

Summons – Adversary Proceedings (including Alias/Pluries Summons and Third Party/Involuntary Summons)

Code and Rule References

[Fed. R. Bankr. P. 7003](#)

[Fed. R. Bankr. P. 7004](#)

[Fed. R. Bankr. P. 7005](#)

[Fed. R. Bankr. P. 7010](#)

[Fed. R. Bankr. P. 9006](#)

[Fed. R. Bankr. P. 9014](#)

[Fed. R. Civ. P. 3](#)

[Fed. R. Civ. P. 4](#)

[Fed. R. Civ. P. 5](#)

[Fed. R. Civ. P. 10](#)

[Official Form B2500A](#)

[Official Form B2500B](#)

[Official Form B2500C](#)

[Official Form B2500D](#)

[Official Form B2500E](#)

[Official Form B2500F](#)

Docketing Event

Adversary > Miscellaneous > Summons Service Executed

Note: It is very important to use this event and not the certificate of service or proof of service events when docketing the certificate of service for a summons. Also ensure a copy of the summons that was served is included as part of your service pdf.

Description

After the complaint is docketed and subsequently reviewed by the Clerk's Office, , the CM/ECF program will automatically create and issue a summons. It is the responsibility of the electronic filer to print the automatically issued summons and serve it according to the Federal Rules of Bankruptcy Procedure. A copy of Administrative Order FLMB-2014-10 must be served along with the summons. A link to Summons Issued appears on the Docket Report and also on the Notice of Electronic.

Click on the document number hyperlink for the Summons. The issued summons is displayed in pdf format. It will also include a copy of the court's Administrative Order FLMB-2014-10 and a blank certificate of service. If the summons is correct, Print or Save to a file.

- ❖ **Note to non-CM/ECF Users and Pro Se Parties: Promptly upon issuance, the summons, along with a copy of Administrative Order FLMB-2014-10 will be sent to you by U.S. mail.**

Alias/Pluries Summons – Adversary Proceedings

Docketing Events

Adversary > Request a Summons > Request for Alias or Pluries Summons

Adversary > Miscellaneous > Summons Service Executed

Description

Alias/Pluries Summons are requested via paperless docket entry, then issued and posted to the docket via an automated process. Attorneys are notified of the summons entry through their usual manner of electronic notification (individual or daily summary emails). You must indicate upon whom the summons is to be issued; you may select multiple parties. The “date summons issued” field should not be changed, and the system will not allow you to select a future date. When prompted, indicate whether an Alias (i.e. second summons) or Pluries (i.e. third or more summons) summons is requested. The resulting docket text will indicate the summons is pending.

The text “(Alias or Pluries Summons Pending)” will be removed from this entry’s text upon summons issuance. Once issued, the summons will be available on the docket; you may click the document link for the image.

- ❖ **Note:** The Alias/Pluries Summons process is run in 30-minute intervals therefore the summons will not issue immediately upon submission as it does when the adversary proceeding is filed.
- ❖ **Note to non-CM/ECF Users and Pro Se Parties:** **Submit a request for alias or pluries summons to the Clerk’s office along with** a prepared alias or pluries summons using the Official Bankruptcy Forms.
- ❖ **Note:** PACER charges may apply if viewed from the docket as opposed to viewing via the electronic notification, which provides a “free look.”

Third Party/Involuntary Summons – Adversary Proceedings

Docketing Events

Adversary > Request a Summons > Request for Third Party or Involuntary Summons

Adversary > Miscellaneous > Summons Service Executed

Description

The process for requesting a Third Party (AP) or Involuntary (BK) Summons is similar to the Alias/Pluries Summons with one important distinction: for these summons, a completed summons form must be submitted during the entry. Summons forms can be found on our website at <http://www.flmb.uscourts.gov/forms/>. It is only necessary to provide one form for issuance, as it is not a requirement to submit a separate form for each party served. The summons will then be issued and posted to the docket by a member of the Clerk’s Office. Attorneys will be notified of the summons issuance entry through their usual manner of electronic notification (individual or daily summary emails.)

A message screen during docketing will remind you that a form is necessary, and that the event is not to be used for Alias or Pluries Summons. When prompted, indicate whether a Third Party or Involuntary Summons is requested. The Third Party/Involuntary Summons must be issued by Clerk's Office staff and is not processed via automation. Upon review of the request, a member of the Clerk's Office staff will issue the summons. The summons when issued will be available through the usual method of electronic notification. It may also be viewed on the docket by clicking the document link for the image.

- ❖ **Note:** PACER charges may apply if viewed from the docket as opposed to viewing the electronic notification, which provides a "free look."