

Notice of Appeal

This lesson explains how to file a **Notice of Appeal**. In addition, pursuant to Local Bankruptcy Rule 8001-1, Appellant is required to file an Appeal Cover Sheet, *see R.I. Bankr. Form S*, indicating whether the appeal is being taken to the U.S. District Court or to the First Circuit Bankruptcy Appellate Panel. There are two events depending on which court is being appealed to: **BAP Election** or **District Court Election** and should be filed immediately after the **Notice of Appeal**.

STEP 1 Click the **Bankruptcy** or **Adversary Proceeding** hyperlink on the **ECF Main Menu** (See figure 1)

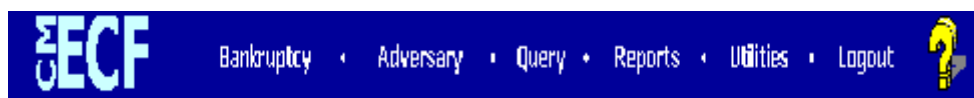


Figure 1

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

' Click the **Appeal** hyperlink

STEP 3 Enter **Case Number**, click [NEXT]

STEP 4 The **FILE AN APPEAL** screen displays

' Select **Notice of Appeal (fee)** from drop down list

' Click [NEXT]

STEP 5 Joint Filing with Other Attorney(s), place a checkmark in the box for yes and click [NEXT], if no, just click [NEXT]

K *TIP - If the joint filer's name is not listed in the pick list, they will need to file a notice of appearance in the case and then their name will appear in the pick list.*

STEP 6 The **PARTY SELECTION** screen displays

' Select the party you are representing from the list

- ' Click **[NEXT]**
- ' Skip forward to **STEP 10**
- ' If the party is **not listed** in the case, add them to the case.
- ' Click the **Add/Create New Party** hypertext link

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

- ' Enter the last or business name to begin a search for the party to be added.
- ' Click the **[SEARCH]** button.

STEP 8 The **PARTY SEARCH RESULTS** screen displays

- ' Highlight the correct party name, verify the address and click **[Select name from list]** button;
 - < The **PARTY INFORMATION** screen displays.
 - < Click the **Role** type down arrow and select the appropriate type (Appellee, Appellant).
 - < Click the **[NEXT]** button.
- ' If the party is not included in the database, click the **[Create New Party]** button
 - < Enter the party's full name. All other information is optional.
 - < Click the **Role** type down arrow and select appropriate type (Appellee, Appellant).
 - < Click the **[Submit]** button.

STEP 9 The **PARTY SELECTION** screen displays again.

' The party name is pre-selected

' Click the [**Submit**] button

STEP 10 The **PARTY ASSOCIATION** screen displays

' Click the association check box to create a link between you and the filing party.

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

STEP 11 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

' 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

STEP 12 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 13 The **Statement of Issues on Appeal** and the **Appellant Designation of Record** due

date displays (*defaults to 10 days from filed date*). **Make a note of these due dates.**

- ' Next, the **EVENTS CATEGORY** screen displays
 - < Select the **Order** category. *To search all categories, highlight the entire menu list.*
 - < To narrow your search through pending events, you may enter the filed date for the order in the **Filed** fields and/or enter the docket number for the order in **Documents** fields, when they are known.
 - < Click the [**Next**] button.

STEP 14 Place a check mark in the box next to the Order being appealed; click [**NEXT**].

STEP 15 The **MODIFY TEXT** screen displays

- ' Enter any required text in the free text box.
- ' Verify the accuracy of information
- ' Click the [**Next**] button

STEP 16 The **FINAL TEXT** screen displays

- ' Verify the accuracy of the text
- ' Use the **Back** browser button when corrections must be made
- ' Clicking on Bankruptcy or any menu option aborts the entry
- ' If the information is correct, click the [**Next**] button.

STEP 17 The **Notice of Bankruptcy Filing** screen displays

- ' Click **Print** on the browser button to print a copy of the notice for your records (Optional)

STEP 18 The **Credit Card Electronic Payment** screen will appear.

' You may choose to either pay the filing fee now or continue filing and pay at the end of the day. Failure to pay all fees by the end of the day will result in a **Lock Out** of the system.

K *TIP - The next document to be filed should be the **BAP or District Court Election, R.I. Bankr. Form S. See RI LBR 8001-1.** Failure to file the **BAP or District Court Election will result in the Notice of Appeal being treated as Defective.***