

INVOLUNTARY CASE OPENING

Updated 05/19/2009

Description: This process shows the steps and screens required for an external user to open an Involuntary Case in CM/ECF. Please note that if any fees are due, they are correct at the time of posting but may or may not be current now (check the most current fees on the court's website).

NOTE: The Judge/Trustee assignment is not available for an external user and cannot be used when filing an Involuntary Petition. **Notify the Court after the petition is filed so that the Court may assign the Judge.**

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

STEP 2 – The BANKRUPTCY EVENTS screen displays.

- Select the **Open an Involuntary Case** hyperlink.
- For further information on each of these categories, click the yellow help (?) icon in the upper right hand corner.

STEP 3 – The CASE DATA screen displays.

- Case type defaults to bk.
- The current date is displayed.
- Select the Chapter from the drop down list (Chapter 7 or 11).
- The default value for Joint is n (no). **NOTE:** An Involuntary Petition cannot be filed jointly.
- Click the **[Next]** button.

STEP 4 – The SEARCH FOR AN ALLEDGED DEBTOR screen displays.

- Before adding a party, a search of the database for the debtor 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.
- Enter the debtor's last name and click the **[Search]** button.

- 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 – If there are no matches, the system will return a NO PERSON FOUND message.

- If the system finds a match, you can select that name and a “popup” box will give you the rest of the information as it is in the database. **Verify that the information is correct before selecting (address, etc.).** Click the [Submit] button.
- **If available information is incorrect (address, etc.) or if the party is not in the database, proceed to add the party.** Click the [Create New Party] button.

STEP 6 – The ALLEGED DEBTOR INFORMATION screen displays.

- Enter the alleged debtor’s Name and Mailing Address information in the appropriate boxes.
- Be sure to put a period after any initial and to include any generation information.
- Verify that the Social Security number and/or Tax ID number are placed in appropriate box.
- Be sure to begin the alleged debtor’s address on the address line 1.
- Type in City, State and Zip in the appropriate fields.
- Select the alleged debtor’s County of residence from the pick list.

NOTE: 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 at letter.

- Enter further descriptive text in the Party Text field, if appropriate. (A Connecticut Corporation, Guardian of the State, etc.)

STEP 7 – The PARTY INFORMATION screen is re-displayed.

- If the party has an alias, click the [ALIAS] button. If no aliases are to be entered, skip to STEP 9. Otherwise, proceed with Steps 8.

STEP 8 – The ALIAS screen appears.

- Select the [Add aliases] button. Alias Role selections can include aka, dba, fdba, and fka.
- Click the [Add aliases] button.

STEP 9 – The ALLEGED DEBTOR INFORMATION screen appears once more.

- Clicking on the **[Review]** button presents a screen summarizing the alias activity and corporate parents/affiliates entered for this alleged debtor. This is an automatic QC of the alleged debtor information.
- Verify the information.
- If all information is correct, Click the **[Return to Party Screen]** button.

STEP 10 – The ALLEGED DEBTOR INFORMATION screen will return again.

- If you are finished adding information for this new party, click **[Submit]** to continue with Opening an Involuntary Case.
- Be cautious of the **[Cancel]** and **[Clear]** buttons. You could accidentally delete information.

STEP 11 – The SEARCH FOR A PETITIONING CREDITOR screen displays.

- Before adding a party, a search of the database for the Petitioning Creditor 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.
- Enter the Petitioning Creditor's last name and click the **[Search]** button.
- 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 12 – If there are no matches, the system will return a NO PERSON FOUND message.

- If the system finds a match, you can select that name and a “popup” box will give you the rest of the information as it is in the database. **Verify that the information is correct before selecting (address, etc.).** Click the **[Submit]** button.
- **If available information is incorrect (address, etc.) or if the party is not in the database, proceed to add the party.** Click the **[Create New Party]** button.

STEP 13 – The PETITIONING CREDITOR INFORMATION screen displays.

- Enter Petitioning Creditor's Name and Mailing Address information in the appropriate boxes.
- Be sure to put a period after any initial and to include any generation information.
- Verify that the Social Security number and/or Tax ID number are placed in appropriate box.
- Be sure to begin the Petitioning Creditor's address on the address line 1.
- Type in City, State and Zip in the appropriate fields.
- Select the debtor's County of residence from the pick list.

NOTE: 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 at letter.

- Enter further descriptive text in the Party Text field, if appropriate. (A Connecticut Corporation, Guardian of the State, etc.)

NOTE: If the user opening the case is the filing attorney for this party, check the corresponding box. This will associate you (filing attorney) as attorney for this petitioning creditor.

STEP 14 – The PARTY INFORMATION screen is re-displayed.

- If the party has an alias, click the [**ALIAS**] button. If no aliases are to be entered, skip to STEP 15. Otherwise, proceed with Steps 14.

STEP 15 – The ALIAS screen appears.

- Select the [**Add aliases**] button. Alias Role selections can include aka, dba, fdba, and fka.
- Click the [**Add aliases**] button.

STEP 16 – The PETITIONING CREDITOR INFORMATION screen appears.

- Clicking on the [**Review**] button presents a screen summarizing the alias activity and corporate parents/affiliates entered for this Petitioning Creditor. This is an automatic QC of the Petitioning Creditor's information.
- Verify the information.
- Be cautious of the [**Clear**] button. You could accidentally delete information.
- If all information is correct, Click the [**Return to Party Screen**] button.

STEP 17 – The SEARCH FOR A PETITIONING CREDTIOR screen displays again.

- If you are finished adding information for this new party, click [**Submit**] to continue with Opening an Involuntary Case.
- Be cautious of the [**Cancel**] and [**Clear**] buttons. You could accidentally delete information.

NOTE: You can add additional Petitioning Creditors to the case. If there are not additional Petitioning Creditors, Click **[End petitioning creditor selection]**.

STEP 18 – The DIVISIONAL OFFICE screen is displayed.

- Verify that the defaulted information is correct, specifically the county code (utilize the County Code List to cross reference). If incorrect information is displayed use the back button to check party information that was entered.
- Click the **[Next]** button.

STEP 19 - The STATISTICAL DATA screen appears – **Chapter 7**.

- Fee Status values default to Paid. No other options are available when filing an Involuntary Petition.
- Designate the Nature of Debt as Consumer or Business.
- Select the Type of Debtor by clicking the appropriate radio button.
- Select the Nature of Business by clicking the appropriate radio button. Additional debtor type(s) may be selected from those listed with check boxes beside them.
- Click the **[Next]** button.

Open New Involuntary Case

Fee status Paid

Nature of debt

Type of debtor

Individual

Corporation (includes LLC & LLP)

Partnership

Other

Nature of business

Health Care Business

Single Asset Real Estate

Railroad

Stockbroker

Commodity Broker

Clearing Bank

Other

Tax-Exempt Entity

STEP 20 - The STATISTICAL DATA screen appears – **Chapter 11**.

- Select whether the case is a Small Business by selecting Y or N from the drop down box.
- Click inside the box to indicate that a plan is being filed with the petition.
- Click inside the box to indicate Acceptances of the plan were solicited prepetition.
- Fee Status values default to Paid. No other options are available when filing an Involuntary Petition.
- Designate the Nature of Debt as Consumer or Business.
- Select the Type of Debtor by clicking the appropriate radio button.
- Select the Nature of Business by clicking the appropriate radio button. Additional debtor type(s) may be selected from those listed with check boxes beside them.
- Click the **[Next]** button.

Open New Involuntary Case

Small business

A plan is being filed with this petition.

Acceptances of the plan were solicited prepetition

Fee status Paid

Nature of debt

Type of debtor

Individual

Corporation (includes LLC & LLP)

Partnership

Other

Nature of business

Health Care Business

Single Asset Real Estate

Railroad

Stockbroker

Commodity Broker

Clearing Bank

Other

Tax-Exempt Entity

STEP 21 – The SELECT PDF screen displays.

- Browse and select the .pdf file to associate with this event.

NOTE: The Involuntary Petition should be the first page of the image followed by the additional documents. Please do not use the attachment feature to attached documents.

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

STEP 22 – The FEE DUE screen displays.

- This screen allows you to view the fee due for this filing. Refer to the Court's web page for the most current fee schedule.
- Click the **[Next]** button.

STEP 23 - The case open VERIFICATION screen appears.

- If you wish to continue to open this involuntary case, click the **[Next]** button.

STEP 24 - The FINAL DOCKET TEXT screen displays.

- Verify the accuracy of the docket text. This information will display on the docket sheet.
- If the docket text is incorrect, click the browser **[Back]** button at the top of the screen one or more times to find the error to be corrected.

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.

- If all of the information is correct, Click the **[Next]** button.

Sample Docket Text: Final Text – Chapter 7

Chapter 7 Involuntary Petition. Re: ABC Company, LLC Filed by Petitioning Creditor(s): XYZ Bank, Joe Debtor (attorney Bill Attorney). (Attorney, Bill)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Sample Docket Text: Final Text – Chapter 11

Chapter 11 Involuntary Petition. Re: ABC Company, LLC Filed by Petitioning Creditor(s): XYZ Bank, Joe Debtor (attorney Bill Attorney). (Attorney, Bill)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

- An electronic payment screen appears.

STEP 25 - The NOTICE OF ELECTRONIC 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 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, case number, and document number.