

Bankruptcy Case Opening

This process provides step-by-step instructions on how to open a bankruptcy case in 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 Voluntary 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 **OPEN NEW BANKRUPTCY CASE** screen 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 **DEBTOR INFORMATION** screen.

STEP 6 The **DEBTOR 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 **PHONE NUMBER** field **blank**.
- 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. **DO NOT** add the text "DEBTOR" here.

- 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 **DEBTOR 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 **DEBTOR 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 you did the first debtor.

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.

- If this is correct, click Next.
- If this is not correct, click the back button on the browser bar and select the correct the county.

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

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

- Prior filing within the last 8 years, select **yes** or **no**.
- **Fee Status** values are Installment, Paid, fee not paid or IFP Filing Fee Waived (Chapter 7 case only).

- Please make the appropriate selection. **NOTE:** the fee must be paid or the appropriate application must be filed.
 - If the installment selection is made, the petition must be accompanied by an Application to Pay Filing Fees in Installments. The application must list an installment schedule to be paid in full within 120 days of filing.
 - If the IFP Filing Fee Waived selection is made, the petition must be accompanied by an Application to Have the Chapter 7 Filing Fee Waived.
- Designate the **Nature of Debt** as Consumer or Business.
 - 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** as indicated on the Voluntary Petition.
 - Select the correct dollar range for **Estimated Assets** as indicated on the Voluntary Petition.
 - Select the correct dollar range for **Estimated Liabilities** as indicated on the Voluntary Petition.
 - Select the **Type of Debtor** by clicking in the appropriate box.
 - If the Debtor is a business, please select the appropriate box under **“Nature of Business.”**
 - Click **Next** to continue.

STEP 13 The **Summary of Schedule** screen appears.

- Each box should match the Summary of Schedules form filed with the case. Please type the proper amount in each box.
- Click **Next** to continue.

STEP 14 The **Statistical Value** screen appears.

- Type in the correct value or response for each box, from the corresponding value in the schedule listed

- For example: under Schedules, one box asks for the total value of claimed exemptions.
- Once all data is entered, please click **Next** to continue.

STEP 15 If you selected **y** for **Deficiencies**, the **DEFICIENCY LIST** screen appears.

NOTE: This list will vary by chapter.

- Place a check mark in the check box for each item that is not included with this petition by clicking on it with your mouse.
- Click **Next** to continue.

STEP 16 The **PDF DOCUMENT SELECTION** screen appears.

- In the **Presumption of Abuse** box, highlight the appropriate selection of yes or no.
 - This information is taken directly from the Means Test.
- 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 a 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 17 If you selected the **yes** radio button, the **ATTACHMENT** screen appears next.

- There are three steps to the attachment process:
 1. In box 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 PDF by clicking - or x in the control box in the upper right hand corner. Click Open to attach this document.

2. In box 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 18 The Fee due screen will appear next.

- Please enter the amount of fee paid with the petition.
- If the deficiencies were selected during the initial **CASE DATA** screen, then the **INCOMPLETE FILINGS due date** will appear.
- 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 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** is produced and displayed.

- Here you will receive the Bankruptcy Case Number
- The **Notice of Electronic Filing** is the verification that the filing has been sent electronically to the court's database. It certifies that this is now an official court document.
- Further access to the **Notice of Electronic Filing** is available through the electronic docket report. When this option is selected, a bullet appears next to the document number of the event on the docket report. Clicking on this bullet will display a copy of this notice. Attorney users must first login to the PACER program.
- To print a copy of this notice click the browser **Print** icon, or right click on the screen and select **Print**.
- To save a copy of this notice, click the internet options icon on the browser menu bar and select File, Save As.

- Trustee and Attorney users will have access to the **Notice of Electronic Filing** at the time of their filing. Subsequent access to any Query or Report programs must go through the PACER system.
- When an attorney or other external filer selects a menu option from Reports, Query or the Claims Register, they will be presented with the Public Access to Electronic Records (PACER) screen. Users must already be registered with the PACER system to have a login and password. Note the information on the screen below.
- When a copy of the **Notice of Electronic Filing** is mailed to each subscriber on the case, the following message will display at the top of the notice:

*****NOTE TO PUBLIC ACCESS USERS*****

You may view the filed documents once without charge. To avoid later charges, download a copy of each document during this first viewing.

- Description of **Notice of Electronic Filing**.
 - Date and time stamp information
 - Case Name: Debtor's Name
 - Case Number: Hyperlink to docket sheet
 - Document Number: Hyperlink to the PDF file of the attached document
 - Docket text: Annotated text in italics. Text produced from docket event
 - Document Description: Label of Document
 - Original filename: the path and name of file that was attached to this entry
 - Electronic document Stamp.
 - **Notice will be electronically mailed to:**
 - Any party on the case who has registered their e-mail address with the court will be listed here with their current e-mail address, not their street address.
 - **Notice will not be electronically mailed to:**
 - Names of other parties on the case who have not furnished their e-mail addresses to the court.

STEP 21 **RUN JUDGE/TRUSTEE ASSIGNMENT** - The 'Judge/Trustee Assignment' feature may be used to determine who the judge and trustee will be on a case.

NOTE: In order for this feature to work, the creditor mailing matrix must be uploaded first. These procedures may be found on the 'Upload Creditor Matrix' bookmark.

- Click on the Bankruptcy hyperlink on the CM/ECF Main Menu Bar.
- Under the **Initial Case Opening** menu, click on the **Judge/Trustee Assignment** hyperlink
- A confirmation screen will appear.
 - On Chapter 7 proceedings, this feature will list both the judge and trustee.
 - On Chapter 13 proceedings, this feature will list the judge. The Chapter 13 trustee is added by the Court on the next business day upon quality control.