screen is displayed.

- ❏ This is the last opportunity to verify the accuracy of text.
- ❏ Click the **[Next]** button.

STEP 17 The **ELECTRONIC PAYMENT WINDOW** screen displays (Only If You Are Paying By Credit Card and The Receipt Field Was Left Blank).

- ❏ Click **[Pay Now]** to pay by credit card at this time or click **[Continue Filing]**. You may choose "Continue Filing" and pay one time for all of the fees you have incurred for that day. You will be prompted after each filing to pay any outstanding fees. You **MUST** make the credit card payments on the day the fee was incurred.
- ❏ If you choose "Pay Now" then you select the credit card type, type in the credit card number, select the credit card expiration date and then click **[Submit Payment]**.
- ❏ The credit card will then be processed and when approved you will get a transaction receipt number. (NOTE - Internet Explorer will allow you to print that window BUT Netscape will not. You may obtain a history of your credit card payments under "Utilities" and "Internet Payment History".)

STEP 18 The **NOTICE OF BANKRUPTCY CASE FILING** screen displays.

- This notice 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 and the case was opened.

- The **Case Number** hyperlink will display the docket report for this case.

- The **Document Number** hyperlink will display the PDF image of the petition just filed.

- The **Notice of Bankruptcy Case Filing** hyperlink is the certification that the case has been filed with the court. This notice summarizes the pertinent details and participants of this case. It can be used to notify creditors of the bankruptcy stay. It may be saved or printed at the time of filing.
- To print a copy of this notice, click the browser **[Print]** icon or click **[File]** on the browser menu bar and select **[Print].**

- To save a copy of this notice, click **[File]** on the browser menu bar and select **Save As**.

  - The save box that displays allows you to name and save the page in some format. The format type is generally defaulted to HTML.

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

➢ **IMPORTANT NOTE:** In addition to attaching the matrix in PDF to the petition, you must also, once you have filed your petition, **REMEMBER** to upload your creditor matrix, an ASCII text document. See the Creditor Upload section of this guide for instructions.