Bankruptcy Case Opening

This process shows the steps to open a bankruptcy case on CM/ECF.

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

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

- Click on the **Open a BK Case** hyperlink.

NOTE: Clicking on the (Help) icon will display information about these categories.
This feature is available throughout the CM/ECF application. To close the Help screen, click on the **"X"** control box in the upper right hand corner of the Help screen or click the **[Close]** button which is located at the bottom of the help screen.

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

- The **Case Type** is "bk".
- The current date is displayed in the **Date Filed** box.
- Select the **Chapter** from the pick list box.
- The default value for **Joint** is **n** (no). For a Joint filing select **y** (yes).
- If there are any items missing from the petition change the **Deficiencies** box from **n** (no) to **y** (yes). A deficiency list will then be presented on a later screen.
- When this screen is correct, click on the **[Next]** button to continue.

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

- To prevent duplicate person records, 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, Tax Identification Number and/or Last Name or Business Name. (Hint: The system will respond much faster if you use the SSN, EIN or Bar ID.)

◆ Click **Search** to continue.

STEP 5 If there are no matches, the system will return a **No Person Found** message.

◆ If the party is already in the database, select it by clicking on it with your mouse.

◆ If you have searched by Social Security number and the party name listed differs from the current debtor, you will need to select **Create New Party**, as you can only modify the party's address, not name, in the **Party Information** screen.

◆ If the party is not currently in the database, proceed to add the debtor by clicking the **[Create New Party]** button.

NOTE: While searching for a new party, you may find more than one record having the same name you entered. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, select the party and modify the address (for this case only) on the following PARTY INFORMATION screen.

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

◆ Enter the debtor's **Name** and **Address** information in the appropriate boxes.

NOTE: Do not use special characters such as parentheses, brackets, or percent signs. These codes may cause problems with the BNC noticing program.

◆ Enter the Debtor's Social Security Number or Tax ID.

◆ Select the debtor's **County** of residence from the pick list. (You must select a county to proceed – the county field cannot be "blank" when adding a party type of Debtor.)

NOTE: For a faster search, type the first letter of the county name.

- Leave the **Pro Se** field as **no.**
- **Role Type** must reflect **Debtor (db:pty)**.
- Enter further descriptive text in the **Party Text** field, if appropriate. (A Michigan Corporation, Guardian of the Estate, etc.) Any information reflected in this field, will be presented immediately following the Debtor's name on the Docket Report.
- If the Debtor has an alias, click on the **[Alias]** button..

STEP 7 The **ALIAS** screen appears.

- You can enter up to 5 alias records on this screen. Alias Role selections include aka, dba, fdba, fka.
- Click on the **[Add aliases]** button.

STEP 8 The **PARTY INFORMATION** screen will appear once more.

- At any time, clicking on the **[Review]** button presents a screen summarizing the attorney and alias activity for this debtor.
- Verify the information.
- Click on the **[Return to Party Screen]** button to continue.

STEP 9 The **PARTY INFORMATION** screen will return again.

- If you are finished adding information for this new party, click on the **[Submit]** button to continue with Case Opening.

NOTE: If filing a joint debtor bankruptcy, a **JOINT DEBTOR PARTY** screen would appear next. Process the joint debtor the same way as the first debtor was added.

STEP 10 Next, the system will display a screen confirming the assignment of the **Divisional Office**. The assignment is based on the county code of the debtor.

STEP 11 If filing a joint debtor case, the **JOINT DEBTOR PARTY** screen would appear next. Process the joint debtor the same way as the first debtor was added.

STEP 12 The **STATISTICAL DATA** screen appears next.

- Select the **Type of Debtor** by clicking in the appropriate box(es).
- **Fee Status** values are Paid and Installment. If the filing fee is to be paid in installments, the petition must be accompanied by an Application to Pay Filing Fees in Installments.
- Designate the **Nature of Debt** as Consumer or Business.
- The default value is for a **Voluntary** Petition.
- Enter the correct **Origin** code. No action is necessary as this is an initial filing. The default value of Original is correct.
- **Date Split/Transfer** is left blank.
- Designate the **Asset notice**. Choose **Y** (yes) if you are filing a Chapter 11 or 13 proceeding. Select **N** (no) if you are filing a Chapter 7 proceeding.
- 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 13 If you selected **y** for **Deficiencies**, the **DEFICIENCY LIST** screen appears.

NOTE: This list will vary by chapter.

◆ Place a check mark in each check box for each item that is not included with this petition by clicking on it with your mouse.

◆ Click **Next** to continue.

STEP 14 The **PDF DOCUMENT SELECTION** screen appears.

◆ Click **Browse**, then navigate to the directory where the appropriate PDF file is located.

NOTE: For quality assurance, right-click with the mouse and select **Open** from the pick-list that is displayed.

Verify that this is the correct PDF file for this case. Close or minimize the Adobe Acrobat reader by clicking on "**X**" in the upper right-hand corner.

◆ If correct, double-click the PDF file to select it or click on the **Open** button to attach the PDF file to the case.

◆ Click the **Yes** radio button to the right of the **Attachments to Document** prompt to attach any attachments.

NOTE: Please note that the PDF file for the petition is not an **attachment.** It is considered the **main** or **associated** document. An **attachment** is another supporting document such as an Proposed Order to Pay Wages, Proposed Order to Pay Filing Fee in Installments, Asset Protection Report and Matrix Verification.

An **attached** document will be referenced in the docket text separately, and the **attached** image will be accessible clicking on the hyperlink within the docket text.

- Click **Next**.

STEP 15 If you selected the **yes** radio button, the **ATTACHMENT** screen is presented next.

- There are three steps to the attachment process:

1. Click **Browse**, then navigate to the drive and directory where the appropriate PDF attachment file is located and select it with your mouse.

NOTE: To make certain you are about to attach the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. This will launch the Adobe Acrobat Reader to display the contents of the imaged document.

Verify that the document is correct and minimize or close the Adobe application by clicking on "-" or "x" in the control box in the upper right hand corner.

2. Select the appropriate attachment type from the drop down list.

NOTE: You must enter a **Type** or a **Description**, or both.

3. You must click **Add to List**. The path and file name are added to the **List** box. It is possible to add multiple attachments at this time by repeating steps 1 - 3..

- Click **Next**.

STEP 16 If deficiencies were selected during the initial **CASE DATA** screen, the **INCOMPLETE FILINGS DEADLINE** screen will display next.

- If the petition was inadvertently marked as having deficiencies, abort the transaction by clicking on the **Bankruptcy** hypertext link and begin again at **Step 1.**

- The deadlines for missing documents are automatically calculated and displayed. This date will print on the final docket text and will be available on queries and reports for pending deadlines.

- **The court will monitor this deadline for compliance.**

- Click on the **[Next]** button to continue.

STEP 17 The **RECEIPT #** screen will appear next, prompting the user for a receipt number.

- Enter **CC** in the **Receipt** field if the filing fee will be paid by credit card. This indicates that the filing fee for the petition will be paid through the attorney credit card on file with the Court the following morning.

NOTE: The correct fee amount will display for the appropriate chapter filed.

- If payment of filing fee is being made in installments, enter **CC** in the **Receipt** field and edit the amount of the first installment amount in the **Fee** field.
- Click **Next** to continue.

STEP 18 The **MODIFY DOCKET TEXT** screen displays.

- Edit if necessary. .

- Click **Next** to continue.

STEP 19 The **FINAL TEXT** screen displays.

NOTE: **This is your last opportunity to make any changes before the case is officially opened.**

- Proof this screen carefully! This is what will print 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 screen to be modified.

- To abort or restart the transaction, click on the **Bankruptcy Events** hyperlink on the CM/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 on the **[Next]** button to file the proceeding.

STEP 20 The **NOTICE OF ELECTRONIC FILING** screen is then generated.

- The **Notice of Electronic Filing** 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. Future access to this notice is available from a docket sheet.

NOTE: It is highly recommended to save and/or print this screen for future reference. It will not be displayed again during case opening.

- Copies of this notice are immediately e-mailed to all participant CM/ECF users who have subscribed to this service.
- Clicking on the case number or the document number hyperlink (identified in blue) will present the docket report and PDF image, respectively, for this case. (You will need to input your PACER account number and login.)
- The **Notice of Bankruptcy Case Filing** hyperlink appears at the top of the Notice of Electronic Filing. Clicking on this hyperlink reveals a notice summarizing the pertinent details and participants of this case. (You will need to input your PACER account number and login.)
- This certification was created in addition to the standard electronic notice. It can be used as an official notice of stay to stop foreclosures and other creditor actions. It should be saved or printed at the time of filing.
- The **Notice of Bankruptcy Filing** is also available for viewing or printing through the **Query** Main Menu Bar selection.