CM/ECF Participant's

ADVERSARY CASE OPENING / REMOVAL

Updated 8/19/2022

Description: This process shows the steps and screens required for an external user to open an adversary complaint in CM/ECF. Please Note that if any fee amounts appear on screenshots below, they were correct at the time of posting but may or may not be current now (check the most current fee schedule on the court's website).

STEP 1 – Click on the **Adversary** hyperlink on the CM/ECF Main Menu Bar.

STEP 2 – The ADVERSARY EVENTS screen displays.

- Click on **Open an AP Case** hyperlink.
- For further information on each of these categories, click the **Help** button located on the CM/ECF menu bar.

STEP 3 – The OPEN ADVERSARY CASE screen displays.

- Case type defaults to ap (Adversary Proceeding).
- Date Filed is the date the Adversary is being entered into the system (defaults to present date).
- Complaint should be y (yes).
- When filing a notice of removal, attorneys should select n (no) to the Complaint field. A "Counsel for" selection option will appear to indicate which party they are representing. If "Plaintiff" is selected then the filing attorney is automatically associated with the plaintiff. An attorney representing the defendant can open the Adversary and select "Defendant" to create the associate with their party.
- Click the **[Next]** button.

STEP 4 – The SEARCH FOR A PLAINTIFF screen displays.

NOTE: When opening an adversary case, ONLY add plaintiff(s) and defendant(s). All other parties can be added after case opening.

Before adding a party, a search of the database for the party must be performed. A search may be performed by Social Security Number, Tax Identification Number, Last Name or Business Name.

- Enter the last name or the first few characters of the last name to search. If this is a business filing, enter the first word or significant words 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.
- If searching for a plaintiff, enter the plaintiff's last name and click **[Search].**
- Search Hints:
    - Enter one field of data for each search.
    - Format Social Security Number or Tax ID with hyphens.
    - Include punctuation (O'Brien).
    - 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.

STEP 5 – The SEARCH SCREEN results.

- If there are no matches, the system will return a No Person Found message.
- If the system finds a match, you can select the name and a "popup" box will give you the rest of the plaintiff's information as it is in the database. Verify that the information is correct before selecting. If all information is correct, go to **STEP 7.**
- If available information is incorrect or if the party is not in the database, proceed to add the plaintiff. Click **[Create New Party]** and continue to **STEP 6.**

STEP 6 – The PLAINTIFF INFORMATION screen displays.

- Enter Plaintiff Name in the appropriate box. Be sure to put in a period after any initial and to include any generation information.

  NOTE: If the debtor has an out of state address, only the county and county codes will appear in the county drop down list for that state.

  Type the first letter of the county name for a faster search. Continue to type the letter to scroll down the counties that begin with that letter.

- Enter further descriptive text in the Party Text field, if appropriate (A Connecticut Corporation, Guardian of the State, etc.).
- Select the Role in Bankruptcy Case from the drop down list.
- If the party has an alias, continue to **STEP 7**, if not, skip to **STEP 8.**

STEP 7 – The ALIAS screen.

- Select the **[ALIAS]** button.
- One can enter up to five (5) alias records at a time. Alias role selections include aka, dba, fdba, and fka.

- Once you have added the alias records, select **[Add Aliases].**

  NOTE: If there are more than five (5) aliases, you must add the first five (5), then when the Plaintiff screen appears, select the **[Alias]** button again and continue until all aliases have been entered.

- If you are NOT adding additional attorneys, skip to **STEP 11.**

  NOTE: If additional attorneys need to be added to the Adversary, select "Add additional attorney". Attorney will no longer have to create an association with the plaintiff when filing a complaint to open an adversary proceeding. The filer is automatically linked as the plaintiff's attorney. If adding additional attorneys, continue to **STEP 8.**

STEP 8 – The ADD ADDITIONAL ATTORNEYS screen displays.

- Click on the Adding Additional Attorneys button to add the attorney representing the Plaintiff if not pro se. This needs to be done to create additional association between the Attorney and Plaintiff.
- The SEARCH FOR AN ATTORNEY screen displays.
- The attorney roll can be searched by District Court ID or by Last Name.
- Enter the last name of the Attorney in the Last Name field or his/her Bar ID Number in that field.
- Click the **[SEARCH]** button.

STEP 9 – The ATTORNEY SEARCH RESULTS displays.

- If the attorney you are searching for is already on the court's attorney roll and there is a match, they will be listed for selection. If more than one attorney matches your search criteria, they will also be listed.
- If the filer's attorney is displayed, highlight them. The attorney address information will "popup" for verification. Select **[Select Name From List].** The "popup" information will close at this time.
- If the filer has an attorney and the attorney's name is NOT displayed in the Attorney Search Results box, a new attorney can be added by clicking the **[Create New Attorney]** hyperlink.

STEP 10 – The ATTORNEY INFORMATION screen displays.

- If the address or telephone number is missing or incorrect for the current case, make the appropriate changes.

NOTE: Changing the attorney's address or telephone number on this screen only changes it for the current case. If the attorney is representing multiple parties, they will need to be added as the attorney for each plaintiff-party they are representing.

- There is a field for the e-mail address. Verify that the e-mail address is present and correct.

NOTE: Maintaining the attorney's e-mail address will be necessary in administering the electronic noticing function.

- Select **[Add Attorney].**

STEP 11 – The PLAINTIFF INFORMATION screen displays.

- Selecting the **[Review]** button presents a screen summarizing the attorney and alias activity entered for this plaintiff. This is an automatic QC of the case information.
- Verify the Information.
- Be cautious of the **[Clear]** button. This would delete all of the information inputted.
- Click **[Return To Party Screen]** after your QC.

STEP 12 – The PLAINTIFF INFORMATION screen appears for the last time.

- Click **[Submit]**.

NOTE: If a warning message appears, do not input the warning information as long as the attorney information was completed on the previous screen.

STEP 13 – The SEARCH FOR A PLAINTIFF screen appears.

- Repeat STEPS 4 through 12 until all plaintiffs have been added to the system.
- After all plaintiffs have been added, click the **[End Plaintiff Selection]** button.

STEP 14 – The SEARCH FOR A DEFENDANT screen appears.

NOTE: Before adding a party, a search of the database for the party must be performed. A search may be performed by Social Security Number, Tax Identification Number, Last Name or Business Name.

- Enter the last name or the first few characters of the last name to search. If this is a business filing, enter the first word or significant words of the name to search the database. The entire business name is stored in the Last/Business name filed. The field size if 80 characters.
- Enter the defendant's last name and select **[Search].**
- Search Hints:
    - Enter one field of data for each search.
    - Format Social Security Number or Tax ID with hyphens.

- Include punctuation (O'Brien).
- 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.

STEP 15 – The SEARCH SCREEN results.

- If there are no matches, the system will return a No Person Found message.
- If the system finds a match, you can select the name and a "popup" box will give you the rest of the defendant's information as it is in the database. Verify that the information is correct before selecting.

  NOTE: If the defendant is the debtor, **remove the debtor address information.** The defendant information will now appear blank.

- If available information is incorrect or if the party is not in the database, proceed to add the defendant. Click **[Create New Party].**

STEP 16 – The DEFENDANT INFORMATION screen displays.

- Enter Defendant Name in the appropriate box. Be sure to put in a period after any initial and to include any generation information.
- Enter further descriptive text in the Party Text field, if appropriate (A Connecticut Corporation, Guardian of the State, etc.).
- Select the Role in Bankruptcy Case from the drop-down list.

STEP 17 – The ALIAS screen.

- Select the **[ALIAS]** button.
- One can enter up to five (5) alias records at a time. Alias role selections include aka, dba, fdba, and fka.
- Once you have added the alias records, select **[Add Aliases].**

  NOTE: If there are more than five (5) aliases, you must add the first five (5), then when the Plaintiff screen appears, select the **[Alias]** button again and continue until all aliases have been entered.

STEP 18 – The DEFENDANT INFORMATION screen displays.

- Selecting the **[Review]** button presents a screen summarizing the attorney and alias activity entered for this defendant. This is an automatic QC of the case information.
- Verify the Information.

- Be cautious of the **[Clear]** button. This would delete all of the information inputted.
- Click **[Return To Party Screen]** after your QC.

STEP 19 – The DEFENDANT INFORMATION screen displays one more time.

- When adding a defendant, DO NOT add an address for the defendant. An attorney for a defendant will be added to the case upon the filing of an answer. If the defendant is the debtor, **remove the address information.**
- Click the **[Submit]** button.

STEP 20 – The SEARCH FOR A DEFENDANT screen displays.

- Repeat STEPS 14 through 19 until all defendants have been added to the system.
- After all defendants have been added, select the **[End Defendant Selection]** button.
- The debtor and trustee will be added after the Adversary has been opened.

STEP 21 – The LEAD CASE screen displays.

- Enter the Lead Case Number into the appropriate field.
- Choose the Association Type from the drop-down list, beginning with most important relief type first if more than one. For a relief type other than 727 or 523, choose adversary.
- Click the **[Next]** button.

STEP 22 – The JUDGE/DIVISION screen displays.

- Division and Judge defaults to main case information.
- Click the **[Next]** button.

STEP 23 – The NATURE OF SUIT INFORMATION screen displays.

- Click the down arrow to review the list of Party Code options. If the U.S. IS a plaintiff or a defendant in the Adversary Proceeding, click to highlight the correct party code. If the U.S. is NOT a plaintiff or defendant in the case, accept the default "U.S. is not a Party" in the case.
- Click the down arrow to reveal the list of Rule 23 (Class Action) options. The default is N for no. If the Adversary being filed is a Rule 23 (Class Action) proceeding, change the default to Y for yes.
- Click the down arrow to reveal the list of Jury Demand options. Those options are Both, Defendant, None or Plaintiff. The system defaults to none. If a jury trial is requested in the complaint, indicate this in the field.

- In the Demand field, enter the amount in the complaint if one is present. Enter the dollar amount to the nearest thousand (i.e. for a demand of $5,000, enter 5, leaving off the 000). DO NOT use dollar signs or commas. If no dollar amount on demand, leave blank.
- Click the down arrow to reveal the list of Primary Nature Suit options. Click to highlight the primary nature of suit that applies. Only one Primary Nature of Suit option can be selected.
- Click the down arrow to reveal the list of Secondary Nature of Suit. Click to highlight any (or all) applicable Secondary Nature of Suit.
- Click the down arrow to reveal the State Law options. Those options are N for no, U for unknown, and U for yes. The system defaults to no.
- Click the **[Next]** button.
- For Removal – select event, Notice of Removal
- Click the **[Next]** button.

STEP 24 – The PDF ATTACHMENT screen displays.

- Select the .pdf file to associate with this event.
- Click the **[Next]** button.

STEP 25 – The CORE/NON-CORE screen appears.

- Enter Core or Non-Core (only enter Core if it is alleged in the complaint, otherwise enter Non-Core).
- **DO NOT enter anything in the receipt field UNLESS there is no fee due to under the following circumstances:**
    - **If the debtor is the plaintiff, type "NO FEE" in the receipt field.**
    - **If there is no estate to pay the fee, type "NO ESTATE" in the receipt field, also file a No Estate Affidavit (under Adversary Menu/Notice).**
    - **If a fee is due but deferred by the trustee, type "DEFERRED" in the receipt field, also file a Trustee Affidavit of Deferral (under Trustee Menu).**
- Click the **[Next]** button.

STEP 26 – The VERIFICATION screen displays.

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

STEP 27 – The FINAL DOCKET TEXT screen displays.

- Verify the accuracy of the docket text. This docket text will appear on the docket sheet as it displays on the screen.

- If the docket text is incorrect, click the browser **[Back]** button to find the screen needed to modify.

NOTE: If the **[Back]** button is used and case information is altered, you must use the **[Next]** button and resubmit for each screen or the changes will not take effect. In other words, do not use the **[Forward]** button on the browser if you alter information on a previous screen.

- To abort or restart the transaction, click the Adversary hypertext link on the Menu Bar.
- Click the **[Next]** button if correct.

> ***Sample* Docket Text: Final Text**
>
> **Adversary case 22-80006. Complaint by Joe Debtor against ABC Company, Inc., Core Proceeding. Fee: 350.00. (11 (Recovery of money/property – 542 turnover of property)) (Attorney, Bill) (Entered 10/31/2022)**
>
> **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**
>
> **Have you redacted?**

- An electronic payment screen appears (if a fee is due).

STEP 28 – The NOTICE OF ELECTRONIC FILING screen displays.

- The new Adversary number and Main Case number is displayed. The Adversary Case is opened.
- The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the document filed is now an official court document. It is recommended that you print this screen for your records because it also includes the date, time, Adversary Case Number, and document number.

  NOTE: The Summons will be issued by the court. When you receive the electronic notice, it will include the Summons which should be printed out and served.