

# Adversary Case Opening

## *For Attorneys / Trustees*

Opening an Adversary proceeding involves entering the necessary information regarding the plaintiff, defendant, and basic statistical data. The complaint is incorporated into this process and will not need to be docketed separately.

- STEP 1** Click the Adversary hyperlink on the CM/ECF main menu bar. (See Figure 1.)



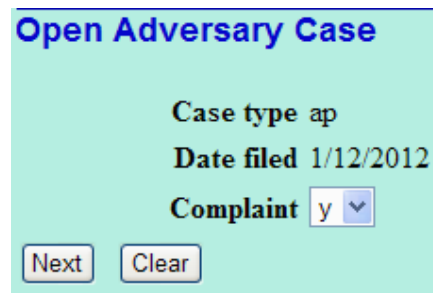
**Figure 1**

- STEP 2** Click on the Open an AP Case hyperlink displayed on the **ADVERSARY EVENTS** screen. (See Figure 2.)



**Figure 2**

**STEP 3** The **CASE DATA** screen displays. (See Figure 3.)



Open Adversary Case

Case type ap

Date filed 1/12/2012

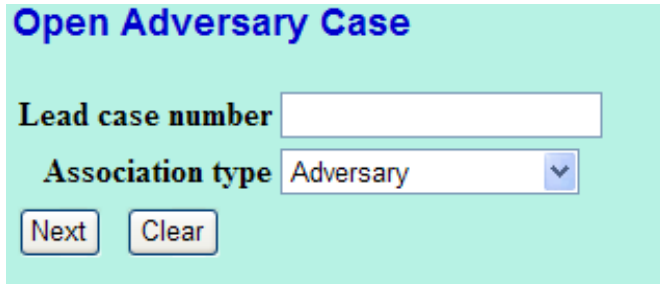
Complaint y ▼

Next Clear

**Figure 3**

- ◆ The case number will be generated at the end of this process. Make sure you take note of it on the final screen.
- ◆ The current date is displayed next to **Date Filed**.
- ◆ The **Case Type** values are ap for adversary proceeding
- ◆ The Complaint field signifies the lead event for this proceeding. If you are filing something other than a complaint such as a Notice of Removal, select **(n)** for no.
- ◆ Click **[Next]**.

**STEP 4** The **RELATED CASES** screen displays next. (See Figure 4.)



**Figure 4**

- ◆ Enter the **Lead Bankruptcy Case Number** in yy-nnnnn format, including the hyphen.

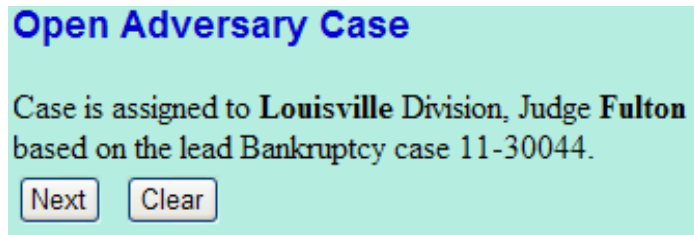
**NOTE:** If the case number is invalid or if the lead case does not reside on this database, an error message, “**YY-NNNNN is not a valid case. Please enter a valid value.**” is generated.

You will not be able to proceed with the case opening process. Research the reason for the error.

If you do not enter any number in the **Lead Case Number** field the system **will** allow you to proceed with case opening.

- ◆ Select the default of Adversary as the **Association Type**.
- ◆ Click [**Next**] to continue.

**STEP 5** The **Case Assignment** screen displays next. (See Figure 5.)



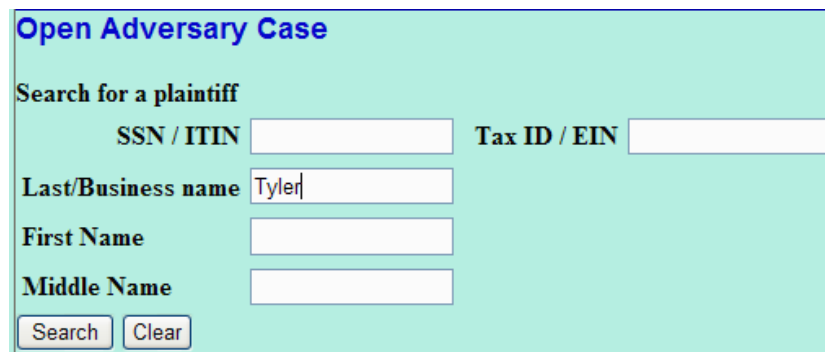
**Open Adversary Case**

Case is assigned to **Louisville Division, Judge Fulton** based on the lead Bankruptcy case 11-30044.

**Figure 5**

- ◆ Click [**Next**] to continue.

**STEP 6** The **Search for Plaintiff** screen appears. (See Figure 6.)



**Open Adversary Case**

Search for a plaintiff

SSN / ITIN  Tax ID / EIN

Last/Business name

First Name

Middle Name

**Figure 6**

- ◆ Before adding a party, it is recommended that one search the database for the filer. One can search by Social Security Number, Tax Identification Number, Last Name or Business Name.
  - Enter the last name of the party to be searched. If this is a business filing, enter the first word of the name to search the database. The entire business name is stored in the **Last/Business name** field. The field size is 80 characters

**Search Hints:**

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien, Zeta-Jones)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (\*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (\*son, Gr?y)
- Do not search only by the asterisk \* itself.

◆ Enter the plaintiff's last name or other search clue and click **[Search]**. In Figure 6 we have entered the first word or the plaintiff's name (Tyler).

**NOTE:** Do not use the asterisk \* by itself as search criteria. If just the asterisk is used, the entire database will be searched and require unnecessary systems resources and may degrade response time.

**STEP 7** The **SEARCH RESULTS** screen appears. (See Figure 7a.)

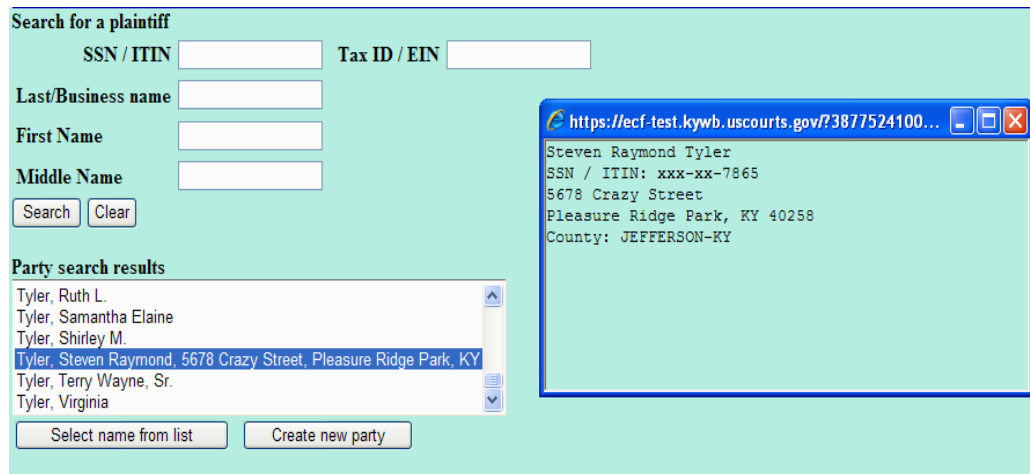
**Figure 7a**

**NOTE:** If the designated party was already on the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation you would select the party by highlighting the name with your mouse and click on the **[Select Name From List]** button.

◆ If the party is not on the listed, click the **[Create New Party]** button.

**NOTE:** Your name search may find more than one record having the same name as shown in **Figure 7a**. Clicking on each of the names will display a window showing the party's address information for verification as shown in **Figure 7b**.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.



**Figure 7b**

**STEP 8** The **PLAINTIFF INFORMATION** screen appears. (See Figure 8.)

**Plaintiff Information**

Steven Raymond Tyler SSN / ITIN:xxx-xx-7865

Office  Address 1 5678 Crazy Street

Address 2  Address 3

City Pleasure Ridge Park State KY Zip 40258

County JEFFERSON-KY (21111) Country

Phone  Fax

E-mail

Party text

Role in Bankruptcy Case

Add additional attorney... Alias... Corporate parent / affiliate... Review... Add all additional attorneys, aliases and corporate parents or affiliates before clicking the Submit button.

Submit Cancel Clear

**Figure 8**

- ◆ Expand the **Role in Bankruptcy Case** selection pick list by clicking on the down arrow ▼ and select the party type.
- ◆ The **Party Text** field is used for further party description, such as A Kentucky Corporation or Executor for the Estate of.... This information will appear on the caption of the docket report immediately after the party's name.
- ◆ The association of the attorney with the plaintiff is made **automatically**. Additional attorneys may be added for the plaintiff by clicking the Add additional attorney button(See Figure 8.)
- ◆ The main **PLAINTIFF INFORMATION** screen again appears. (At this time you could click on the **[Review]** button to verify attorney and alias information for this party.
- ◆ When the Plaintiff Information screen appears again, Click **[Submit]**.
- ◆ You have added the plaintiff and if there are no more plaintiffs, the next step is to add the defendant(s). Click **[End plaintiff selection]**

**STEP 9** The **Search for a defendant** screen appears. (See Figure 12.)

**Figure 9**

Enter the defendant’s last name or other search clue and click **[Search]**. In Figure 9 we have entered the first word or the defendant’s name (Ford Motor).

**NOTE:** Do not use the asterisk \* by itself as search criteria. If just the asterisk is used, the entire database will be searched and require unnecessary systems resources and may degrade response time.

**STEP 10** The **SEARCH RESULTS** screen appears. (See Figure 10.)

**Figure 10**



**NOTE:** If the designated party was already on the database, the Party Search Results screen would provide a listing of parties matching your search criteria. In that situation you would select the party by highlighting the name with your mouse and click on the **[Select Name From List]** button.

◆ If the party is not on the listed, click the **[Create New Party]** button.

**NOTE:** Your name search may find more than one record having the same name as shown in **Figure 10**. 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, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

**STEP 11** The **DEFENDANT INFORMATION** screen appears. (See **Figure 11**.)

The screenshot shows a web form titled "Defendant Information" for "Ford Motor Credit Company" with "SSN / ITIN: Unknown". The form contains several input fields and dropdown menus:

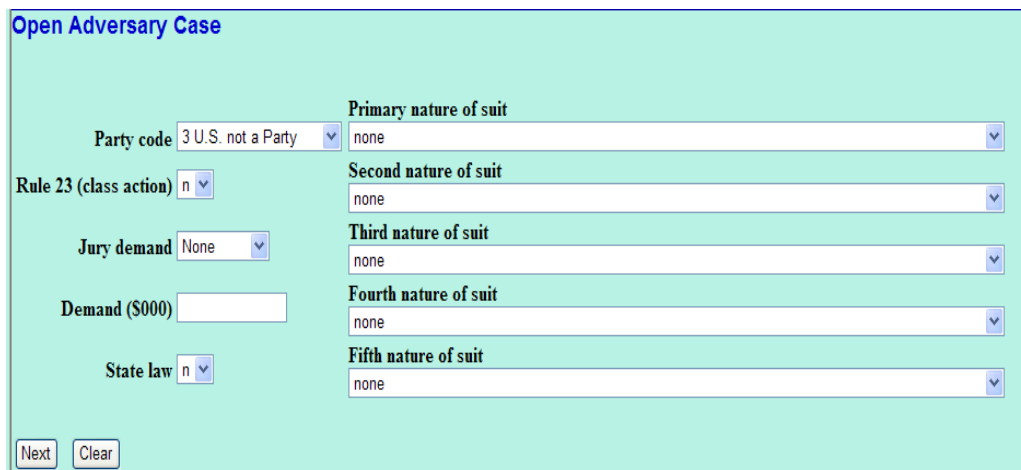
- Office:** Empty text box.
- Address 1:** Text box containing "c/o Thomas L. Canary Jr."
- Address 2:** Text box containing "801 West Jeferson Str"
- Address 3:** Empty text box.
- City:** Text box containing "Louisville"
- State:** Text box containing "KY"
- Zip:** Text box containing "40202"
- County:** Dropdown menu showing "JEFFERSON-KY (21111)"
- Country:** Text box containing "USA"
- Phone:** Text box containing "( )"
- Fax:** Empty text box.
- E-mail:** Empty text box.
- Party text:** Empty text box.
- Role in Bankruptcy Case:** Dropdown menu showing "Creditor"

At the bottom, there are buttons for "Alias...", "Corporate parent / affiliate...", "Review...", "Submit", "Cancel", and "Clear". A note next to the "Review..." button reads: "Add all aliases and corporate parents or affiliates before clicking the Submit button."

**Figure 11**

- ◆ If an address for the defendant appears, **REMOVE IT**.
- ◆ Expand the **Role in Bankruptcy Case** selection pick list by clicking on the down arrow ▼ and select the party type.
- ◆ The **Party Text** field is used for further party description, such as A Kentucky Corporation or Executor for the Estate of.... This information will appear on the caption of the docket report immediately after the party's name.
- ◆ Click on **[Submit]**.
- ◆ You have added the defendant and if there are no more defendants, Click **[End defendant selection]**

**STEP 12** The **ADVERSARY STATISTICAL** screen appears.  
(See Figure 15).



The screenshot shows the 'Open Adversary Case' form with the following fields and values:

| Field                  | Value              |
|------------------------|--------------------|
| Party code             | 3 U.S. not a Party |
| Primary nature of suit | none               |
| Rule 23 (class action) | n                  |
| Second nature of suit  | none               |
| Jury demand            | None               |
| Third nature of suit   | none               |
| Demand (\$000)         |                    |
| Fourth nature of suit  | none               |
| State law              | n                  |
| Fifth nature of suit   | none               |

Buttons: Next, Clear

**Figure 12**

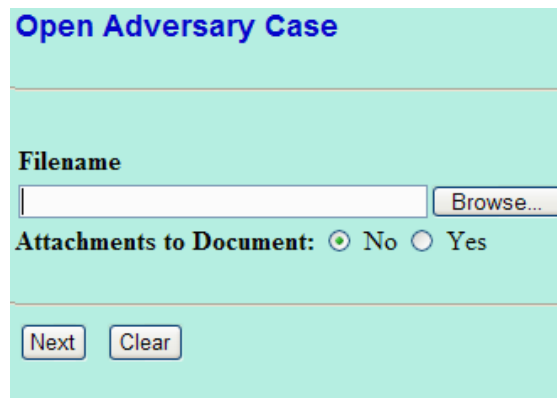
- ◆ Unless the US is a plaintiff or defendant in your case, accept the default **US is not a Party in the Case**.

- ◆ Select the Nature of Suit of the complaint from the list.

**NOTE:** If one of the multiple suits is a 727 Objection to Discharge, it is important to enter 424 as the Primary Nature of Suit.

- ◆ The default in the **Rule 23 (Class Action)** box is *n*. Change the default to **y** only if this is a Class Action suit.
- ◆ The default in the **Jury Demand** box is *n* (None)
  - Highlight the appropriate selection.
- ◆ **Dollar Demand.** If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, if the Dollar Demand is \$4550, \$5,000, or \$5499, you would enter 5 for \$5000, leaving off the 000.
- ◆ **State Law** will default to *n*.
- ◆ Verify the data on your screen and then click **[Next]**.

**STEP 13** The **PDF DOCUMENT SELECTION** screen displays. (See Figure 13.)



Open Adversary Case

Filename

Browse...

Attachments to Document:  No  Yes

Next Clear

**Figure 13**

- ◆ To associate the imaged document with this entry, select the PDF filename of the complaint you are filing.
  - Click **[Browse]**, then navigate to the directory where the appropriate PDF file is located and select it with your mouse.
- ◆ There will be no attachments in this exercise. Attachments will be covered in another lesson. Therefore, leave the radio button indicating No.
- ◆ Click **[Next]** to continue.

**STEP 14** The **FILING FEE** screen will display prompts for fee and receipt information. (See Figure 14.)

**Open Adversary Case**

If you are attempting to file a **New Adversary Proceeding** and have selected the category **Complaint** and entered the Main Case number you must abort this transaction and go to the **Adversary** category and select the event **OPEN an AP CASE**.

---

You must leave the receipt box blank in order for the credit card payment to be processed.

---

If fee does not apply or will be deferred remove fee amount from box below. Please note that there is no fee for a complaint filed by a Chapter 7 or Chapter 13 debtor.

Receipt #:  Fee: \$

**Figure 14**

- ◆ You must leave the receipt box blank in order for the credit card payment to be processed.
- ◆ The Fee Amount defaults to the amount of the complaint filing fee, \$293.00. If the fee does not apply or will be deferred, remove the fee amount from the fee box.
- ◆ Click **[Next]** to continue.

**STEP 15** The **MODIFY TEXT** screen displays. (See Figure 15.)

**Figure 15**

- ◆ Optional prefixes are available for the final docket text. If appropriate select a prefix.
- ◆ Additional description can be typed in the text window.
- ◆ Click **[Next]**.

**STEP 16** The **FINAL DOCKET TEXT** screen displays. (See Figure 16.)

**Figure 16**

- ◆ Proof this screen carefully! No further editing in the case opening process is allowed after this screen.
- ◆ If any part of it is incorrect, click the browser **[Back]** button to return to the screen you need to correct. Then process the screens again with the respective **[Next]** or **[Submit]** buttons or restart the transaction at any time by clicking on the **Adversary** hyperlink on the **Menu Bar**.

**NOTE:** When an adversary is opened, the complaint information is spread over to the main bankruptcy case.

**STEP 17** The Internet Payment screen will be displayed. (See Figure 17). You will be given the opportunity to either pay your fees now by clicking on the Pay Now button, or to continue filing and pay all of the days outstanding fees at the end of the day by clicking on the Continue Filing option. Refer to the On-Line Credit Card manual for more information on paying your fees on-line.

| Date Incurred       | Description   | Amount                  |
|---------------------|---|-------------------------|
| 2012-01-12 09:08:36 | Involuntary Petition(12-30001) [misc,invol11] (1046.00) | \$1046.00               |
| 2012-01-12 10:38:55 | Complaint(12-03001) [cmp,cmp] ( 293.00)                 | \$ 293.00               |
|                     |   | <b>Total: \$1339.00</b> |

**Figure 17**

**STEP 18** The **NOTICE OF ELECTRONIC FILING** screen appears.  
(See Figure 18.)

**Open Adversary Case**

U.S. Bankruptcy Court  
Western District of Kentucky

Notice of Electronic Filing

The following transaction was received from S M Craven entered on 1/12/2012 at 10:38 AM EST and filed on 1/12/2012

**Case Name:** Tyler v. Ford Motor Credit Company  
**Case Number:** [12-03001](#)  
**Document Number:** [1](#)

**Case Name:** Steven Raymond Tyler  
**Case Number:** [11-30044](#)  
**Document Number:** [20](#)

**Docket Text:**  
Adversary case 12-03001. (11 (Recovery of money/property - 542 turnover of property)) Complaint by S M Craven on behalf of Steven Raymond Tyler against Ford Motor Credit Company. Fee Amount \$293(Craven, S)

The following document(s) are associated with this transaction:

**Document description:**Main Document  
**Original filename:**S:\Training\CM\_ECF\PDF\_ECF\_Training\Complaint\_AP.pdf  
**Electronic document Stamp:**  
[STAMP bkecfStamp\_ID=996699402 [Date=1/12/2012] [FileNumber=26665-0] [1e5acac2d5feb5a3dedecde3e51ed02c29358E376c45bc63f74837a432b17971b0e04b334379b8e2d5b95b890b876e401685ebb0d343bbfb034e082b54f8bab71]

**Figure 18**

- ◆ 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.
- ◆ The case number is a hyperlink to the docket sheet and clicking on the document number hyperlink will display the image of the complaint. **The case number of both this adversary and the lead bankruptcy case appear.** This indicates that this complaint entry has spread to the bankruptcy case and will be available to anyone reviewing the Bankruptcy Docket report. The hyperlink to the imaged complaint is also accessible from the bankruptcy case.
- ◆ To print a copy of this notice, click the browser **[Print]** icon.
- ◆ To save a copy of this receipt, click **[File]** on the browser menu
- ◆ 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.