
Adversary Case Opening

NOTE: Ascertain the number of the related bankruptcy case before docketing this event.

STEP 1 Click the **Adversary** hyperlink on the ECF Main Menu (See Figure 1)



Figure 1

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

- ' Click on the **Open an AP Case** hyperlink

- ' For further information on each of these categories, click the ? (Help) icon located at the top right corner of menu screen.

STEP 3 The **OPEN AN ADVERSARY CASE** screen displays

- ' The **Case Type** defaults to **AP**.

- ' **Date Filed** is the date the adversary is electronically filed.

- ' **Complaint** should be y

- ' Click the **[NEXT]** button.

STEP 4 The **Add Associated Case** screen displays

- ' Enter the **Lead Case Number**. The lead case number is the main bankruptcy case number.

- ' Association type should be **Adversary**

- ' Click **[NEXT]**

- STEP 5** The **Divisional Office** screen displays
- ' Verify the main case number and Providence Division
 - ' Click [NEXT]

STEP 6 **Warning Display** screen appears; click [NEXT]

STEP 7 The **SEARCH FOR A PARTY** screen displays

IF Nature of Suit is 727 Objection to Discharge, Add Internal Revenue Service as Interested Party

Next

Clear

Hints for Searching Party/Attorney Database

- # Enter one field of data for each search
- # Format Social Security Number or Tax ID with hyphens.
- # Searching is case sensitive (Smith, not smith)
- # Partial names can be entered
- # Include an apostrophe or hyphen if part of the name (O'Brien)
- # Omit other punctuation, such as periods or commas

NOTES:

- # **All Plaintiffs must be added first, followed by all Defendants. Defendants should be added as pro se only. DO NOT ADD AN ATTORNEY FOR A DEFENDANT.**
- # **Steps 7 though 9 must be repeated for each party added to the case.**

- Search database for name of Plaintiff

IF	THEN
If party found	Click [SELECT NAME FROM LIST]
If party <i>not</i> found	Click [CREATE NEW PARTY]

- STEP 8** Enter all applicable Plaintiff name and address information. The Role type **MUST** be **Plaintiff**.

IF	THEN
The party is represented by an attorney	Complete Role fields; click [ATTORNEY]. Delete the plaintiff's mailing address.

- STEP 9** Search for yourself as the attorney for Plaintiff (Add your last name and/or Bar ID number).

- Although you have selected attorney for the plaintiff, the application doesn't automatically link or associate you with that party. This screen, then, is to link the selected party with the attorney who is logged in.
- Highlight your name, click [SELECT NAME FROM LIST]. Confirm attorney's information; click [ADD ATTORNEY]; {if there is an alias, select [ALIAS] and complete the information including role}; click [SUBMIT] to add party and attorney information.
- Repeat Steps 7 through 9 for each Plaintiff represented by an attorney; Repeat Steps 7 and 8 for each Defendant. Add address for defendant(s).
- NOTE: DO NOT** enter attorney(s) for defendant(s). . They are added to the case when an answer or response is filed. Select "y" at the pro se field.
- NOTE: The Role Type for defendants MUST be defendant.**

- STEP 10** Click [END PARTY SELECTION] when all parties have been entered.

STEP 11 The Nature of Suit information screen displays.

- ' At **Party Code** select one
 1. U.S. is a Plaintiff
 2. U.S. is a Defendant
 3. U.S. is not a Party

- ' Select the **Nature of Suit** from the pick list.
 1. 424 (Obj/Revocation Discharge 727)
 2. 426 (Dischargeability 523)
 3. 434 (Injunctive Relief)
 4. 435 (Validity/Priority/Extent Lien)
 5. 454 (Recover Money/Property)
 6. 455 (Revoke Plan Confirmation)
 7. 456 (Declaratory Judgment)
 8. 457 (Subordinate Claim/Interest)
 9. 458 (Approval For Sale)
 10. 459 (Application for Removal)
 11. 498 (Other Action)

Select the **Origin**

 1. Original Proceeding
 2. Removed from State
 4. Reinstated/Reopened
 5. Transferred in from Other District

- ' **Transfer date:** If applicable

- ' **Rule 23 (class action):** defaults to n

- ' **Jury Demand** (Defaults to none)
 - Both
 - Defendant
 - None
 - Plaintiff

- ' Demand (\$) dollar amount.

K *TIP - Demand will default to 000's. For example, if demand is \$5,000, you must only enter 5.*

' Click **[NEXT]**

STEP 12 The **PDF Documents** screen is displayed.

' Click **[BROWSE]**, then navigate to the directory where the appropriate PDF file is located or type in the full directory and file path

K *TIP - The summons will appear at the end of the event for printing and service.*

' To verify that this is the appropriate document, highlight the document name

Right click with your mouse.

Select **open** to view the document

Click **X** in the upper-right corner to exit

If correct, click the **open** button on the **choose file** screen to select it

' Click the **[NEXT]** button.

STEP 13 The **FILING FEE** screen displays

' The Filing fee will automatically default to the applicable amount. All electronic filers are required to pay the filing fee using a credit card. The payment screen will appear at the end of the event.

' If you qualify for waiver or deferral of the filing fee, choose **CONTINUE FILING** when the fee collection screen appears at the end of the event. Within 24 hours thereafter, contact the Court's Financial Administrator, April Elderkin, at 401-528-4477 ext. 42 to have the fee removed.

' Click **[NEXT]**

STEP 14 The **ANSWER DEADLINES** will display.

' Click on the hyperlink in the message "Click here for the 2nd page of the summons". Print out this page and close the form.

- ' Click the [NEXT] button.

STEP 15 The **DOCKET TEXT** screen displays

- ' Verify the accuracy of the text. *Text of docket entry should not require modification; if modification is necessary - use [BACK] button on your browser.*
- ' Clicking on Bankruptcy or any menu option aborts the entry
- ' If the information is correct, click [NEXT]
- ' **FINAL TEXT** screen displays, click [NEXT]

SAMPLE DOCKET TEXT

426 (Dischargeability 523) Complaint by Agnes Smith against Sun Company Inc. Fee Amount \$150. Answer Due by: 8/21/2003. U.S. Governmental Agency Answer due by 8/26/2003 (Attorney, Joe).

STEP 16 **TWO NOTICE OF BANKRUPTCY FILING** screens display

- ' The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the case is now opened.
- ' Clicking on the adversary case number hyperlink will display the docket report for the adversary.
- ' Clicking on the main case number hyperlink will display the docket report for the main case.
- ' Clicking on the document number hyperlink will display the PDF image of the document just filed.
- ' Click **Print** on the browser button to print a copy of the notice for your records (Optional)

STEP 17 **Print and Serve the Summons on the Defendant with a copy of the Complaint**

- ' Scroll to the **Second Notice of Electronic Filing** located beneath the first one.
- ' Docket text appears indicating that the summons was issued. Click on the **Summons Issued** hyperlink to open the summons. The summons will have the case caption filled out including the BK and AP case numbers. In order to print a good quality image of the summons without external internet/webpage information on the form, please follow the following directions. These changes only have to be done once.

From Netscape 7

File->Page Setup

Click the Margins&Header/Footer Tab

On the Header & Footers section

drop the box to blank on ALL except for the

Right: (this should be Date/Time)

This will blank out everything but on the right footer it will add the date and time.

From Internet Explorer

File->Page Setup

On the Header & Footers section

Delete everything from the Header section

On the Footer delete everything except for &d

This will blank out everything but leave the date/time on the footer.

- ' Once the header/footer changes are made, Print the document to PDF and save. **After converted to pdf, print out and serve with the complaint on the Defendant.**
- ' Once service is completed, there are two ways to file it: (1) image a copy of the completed summons, save to pdf, and file electronically with the court (along with the required declaration form P4) under **Adversary>Complaint, Summons and Amended Answer>Summons Service Executed** or (2) file original in paper form w/the Clerk's Office.