CHAPTER 7

BANKRUPTCY CASE OPENING

Opening a New Bankruptcy Case
(All Chapters)

Upload a Creditor Matrix

Filing a Plan

Bankruptcy Case Opening

This module will demonstrate the steps to take to open a new 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 this module, nor to upload the creditor matrix. This will be auto-uploaded by using the Case Upload hypertext link on the Bankruptcy menu. Check with your petition software company to find out if the case upload feature is available.

The Petition must be accompanied by a "Declaration Under Penalty of Perjury for Electronic Filing" and a "Statement of Social Security Numbers" in PDF format. Each item will be filed separately using the appropriate event. Both forms are available on the Court's website.

STEP 1 Click the Bankruptcy hypertext link on the CM/ECF Main Menu Bar.

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

- ◆ Click the Open a BK Case hypertext link.

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

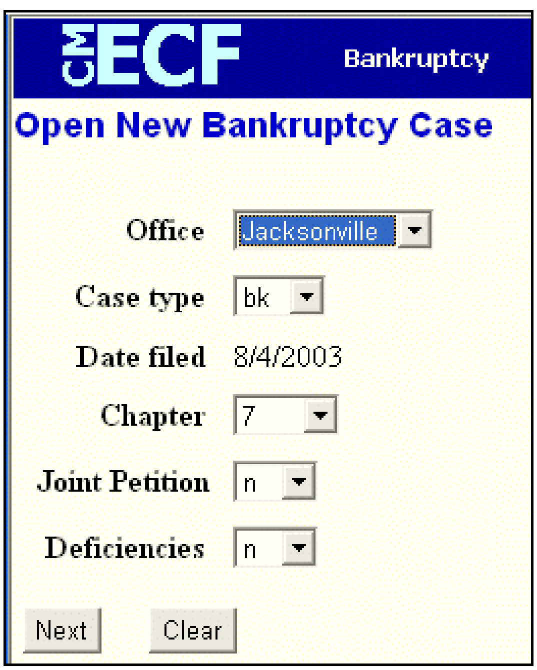

Figure 1

- Click the drop down arrow ▼ to reveal the list of **Office** (division) options. Click to highlight the division in which the case is being filed. You may refer to Local Rule 1071-1 for a list of counties handled by the divisional offices.

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

- The **Date Filed** defaults to the current date. This date cannot be changed and will be deemed the filing date of the petition.

- Click the down arrow ▼ to reveal the list of available **Chapter** options. (**Note**: The system defaults to Chapter 7.) Click to select the appropriate Chapter.

- Click the down 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'*** for yes.

- Click the down 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, click to select ***'y'*** for yes.

  Note: If ***'y'*** is selected, you will be prompted to list the deficiencies in a later screen.

- Click **[Next]** to continue.

STEP 4 The **Search for a Party** screen displays. **(See Figure 2)**

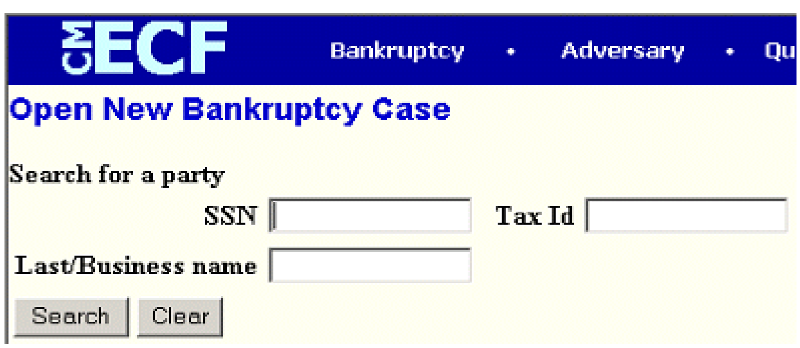

Figure 2

- The database must always be searched to see if the debtor(s) exist before a new party can be added.
- Type the Social Security Number or Tax Identification Number.
- Click **[Search]** to continue.

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

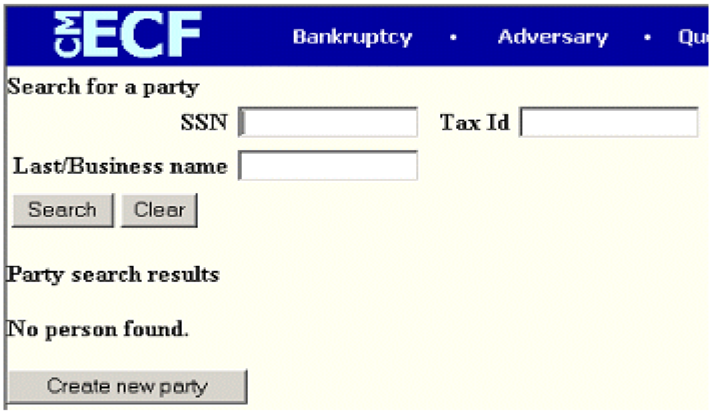

Figure 3

- If the system <u>does not</u> locate the party in the database, the message "**No Person Found**" will be displayed.

  - Click **[Create new party]** to add the debtor into the system and proceed to **STEP 6**.

- If the system <u>does</u> locate the party in the database, a **Party search results** screen will display. **(See Figure 4)**

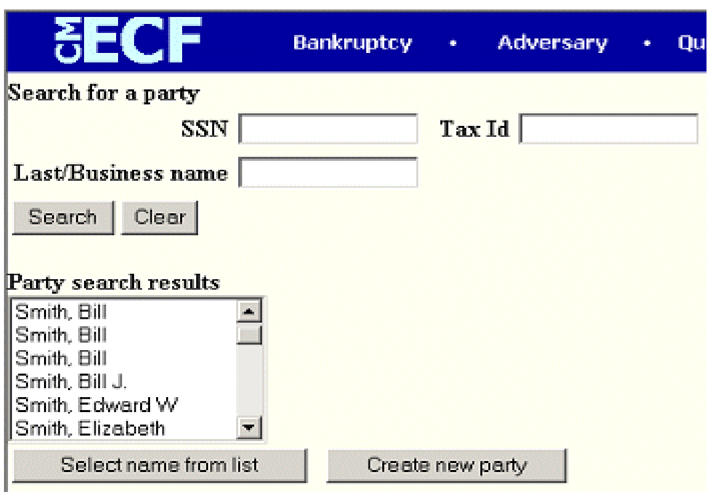

Figure 4

- Click the down arrow ▼ to reveal the entire list of search results. Click the name to view the **Person Address** box that contains the social security number/tax identification number, address and county.

  - If the information is <u>correct</u>, click **[Select name from list]** and proceed to **STEP 7**.

- If the information is incorrect, click the other matches (if applicable) to view the information. If no match is found, click **[Create new party]** and proceed to **Step 6**.

STEP 6 The **Party Information** screen displays. **(See Figure 5)**

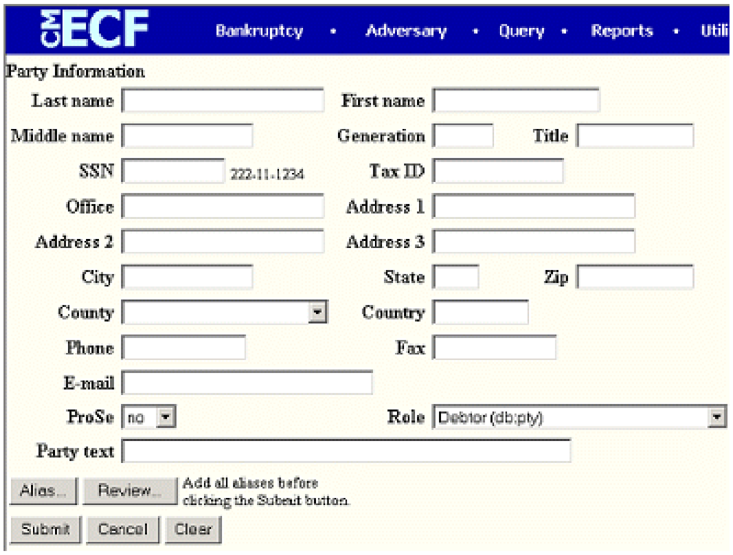

Figure 5

- As shown on the petition, enter the following information:

  - **Last name** of the debtor. If the debtor is a business, enter the full business name in the **Last name** field.
  - **First name** of the debtor.
  - **Middle name** of the debtor.
  - **Generation** of the debtor, if applicable (i.e.: Jr, Sr, III, II).
  - **Title** of debtor, if applicable (i.e.: MD, PHD).

  Note: No punctuation should be used when entering a middle initial, generation or title. Refer to Style Guide for Electronic Case Filing.

  - **SSN** (Social Security Number), or **Tax ID** (tax identification) of the debtor.
  - **Office** name of the debtor, if applicable. This field is used infrequently.
  - **Address 1**, **Address 2** and **Address 3** can be utilized for the debtor's **mailing address**.
  - **City**, **State** and **Zip** information.

- Click the down arrow ▼ to reveal the list of **County** options. For a faster search, type the first letter of the county name. When located, click to highlight.

- Do not enter the **Country** unless the country of the debtor's residence is outside the United States.

- **Phone**, **Fax** and **E-Mail** information of the debtor is optional. If entered, the information will be viewable to the public.

- The **ProSe** box automatically defaults to ***'n'*** for no, meaning that the debtor *is not* representing himself. You will automatically be added as the attorney for this debtor by the CM/ECF system once the case is filed.

- The **Role** type defaults to "**Debtor (db:pty)**". No change is necessary unless you are entering the joint debtor. In which case, click the down arrow ▼ to reveal the list of options and click "**Joint Debtor (jdb:pty)**" to highlight.

- The **Party Text** box can be used to add an additional descriptive nature to the debtor's name. For example: If the debtor was General Foods Store, a division of General Motors Corporation, enter: *General Foods Store* in **Last name** field, and enter: *a division of General Motors Corporation* in **Party text** field.

- If the debtor has any aliases, click **[Alias]** to enter the alias information. The **Alias** screen displays. **(See Figure 6)**

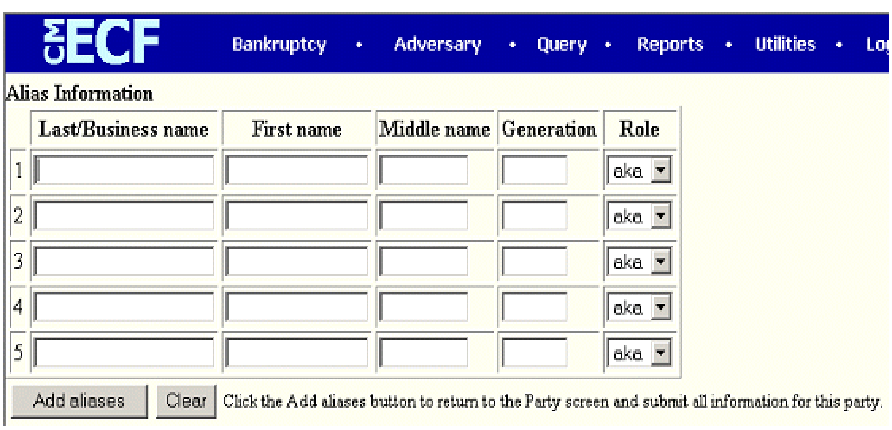

Figure 6

- Enter up to five aliases for this debtor.

- Click the down arrow ▼ to reveal the list of options in the **Role** category. They are: aka (also known as), dba (doing business as), fdba (formerly doing business as) and fka (formerly known as.

- Click to select the appropriate **Role** type for each alias entered.

- Click **[Add aliases]** to submit.

  - If you make a mistake during the addition of aliases, click **[Clear]** to begin again.

  - If you have more than five aliases to add for this debtor, click **[Add aliases]** to add the first five. Then click **[Alias]** again to submit additional aliases. This may be done as often as necessary until all aliases are added to the system.

STEP 7 The **Party Information** screen displays again. Click **[Review]** to verify the debtor's alias information. **(See Figure 7)**

Figure 7

- If an alias was entered incorrectly, you must remove the check mark next to the incorrect alias to delete as an alias cannot be edited. Click **[Return to Party screen]**, and click **[Alias]** to re-enter the correct alias information.

- You will note that in the **Attorney(s) added:** section the message "**None added**" will display. CM/ECF knows who you are, based upon your attorney login, and will automatically add you as the attorney for the debtor.

- If all information is correct, click **[Return to Party screen]** to continue.

- When all the information is correct, click **[Submit]** to continue.

STEP 8 The **Search for a Party (joint debtor)** screen displays if you answered "**y**" at the beginning of the transaction. **(Figure 8)** If you have a non-joint case, proceed to **Step 9**.

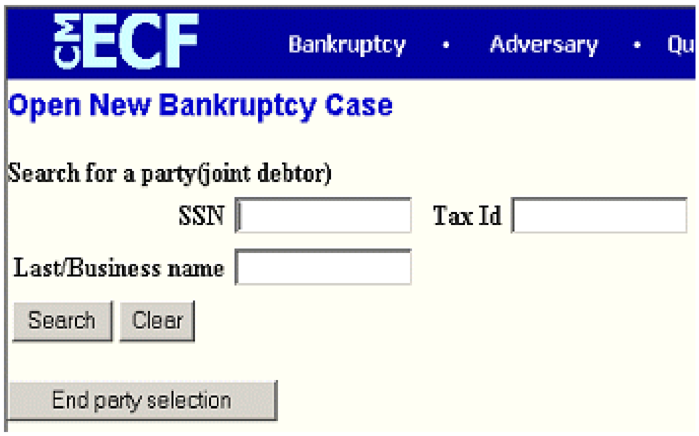

Figure 8

- Repeat **Steps 4 through 7** for the Joint Debtor.

  Note: The option to copy previous party's (main debtor) address will appear checked. If the joint debtor has a different address, remove the check mark before continuing.

- Click the down arrow ▼ to reveal the list of **Role** type options and click "**Joint Debtor (jdb:pty)**" to highlight.

  Note: If this is a joint filing but was not indicated as such **or** if joint filing was inadvertently marked at the beginning of the transaction, return to **Step 1** and begin again.

STEP 9 The **Statistical Data** screen displays. **(See Figure 9)**

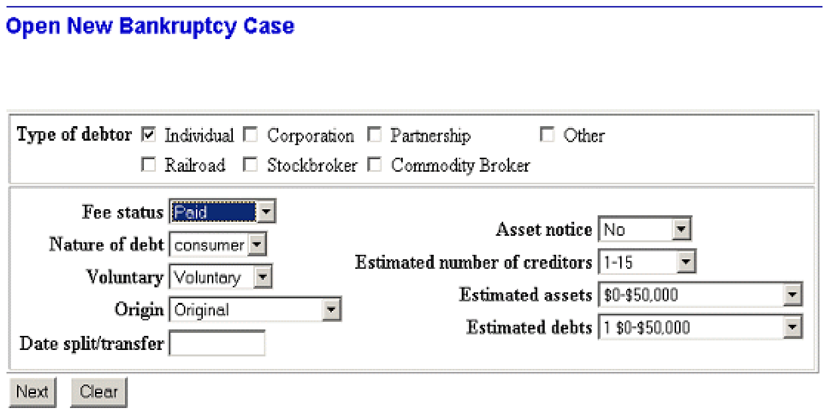

Figure 9

- Indicate the **Type of Debtor** by clicking inside the appropriate box.

- Click the down arrow ▼ to reveal the list of options in the **Fee Status** category. The choices are Paid, Installment, and Credit Card. Select the appropriate payment method.

  - **Paid** is for Court use only.
  - Select **Credit Card** for filing fees paid in full.
  - Select **Installment** if an Application to Pay Filing Fee in Installments will be filed and only partial payment will be made.

- Click the down arrow ▼ to reveal the list of options in the **Type of Debtor** category. The default is Consumer. The other option is Business.

- Click the down arrow ▼ to reveal the list of options in the **Voluntary** category. The default is Voluntary, indicating the petition is a voluntary filing. The other option is Involuntary.

- Click the down arrow ▼ to reveal the list of options in the **Origin** category. The default code is **Original** and should not be changed.

- **Date Split/Transfer** is for Court use only.

- Click the down arrow ▼ to reveal the list of options in the **Asset notice** category. The default is "**No**".

  - If the filing is a Chapter 9, 11, 12 or 13 petition, click to highlight "**Yes**" for asset case.

- If the filing is a Chapter 7 petition, click to highlight "**No**" for no asset case.

Note: For cases filed in **Orlando**, choose the option to reflect what is listed on the petition.

- Click the down arrow ▼ to reveal the list of options in the **Estimated Creditors** category. Click to select the correct range.

  - 1 -15
  - 16 - 49
  - 50 - 99
  - 100 -199
  - 200 - 999

- Click the down arrow ▼ to reveal the list of options in the **Estimated Assets** category. Click to select the correct range.

  - 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 the down arrow ▼ to reveal the list of options in the **Estimated Debts** category. Click to select the correct range.

  - 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

- When all options are correctly selected, click **[Next]** to continue

STEP 10 The **Deficiency** screen displays. **(See Figure 10)**

Figure 10

- The first text box automatically notes that the Disclosure of Compensation has been filed. If you have not filed the disclosure of compensation, delete the text.

- The second text box automatically notes that the Statement of Intentions has been filed. If you have not filed the statement of intentions, delete the text.

- In the third text box, type the deficiencies to the petition and schedules (if applicable) using a comma "," to separate the deficiencies. (i.e.: Schedules A-J and Statement of Financial Affairs). The items listed will be reflected in the Docket Text.

  Note: The Court will issue a deficiency notice.

- 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. Verify you have selected the correct document by right clicking on the highlighted filename and select **Open** to view the image in Adobe Acrobat. Once verified, double-click the PDF file or click **Open** to select and associate it with the docket entry.

  Note: One PDF image is allowed for the Petition, Schedules, Statement of Affairs, Statement of Intentions and Disclosure of Compensation. The Declaration Under Penalty of Perjury for Electronic Filing, Statement of Social Security Numbers, Plan (if applicable) and Application to Pay Filing Fee in Installments (if applicable) will be docketed as separate events and should not be part of the PDF image.

- The **Attachments to Document** option defaults to **No** and should not be changed.

- Click **[Next]** to continue.

STEP 12 The **Filing Fee** screen appears.

- If you selected “**Installment**” at the **Statistical Data** screen, enter the initial fee that will be paid (i.e.: $50.00).

- If you selected “**Credit Card**”, the full fee must be paid and the payment screen will appear at the end of the filing.

- Click **[Next]** to continue.

STEP 13 The **Final Docket Text** screen displays. **(See Figure 11)**

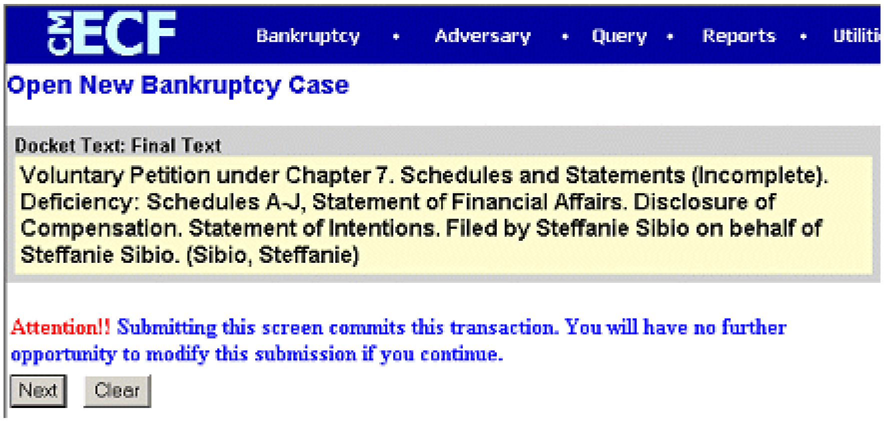

Figure 11

- Verify the Final Docket Text. Read the Attention!! message.
- If the Final Docket Text is correct,
  - Click **[Next]** to continue and officially submit document.
- If the Final Docket Text is incorrect:
  - Click the browser **[Back]** button to find the error(s) and proceed with the event.
  - To abort or restart the transaction, return to **Step 1** and begin again.

STEP 14 The **Electronic Payment** screen displays. **(See Figure 12)**

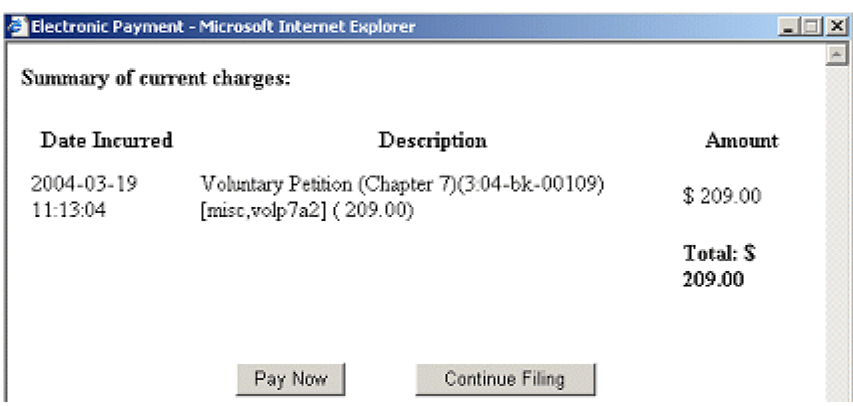

Figure 12

- A summary of current charges appears showing the *date incurred, description and amount*.

- The user has the option to **[Pay Now]** or **[Continue Filing].** Although the court recommends that you pay as you go, you may pay at the end of each CM/ECF session.

- Select **[Continue Filing]** if you are filing multiple cases and want to submit one payment at the end of each CM/ECF session. (You can also combine other fee-based filings before submitting payment). Proceed to **Step 17**.

  Note: The system will not remind the user that there are fees to be paid. If you **[Continue Filing]** the charges will accumulate until you are ready to pay. To pay at the end of the CM/ECF session, refer to module "Internet Payments Due".

- If you select **[Pay Now]** proceed to **Step 15**

STEP 15 The **Payment Collections** screen will display. **(See Figure 13).**

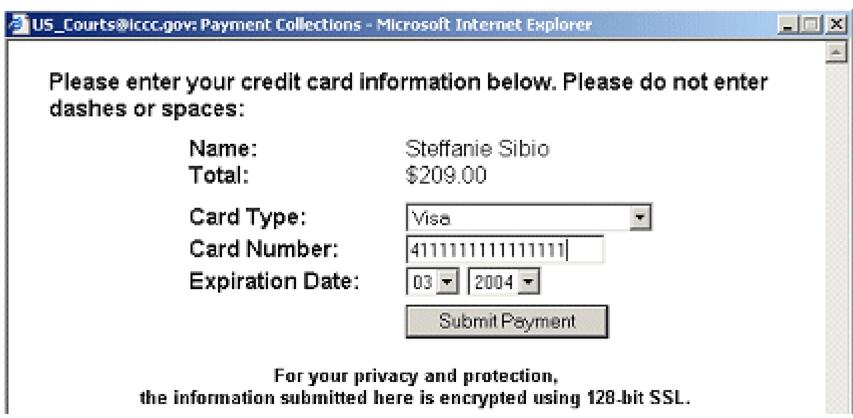

Figure 13

- Click the card type. The court accepts the following credit cards:

American Express

Discover

Master Card

Visa

Diners Club

- Enter the credit card number.
- Enter the expiration date.
- Click **[Submit Payment].**

STEP 16 The **Transaction Receipt** screen displays. **(See Figure 14)**.

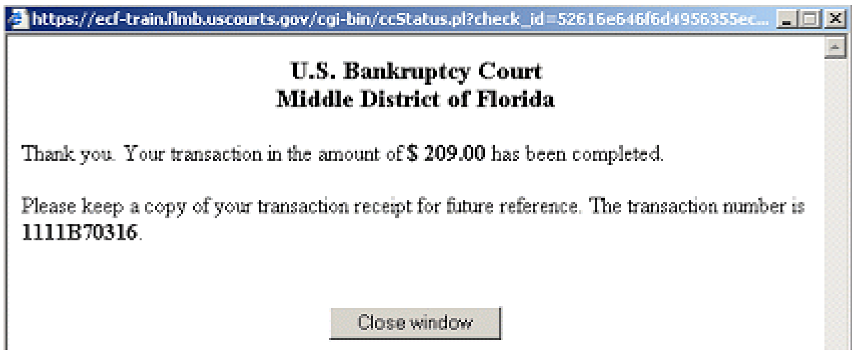

Figure 14

- Keep a copy of the transaction receipt for future reference. It provides the transaction number.
- To print a copy of this notice click the browser **[Print]** icon.
- To save a copy of this notice, click **[File]** on the browser menu bar and select **Save Frame as.**
- Click **[Close Window].**

STEP 17 The **Notice of Electronic Filing** screen displays.

- The Notice of Electronic Filing is the verification that the filing has been filed electronically in the court's database. It certifies that the document is now an official court document.
- The assigned case number will appear. The Judge, Trustee and 341 Meeting information will not be immediately available.
- Scroll down to see participants who have and have not registered for electronic noticing on this case.

- Clicking on the case number hypertext link on the **Notice of Electronic Filing** will present the *Docket Report* for this case.

- Clicking on the document number hypertext link will present the *PDF Image* of the document just filed.

- To print a copy of this notice click the browser **[Print]** icon.

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

- You may also save the notice through the browser **File/Save** option.

- A hypertext link for the Notice of Bankruptcy Case Filing appears at the top of this notice. Clicking on this hypertext link reveals a notice summarizing the pertinent details and participants of this case.

Note: Proceed next to upload the creditors. See module: *Uploading a Creditor Matrix* for more information.

Upload A Creditor Matrix

A creditor matrix contains creditor names and their mailing addresses. This information is used for noticing and claims information. The creditor matrix must be in a *.txt* file format before it can be successfully uploaded. (All other file types within CM/ECF will be PDF files.)

The process of uploading a list of creditors into the CM/ECF system is illustrated below. A creditor matrix will be uploaded for each case immediately following the electronic case opening.

STEP 1 Click the Bankruptcy hypertext link on the CM/ECF Main Menu Bar.

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

- Click the Creditor Maintenance hypertext link.

STEP 3 The **Creditor Maintenance** screen displays.

- Click the Upload a creditor matrix file hypertext link.

STEP 4 The **Upload a File** screen displays.

- Enter the complete case number (office code-yy-bk-nnnnn).
- Click the **[Next]** button to continue.

STEP 5 The **Load Creditor Information** screen displays. **(See Figure 15)**

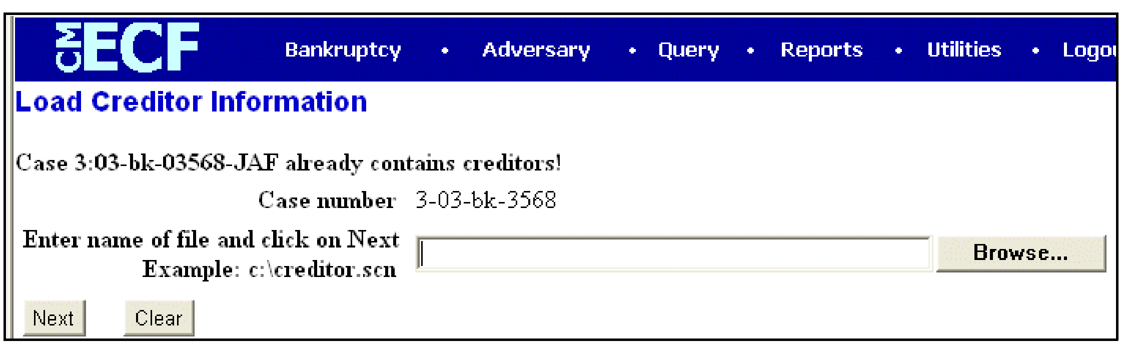

Figure 15

- Verify the case number displayed.

- If the case number is incorrect, click the **[Back]** button to re-enter the case number.

  Note: If the system prompts that you have entered an invalid case number, click the browser **[Back]** button to try again. You may use the browser **[Back]** button at any time during this process to verify former screens until the final submission.

- Click **[Browse]**, then navigate to the directory where the appropriate .txt file is located. Verify you have selected the correct matrix by right clicking on the highlighted file name and select **Open** to view the image. Once verified, double-click the .txt file or click **Open** to select and associate it with the entry.

- Click **[Next]** to continue.

STEP 6 The **Total Creditors Entered** screen displays.

- The total number of creditors shown on this screen must be the same as the number of creditors shown on the paper matrix which was imaged and included with the electronically filed petition. If the Total Creditors Entered amount is correct, click **[Submit]** to finalize the transfer of creditors.

- If the creditor total is incorrect, click the browser **[Back]** button to try again or return to **Step 1** to begin again.

STEP 7 The **Creditor Receipt** screen displays. **(See Figure 16)**

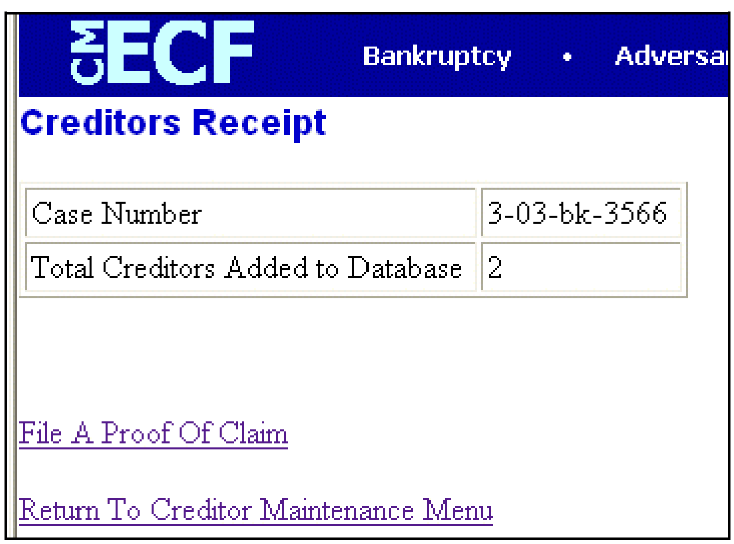

Figure 16

- The case number and total number of creditors added to the database are confirmed.

STEP 8 Click the Return to Creditor Maintenance Menu hypertext link if you have additional creditor matrices to upload for other new bankruptcy filings, and repeat **Steps 4 - 6** for each additional creditor matrix.

Plans

This module demonstrates the steps to follow to file a plan. In CM/ECF, plans are docketed as separate events, even if filed simultaneously with a voluntary petition, as is often the case in Chapter 13 filings. Although this module specifically shows a Chapter 13 plan, the same steps would be followed to file a Chapter 11 Disclosure Statement, Chapter 11 Plan or Chapter 12 plan.

Chapter 13 Plan

STEP 1 Click the Bankruptcy hypertext link on the CM/ECF Main Menu Bar.

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

- Click the Plans, Disclosure Statements and Related Matters hypertext link.

STEP 3 The **Case Number** screen displays.

- Type the complete case number (office code-yy-bk-nnnnn)
- Click **[Next]** to continue.

STEP 4 The **Document Selection** screen displays. **(See Figure 17)**

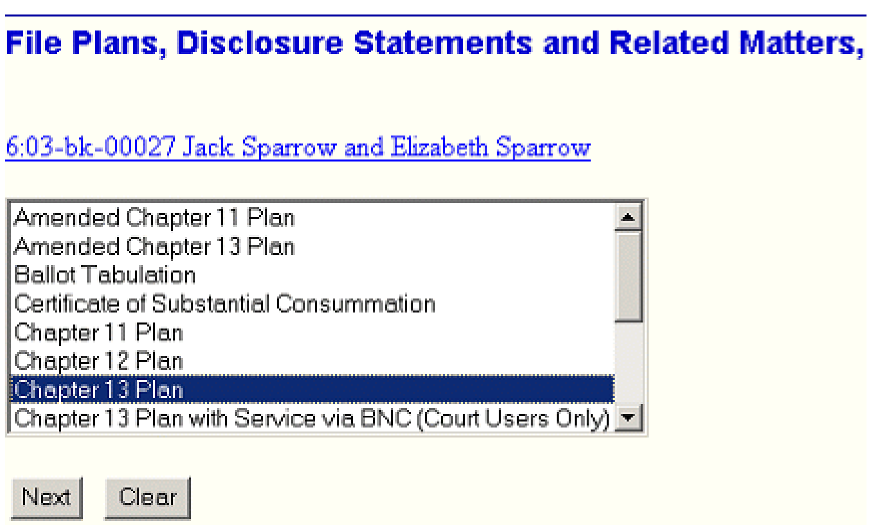

Figure 17

- Verify the case number and case name.

- If the case number and name do not match your document, click the browser **[Back]** button to re-enter the case number.

  Note: If the system prompts that you have entered an invalid case number, click the browser **[Back]** button to try again. You may use the browser **[Back]** button at any time during this process to verify former screens until the final submission.

- Use the down arrow ▼ to the right of the box to scroll through the Event Type list to select the document to be filed. Click to highlight *Chapter 13 Plan*.

- Click **[Next]** to continue.

STEP 5 The **Select the Party** screen displays.

- Click the down arrow ▼ to scroll the **Select the Party** box to locate the party filer (i.e.: debtor, joint debtor or creditor).

- Click to highlight and select the party for which the document is filed.

  Note: If you wish to highlight more than one party, hold the "**Ctrl**" key down and click to highlight the remaining party or parties.

- Click **[Next]** to continue.

STEP 6 The **PDF Document Selection** screen displays.

- Click **[Browse]**, then navigate to the directory where the appropriate PDF file is located. Verify you have selected the correct document by right clicking on the highlighted filename and select **Open** to view the image in Adobe Acrobat. Once verified, double-click the PDF file or click **Open** to select and associate it with the docket entry.

- The **Attachments to Document** option defaults to **No**. If you have attachments to this document, click the **Yes** radio button to indicate there are attachments. (Refer to module: *Attachments to Documents* for more information).

- Click **[Next]** to continue.

STEP 7 The **Refer to Existing Event** screen displays.

- This event allows you to relate the plan to a previously filed document. Most plans will not relate to a previous document. This event will be used for amended plans.

- Click [Next] to continue.

STEP 8 The **Final Docket Text** screen displays. **(See Figure 18)**

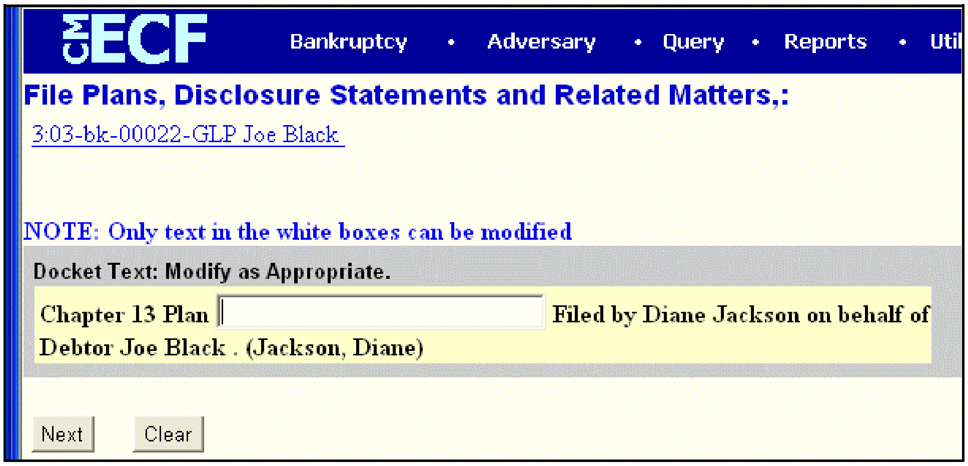

Figure 18

- A supplemental text box window is provided to add more detail to the docket entry.

- Click **[Next]** to continue.

STEP 9 The **Final Approval** screen displays.

- Verify the Final Docket Text. Read the Attention!! message.

- If the Final Docket Text is <u>correct:</u>

    - Click **[Next]** to continue and officially submit the document.

- If The Final Docket Text is <u>incorrect</u>:

  - Click the browser **[Back]** button to find the error(s) and then proceed with the event.

  - To abort or restart the transaction, return to **Step 1** and begin again.

STEP 10 The **Notice of Electronic Filing** displays.

- The Notice of Electronic Filing is the verification that the filing has been filed electronically in the court's database. It certifies the that document is now an official court document.

- Scroll down to see participants who have and have not registered for electronic noticing on this case.

- Clicking on the case number hypertext link on the **Notice of Electronic Filing** will present the *Docket Report* for this case.

- Clicking on the document number hypertext link will present the *PDF Image* of the document just filed.

- To print a copy of this notice click the browser **[Print]** icon.

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

- You may also save the notice through the browser **File/Save** option.

Amended Chapter 13 Plan

If an amended plan is to be filed, select **Amended Chapter 13 Plan** from the pull down screen in **Step 4** and proceed through the events.

- The **Final Docket Text** screen will display **(See Figure 19).**

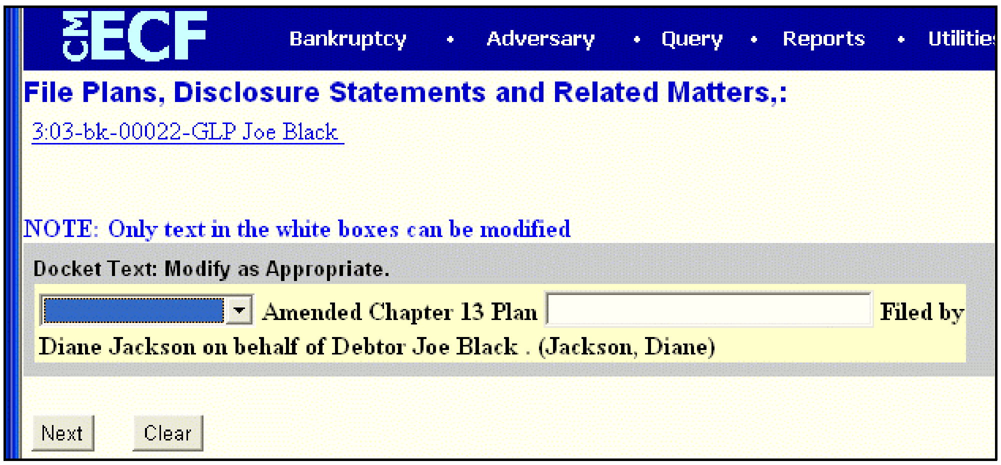

Figure 19

- A prefix box and supplemental text box window are available to add more detail to the docket text.

- Click the down arrow ▼ to display the prefix options. **Note**: You may also type the first letter of the prefix to immediately move to the list of prefixes that begin with a particular letter (i.e.: Verified type "v"). Prefix Options to choose from are:

[none]

Addendum to

Agreed

Alias

Amended

Amendment to

Certified

Corrective

Cross

Emergency

Ex Parte

Expedited

Fifth
Final
First
First Amended
Fourth
Fourth Amended
Interim
Intervenor's
Joint
Limited
Modified
Omnibus
Opposition
Pluries
Pre-Trial
Proposed
Sealed
Second
Second Amended
Sixth
Status
Supplemental
Supporting
Third
Third Party
Third Amended
Trial
Unilateral
Verified

- Verify the accuracy of the Final Docket Text.
- Click **[Next]** to continue.