
Bankruptcy Case Opening

The steps below will guide you through filing a petition and opening a bankruptcy case electronically using Open a BK Case, not case upload. The petition must be prepared in PDF format before trying to open the case. Included in the same PDF document should be the petition, schedules, summary page, statement of financial affairs and attorney compensation form, if possible. If the petition is being opened as a chapter 7, include the statement of intention.

Do NOT file a Chapter 13 plan, application to pay filing fee in installments or a matrix as part of the PDF document containing the petition. File these separately immediately after filing the petition.

If you are using a petition preparing software, please check with your vendor to determine if software is compatible with CM/ECF and can be uploaded into our system. The vendor should be able to provide you with instructions on how to convert the petition packet to PDF and then file with the court. Case upload may **only** be used for **COMPLETE** filings, not for deficient filings, such as missing schedules, plans and/or missing creditors. See the section on Bankruptcy Case Upload for more information.

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

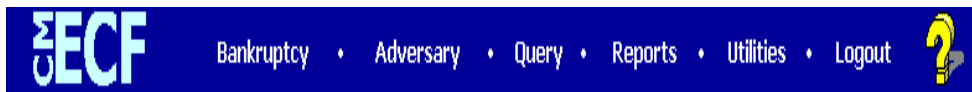



Figure 1

STEP 2 The **Bankruptcy Events** screen displays.

- Click on the **Open a Voluntary BK 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 **CASE DATA** screen displays

- The **Office** defaults to Providence. No action is necessary
- The **Case Type** defaults to **bk**. No action is necessary
- The current date is displayed as the **Case Filed** date
- Chapter:** Use drop down arrow to select appropriate chapter (defaults to 7)
- Joint Petition:** Change to “y” if petition is for joint debtors
- Deficiencies:** Leave unchanged – court will issue notice of missing documents and notice of intent to dismiss upon review of filing.
- Click the **[NEXT]** button

STEP 4 The **SEARCH FOR A PARTY** screen displays***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
- # Try alternate search clues if your first search is not successful
- # Wildcards (*) are not required but may be used.

- Enter Debtor's Social Security Number **OR** Last Name/Business Name in the appropriate field to search master database for Debtor. Click **[SEARCH]**

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

STEP 5 The **DEBTOR INFORMATION** screen displays

- Enter debtor **Name** and **Address** information in the appropriate boxes.
 - # **CM/ECF is case sensitive.** Capitalize the first letter of the first and last name and type the remainder of the name in lower case.
 - # Do **NOT** use commas or periods when adding debtor name and address information to a case.
- Select the debtor's **County** of residence from the pick list.
 - # Refer to the list of cities and their corresponding counties in this guide. If the city is not listed, notify the court prior to opening the case and selecting a county of residence.
- Enter further descriptive text in the **Party Text** field, if appropriate. (A Connecticut Corporation, etc.)
- If the party has an alias, click the **[ALIAS]** button and add the Alias information.
- If the debtor has a corporate parent, click the **[CORPORATE PARENT]** button and add the Corporate Parent information.

STEP 6 If “joint” case was selected, The **PARTY INFORMATION** screen appears once more for the **joint debtor**. Follow instructions in Step 5. Note: If joint debtor’s address is different than that of the debtor, **uncheck** the Copy previous party’s address box.

- Click the [**Submit**] button

STEP 7 **DIVISIONAL OFFICE** screen displays

- Providence** is the only office in Rhode Island. Click [**NEXT**]

STEP 8 The **STATISTICAL DATA** screen displays

- Prior Filing within last 8 years** - use drop down box and select yes or no
- Select the **Type of Debtor** by clicking the appropriate box - only one box may be selected from Individual, Corporation, Partnership and Other.
- Select the **Nature of Business** by clicking the appropriate box(es); select as many choices as are applicable.


Fee Status values are Paid, Installment and IFP Filing Fee Waived. If the petition is accompanied by an Application to Pay Filing Fee in Installments and meets the conditions contained in Fed.R.Bankr.P.1006(b)(1) , choose Installment from the pick list. If the petition if accompanied by an Application to Proceed Informa Pauperis, choose IFP Filing Fee Waived.

- Nature of Debt:** Select *business* or *consumer*
- Asset Notice:** Select “*No*” for Chapter 7 cases, select “*Yes*” for Chapters 11 and 13
- Estimated Number of Creditors:** Select correct number
- Estimated assets:** Select correct dollar range

- Estimated debts:** Select correct dollar range
- Click [**NEXT**]

STEP 9 The **PDF DOCUMENT SELECTION** screen displays

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

 **TIP - There are no attachments with a petition. The list of creditors is a separate step, as well as filing a chapter 13 plan.**

- 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 12 The **FILING FEE** screen displays

- The Filing fee will automatically default depending on chapter chosen. 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.

STEP 13 The **DEADLINE** for the **Declaration Regarding Electronic Filing (Form P.3)** displays. *Make a note of the deadline. Failure to timely file Local Form P.3 will result in the Automatic Issuance of an Order to Show Cause why case should not be dismissed.* (Form P3 must be filed conventionally and not electronically.)

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

STEP 14 The **MODIFY TEXT** screen displays

- Enter any required text in the free text box.
- Verify the accuracy of information.

- Click the [**Next**] button

STEP 15 The **FINAL TEXT** screen displays

SAMPLE DOCKET TEXT

**Chapter 7 Voluntary Petition. Fee Amount \$299 Filed by Jane Doe.
Declaration re: Electronic Filing, Form P.3 Due By: 8/1/2003 (John Attorney)**

- 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 the [**Next**] button.

STEP 16 The **NOTICE OF BANKRUPTCY FILING** screen displays

- 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.
 - This screen will provide the bankruptcy case number for the debtor(s).
 - Click **Print** on the browser button to print a copy of the notice for your records (Optional)
- **Reminder:** After opening the case, you must immediately upload the creditors in **Creditor Maintenance/Upload a creditor matrix file.**
- **IMPORTANT Chapter 11 only:** Before completing the matrix and saving as a txt file, **YOU MUST add the following interested parties to your creditor list:**

Chapter 11

IRS-Insolvency Unit
380 Westminster St - 4th Floor
Providence, RI 02903

Chapter 11

State of Rhode Island
Department of Labor & Training
1511 Pontiac Ave. Bldg 72,3rd Fl
Cranston, RI 02920

- Thereafter, click the **Judge/Trustee Assignment** hyperlink to assign the judge and trustee and schedule the 341 meeting. *The Judge/Trustee assignment may be delayed until the end of the day's case opening filings in order to batch your cases for same 341 meeting date, if available.* (This step does not apply to Ch 11 cases)