

Adversary Case Opening

This process shows the steps required for attorneys to open an adversary proceeding.

- STEP 1** Click on the **Adversary** hyperlink on the ECF Main Menu Bar. (See Figure 1.)



Figure 1

- STEP 2** The **ADVERSARY EVENTS** screen displays.

- For further information on each of these categories, click the help icon.
- Click on **Open an AP Case**.



- STEP 3** The **OPEN ADVERSARY CASE** screen is displayed.

- Case Number** will be automatically generated at the end of case opening. All adversary case numbers will be YY-9NNNN format (i.e. 01-90001).
- The current date is displayed as the **Case Filed** date.
- Case Type** is defaulted to **AP**.
- Complaint should be **y**.
- Click the **[Next]** button.

- STEP 4** The **LEAD CASE NUMBER** screen is displayed.

- The **Lead Case Number** is case number for the main case (YY-NNNNN format). Make sure this number is correct as it will associate this adversary to whatever case number is typed in the field.
- Leave the "Association Type" as **Adversary**.

STEP 5 The **DIVISION** screen is displayed.

- As long as the correct main case number was entered in the previous screen, this screen will display a message like this - "Case is assigned to Anchorage Division, Judge MacDonald based on the lead Bankruptcy case 03-00010". The adversary case will then be assigned the same division as the main case.
- If you do not input a main case number on the previous screen will you get the option to assign the division (i.e. Juneau, Nome, Anchorage, Fairbanks or Ketchikan). **DO NOT DO THIS!** Using your back arrow go back to the previous screen and input the Main Case Number.

STEP 6 The **SEARCH FOR A PARTY** screen is displayed.

- Type the Plaintiff's last name to begin a party search.
- Click [**Search**]
- If the name is listed then highlight the name and click the [**Select Name From List**] button.
- When the plaintiff is NOT listed, click the [**Create New Party**] button. (Refer to the Bankruptcy Case Opening for steps on adding parties).

STEP 7 The **PARTY INFORMATION** screen is displayed.

- Enter the plaintiff's name **BUT NOT THE ADDRESS**. If there is already an address for the plaintiff then highlight and delete the address information.
- The Role Type MUST be Plaintiff: (**pla:pty.**)
- Add any aliases by clicking the [**Alias**] button.
- Click the [**Attorney**] button.

STEP 8 The **SEARCH FOR AN ATTORNEY** screen is displayed.

- Add your **last name**.

➤ **NOTE:** For Adversary Opening *ONLY*, you will need to add yourself as the attorney representing the plaintiff(s).

- Click the **[Search]** button.
- At attorney search results, click your attorney name and click the **[Select Name From List]** button.

STEP 7 The **ATTORNEY INFORMATION** screen is displayed.

- Verify the attorney information.
- If the attorney information is not correct **DO NOT CHANGE ANY OF THE ADDRESS OR EMAIL INFORMATION AT THIS SCREEN** while in case opening. When you have completed the opening then you **MUST** file with the court a “Global Change of Address” and the court will update your information on all of your cases or only to the cases you indicate on the “Global Change of Address”.
- Click the **[Add Attorney]** button.

STEP 8 The **PARTY INFORMATION** screen is displayed again.

- Verify all the information and click the **[Review]** button to verify the attorney and alias information.
- Click the **[Submit]** button.
- The **Search for Party** screen is displayed again. *In the case of multiple plaintiffs, add as indicated above.*
- Select the copy attorney button when the attorney represents all plaintiffs to the case.**
- After all plaintiffs have been added, then **add defendant(s)**. **DO NOT** add any addresses or attorneys for defendants. If there is already an address for the defendant(s) then highlight and delete the address information.
- Defendant(s) are added to the case in the same manner as the plaintiff(s) were added.

➤ **NOTE:** The Role Type for defendants **MUST** be defendant (dft:pty).

- After the last party as been entered, click **[End Party Selection]**.

STEP 9 The **STATISTICAL/NATURE OF SUIT** screen displays.

- At **Party Code** select one. No. 3, "U.S. is not a party" is the default.
 1. U.S. is a Plaintiff
 2. U.S. is a Defendant
 3. U.S. is not a Party

➤ **NOTE: You can only select ONE Nature of Suit. So, if you have a complaint with multiple counts and one of the counts is a 727 Objection to Discharge you MUST enter 424 as the nature of suit. You will have the opportunity later, in docket text, to include all counts.**

- Select the **Nature of Suit** from the pick list.
 1. 424 (Obj/Revocation Discharge 727)
 2. 426 (Dischargeability 523)
 3. 434 (Injunctive Relief)
 4. 435 Validity/Priority/Extent Lien)
 5. 454 (Recover Money/ Property)
 6. 455 (Revoke Plan Confirmation)
 7. 456 (Declaratory Judgment)
 8. 457 (Subordinate Claim/Interest) aka Preference Action
 9. 458 (Approval For Sale)
 10. 459 (Application for Removal)
 11. 498 (Other Action)
- Select the **Origin**
 1. Original Proceeding
 2. Removed from State
 3. Remand from Appeal Court
 4. Reinstated/Reopened
 5. Transferred in from Other District
 6. Multi-District Litigation
- Transfer date:** If applicable
- Rule 23 (class action):** usually n
- Jury Demand** (Usually: none)

Both

Defendant
None
Plaintiff

- Demand (\$) Amount:** If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, if the Dollar Demand is \$4550, \$5000, or \$5499, you would enter 5 for \$5000, leaving off the 000. **DO NOT enter the (\$) sign or commas.**
- Click **[Next]**.

STEP 10 The **PDF DOCUMENTS** screen is displayed.

- 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.
- 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.
- Unless you have a separate PDF file to attach (scanned exhibits, etc.) leave the **No** radio button to the right of the **Attachments to Document:** prompt selected. (If you select **Yes** then go to the section on Motions/Applications for a step by step procedure.)
- Click the **[Next]** button.

STEP 11 The **RECEIPT** screen is displayed.

- Leave the receipt field **BLANK** if paying by a credit card. 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 12 The **DOCKET TEXT: MODIFY** screen is displayed.

- The white prefix drop-down box is available to expand on the complaint.
 - Include **Nature of Suit and the Main Case Number** information in the second white text box.
 - Verify the accuracy of the docket text. This is what will display on the docket sheet.
 - If the docket text has a significant error, click the browser's **[Back]** button at the top of the screen one or more times to access the screen which caused the error, and correct the error.
- **NOTE:** If you go all the way Back to the adding party screens BE CAREFUL and See the **IMPORTANT NOTE at Step 8** of the Bankruptcy Case Opening Section.
- To abort or restart the transaction, click on the [Bankruptcy Events](#) hyperlink on the **ECF Main Menu Bar**. Although this can be done at any time, this is your last opportunity to change the event.
 - If the docket text is correct, click **[Next]** to continue.

STEP 13 The **FINAL TEXT** screen is displayed.

- Verify accuracy of information.
- Click **[Back]** on the browser button to correct errors.
- Click the **[Next]** button.

STEP 14 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 15 The **NOTICE OF ELECTRONIC FILING** screen is displayed.

- The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court’s database. It certifies that the case was opened.
 - Clicking on the **Adversary Case Number** hyperlink will display the docket report.
 - Clicking on the **Main Case Number** hyperlink will display the docket report.
 - Clicking on the **Document Number** hyperlink will display the PDF image of the document just filed.
 - 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.