

# CM/ECF Training Material

## **Attorney for Creditor**

(Revised November 8, 2024)



United States Bankruptcy Court Northern District of Mississippi

## **TABLE OF CONTENTS**

GENERAL COURT INFORMATION	
Location and Contact Information	1
Resources Available on Court's Website (www.msnb.uscourts.gov)	1
GENERAL CM/ECF INFORMATION	
CM/ECF and PACER	2
How to Access Court's CM/ECF System	2
Maintain Your ECF Account	2
Payment of Fees	2
Redaction Responsibilities	2
Format and Size Requirements for CM/ECF	3
General Filing Information	3
COMMON MOTIONS/APPLICATIONS	
Motion to Shorten Time	6
Motion to Extend Time	6
Motion for Relief from Stay	6
Motion for Relief from Stay (Codebtor or Child Support, No Fee)	7
Motion to File Claim After Bar Date	8
Application to Employ	g
Application to Compromise Controversy	10
Application for Compensation	11
RESPONSES AND OBJECTIONS	
Response	12
Objection to Confirmation of Plan	12
OTHER COMMON FILINGS	
Certificate of Service	13
Reaffirmation Agreement	13
Notice of Default or Noncompliance Pursuant to Order	14
Notice of Appearance and Request for Notice	14
PROOF OF CLAIM AND OTHER CLAIM ACTIONS	
Proof of Claim	15
Withdrawal of Claim	16
Transfer of Claim	16
Notice of Mortgage Payment Change	17

Withdrawal of Notice of Mortgage Payment Change	18
SUBMITTING PROPOSED ORDERS	
Proposed Order Upload (e-Orders)	19
Single Order Upload	20
Sua Sponte Order Upload	20
Check Status of Proposed Order	20
ADVERSARY PROCEEDINGS	
File a Complaint	21
Issuance and Service of Summons	22
Summons Service Executed	23
Request for Alias Summons	23
Application to Clerk for Entry of Default	24
Motion for Default Judgment	24

#### **GENERAL COURT INFORMATION**

## **Location and Contact Information**

#### Office Location and Mailing Address:

Thad Cochran U. S. Bankruptcy Courthouse 703 Hwy. 145 North Aberdeen, MS 39730

#### **Hearing Locations**

Cochran U. S. Bankruptcy Courthouse 703 Hwy. 145 North Aberdeen, MS 39730

Federal Building 911 Jackson Avenue Oxford, MS 38655

Federal Building 305 Main Street Greenville, MS 38701

#### **Phone Numbers:**

**Clerk's Office:** (662) 369-2596

#### Judge Woodard:

Chambers Line: (662) 369-2624Settlement Line: (662) 369-2619

#### Judge Maddox:

Chambers Line: (662) 369-8147Settlement Line: (662) 369-9380

## Resources Available on Court's Website (www.msnb.uscourts.gov)

- Bankruptcy Forms (Local Forms and Templates)
- Administrative Procedures for Electronic Case Filing
- Local Rules of U. S. Bankruptcy Courts for Northern and Southern Districts
- Standing Orders
- Court Calendars (PDF of Docket, Interactive Calendar, ChapMobile App Info)
- How to Report Settlements and Request Continuances

#### GENERAL CM/ECF INFORMATION

#### **CM/ECF and PACER**

PACER (Public Access to Court Electronic Records) allows users to view/print documents while the CM/ECF system allows users to e-file documents with the court. All users must have an individual PACER account to register to e-file and to e-file in the court's CM/ECF system.

## **How to Access Court's CM/ECF System**

- Go to <a href="https://ecf.msnb.uscourts.gov">https://ecf.msnb.uscourts.gov</a>. (From <a href="https://ecf.msnb.uscourts.gov">www.pacer.uscourts.gov</a> > Find a Case/File Electronically > Court CM/ECF Lookup.)
- Click on the Northern District of Mississippi Document Filing System link.
- Login using your PACER username and password.
  - An important notice concerning redaction responsibility will appear on the next screen. Prior to clicking **Login**, a user must check the box to indicate that (s)he understands compliance with the redaction rules.
- The CM/ECF Main Menu Bar below will appear at the top of the screen.



Each menu item (tab) is a hyperlink to another set of options allowing users to file documents, query, view or print reports.

## **Maintain Your ECF Account**

ECF user is responsible for updating account information in PACER (at <a href="https://www.pacer.uscourts.gov">www.pacer.uscourts.gov</a>) and in the ECF System (under *Utilities > Maintain Your ECF Account*.

## **Payment of Fees**

Fees are due the same day as the ECF filing. Failure to timely pay or seek alternate payment arrangements will result in a notification to the user that the ECF account has been disabled. Access to the ECF system will be limited until the user pays the delinquent fee(s). Once delinquent fees are paid, the ECF system will automatically enable the user's filing privileges.

## Redaction Responsibilities

Most ECF filing are immediately available for public access. The filing party is responsible for redacting private information prior to filing. A party may request redaction of private information by filing a *Motion to Redact Document* and submitting a proposed order (see forms on court's website). The Clerk's Office may restrict public access upon filing of the motion.

## Format and Size Requirements for CM/ECF

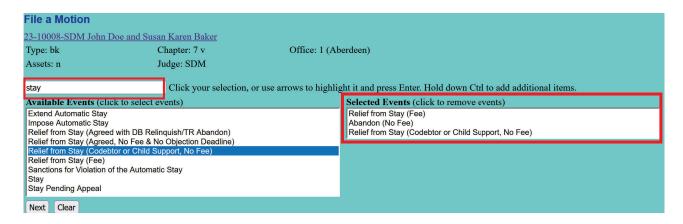
Documents filed electronically must be submitted in PDF format and conform to  $8\frac{1}{2}$  x 11 standard size. All CM/ECF users are required to comply with the Court's local rules and administrative procedures.

## **General Filing Information**

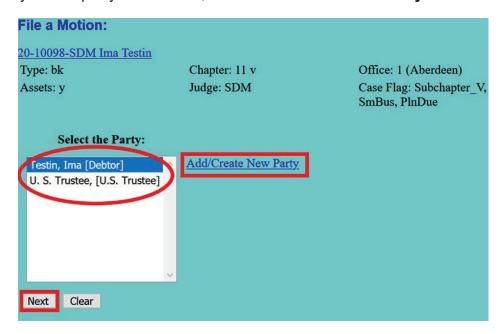
#### **Docket Event**

The docket event is the order of CM/ECF menu selections for each filing. For example, the docket event for a Motion for Relief from Stay is *Bankruptcy > Motions/Applications > Relief From Stay (Fee)*.

To Search and Select Event(s):	Multiple Events:
Type a key word in the search field to find	If the pleading requests multiple or
an event. Click on the name to select the	alternative relief(s), select all that apply.
event. The event will show in the "Selected	Hold the Ctrl key and click the additional
Events" list.	event(s) to add to the list of Selected
	Events. Note: Some events must be filed
	separately.



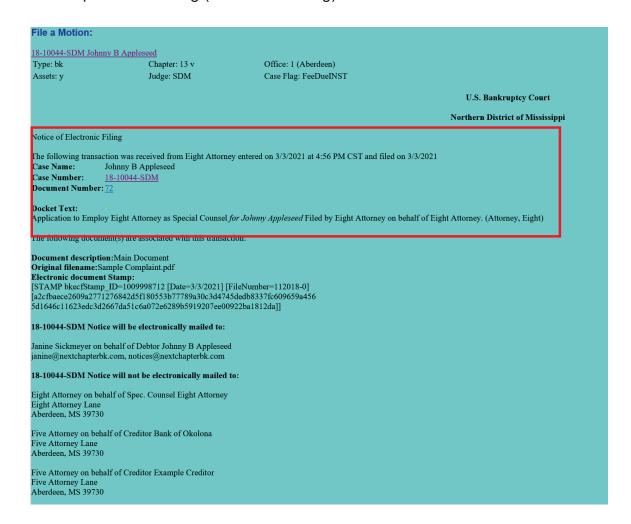
<u>Select the Party:</u> Choose or add the party—usually the party represented by the filing attorney. If the party is not listed, select **Add/Create New Party** to search for the party.



- If the <u>search yields an exact match</u>, select the party in the search results box and click **Select Name from List**. Choose the Role Type (e.g., creditor) and click Submit.
- If the <u>search does not yield an exact match</u>, click **Add/Create New Party**, input the Name, Address, Role Type (e.g., creditor), and click Submit.

**Notice of Electronic Filing:** Upon completion of a filing, a Notice of Electronic Filing ("NEF") is automatically generated and emailed to registered ECF parties in the case. The NEF will include:

- A hyperlink to the case along with other case data;
- The document (docket) number of the filing;
- The docket text of the filing;
- A list of parties receiving (and not receiving) electronic notice.



#### **COMMON MOTIONS/APPLICATIONS**

## **Motion to Shorten Time**

Docket Event: Bankruptcy > Motions/Applications > Extend/Shorten Time

<u>Filing Requirements and Instructions</u>: Motion to Shorten Time and Certificate of Service required. Also upload e-order and relate it to the Motion. See court's website for required form order.

<u>Note</u>: The related pleading must be filed immediately prior to the Motion to Shorten Time. The filer will be prompted to relate/link the motion to the related pleading.

A hearing notice is not generally issued. Proposed orders are immediately routed to chambers as the Court may consider these motions *ex parte*.

## **Motion to Extend Time**

Docket Event: Bankruptcy > Motions/Applications > Extend/Shorten Time

<u>Filing Requirements and Instructions</u>: Motion to Extend Time and Certificate of Service required. Also upload e-order and relate it to the Motion.

A hearing notice is not generally issued. Proposed orders are immediately routed to chambers as the Court may consider these motions *ex parte*.

## **Motion for Relief from Stay**

Docket Event: Bankruptcy > Motions/Applications > Relief From Stay (Fee)

<u>Filing Requirements</u>: Motion for Relief from Stay and Certificate of Service required. Also upload e-order and relate it to the Motion.

- Select or Add the party requesting relief from the stay.
- Browse for PDF, add any attachments, and click Next.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.
- The Court will issue a hearing notice to interested parties in chapters 7, 12 and 13 cases. The filer must serve the hearing notice in chapter 11 cases pursuant to the Standing Order Delegating Certain Noticing Responsibilities.

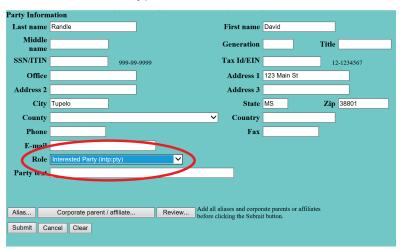
## Motion for Relief from Stay (Codebtor or Child Support, No Fee)

Docket Event: Bankruptcy > Motions/Applications > Relief From Stay (CoDebtor or Child Support, No Fee)

<u>Filing Requirements:</u> Motion for Relief from Stay (CoDebtor or Child Support) and Certificate of Service required. Also upload e-order and relate it to the Motion.

**Note:** If the motion seeks to lift the Codebtor stay, the Codebtor must be listed on the certificate of service.

- Select or Add the party requesting relief from stay.
- Browse for PDF, add any attachments, and click Next.
- For Child Support, choose End Party Selection. For Codebtor Stay, the Filer <u>MUST select or add the Codebtor as a party</u>. To add the Codebtor:
  - From the **Party Information** screen, input the Codebtor's Name and Address. The Role Type for the Codebtor will be **Interested Party**.



- Click Submit. Then select End Party Selection.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.
- The Court will issue and serve a Hearing Notice to all interested parties. Do not file an additional Certificate of Service after this notice is issued.

## **Motion to File Claim After Bar Date**

Docket Event: Bankruptcy > Motions/Applications > File Claim After Claims Bar Date

#### Filing Requirements:

- Chapter 7 Asset Case or Chapter 13 Case: Motion to File Claim After Claims
  Bar Date and Certificate of Service required. Also upload e-order and relate it to
  the Motion.
- Chapter 11 Case: Motion to File Claim After Claims Bar Date required.

#### Filing Instructions:

- Select or Add the party seeking to file the claim.
- Browse for PDF, add any attachments, and click Next.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.
- In a Chapter 7 Asset or Chapter 13 Case: The court will issue a hearing notice to interested parties.
- In a Chapter 11 Case:
  - The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File A Certificate of Service providing two deadlines: (1) the deadline to <u>serve all parties</u> and (2) the deadline to <u>file</u> the certificate of service.
  - The filer must <u>serve</u> the <u>Hearing Notice and Motion to File Claim After Claims Bar Date</u> to all creditors. The filer must <u>file/docket</u> the Certificate of Service with a copy of the Hearing Notice and the Motion attached.

## **Application to Employ**

Docket Event: Bankruptcy > Motions/Applications > Employ

**Filing Requirements:** Application/Motion to Employ with Affidavit of Disinterested Party Pursuant to Bankruptcy Rule 2014(a) included or filed as an attachment. Also upload e-order and relate it to the Application.

#### Filing Instructions:

- Select the Party
  - Only <u>bankruptcy counsel for the debtor</u> should select the debtor as the represented party on this screen.
  - All other filers must add the professional (e.g., attorney, accountant, special counsel, realtor, etc.) to be employed as a party using the Add/Create New Party. Then select the professional as the represented party.
- Browse for PDF, add any attachments, and click Next.
- Input the Name of Person to be Employed and the Type of Position (e.g., Special Counsel, Accountant, Auctioneer) when prompted.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must <u>serve</u> the Hearing Notice and Application to Employ with the Affidavit of Disinterested Party to all creditors. The filer must <u>file/docket</u> the Certificate of Service with a copy of the Hearing Notice and Application to Employ attached.

## **Application to Compromise Controversy**

Docket Event: Bankruptcy > Motions/Applications > Compromise Controversy

<u>Filing Requirements:</u> Application to Compromise Controversy with terms of the settlement included or attached as an exhibit required. Also upload e-order and relate it to the Application.

**Note**: Entry of an order approving employment (if applicable) is generally required prior to consideration of an application to compromise controversy.

#### **Filing Instructions:**

• **Select the Party** – Select or Add the professional who negotiated and is seeking approval of the settlement.

**Note:** Only <u>bankruptcy counsel for the debtor</u> should select the debtor as the represented party on this screen.

- Browse for PDF, add any attachments, and click Next.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must <u>serve</u> the <u>Hearing Notice and Application to Compromise Controversy</u> to all creditors. The filer must <u>file/docket</u> the Certificate of Service with a copy of the Hearing Notice and Application to Compromise Controversy attached.

## **Application for Compensation**

Docket Event: Bankruptcy > Motions/Applications > Compensation

<u>Filing Requirements:</u> Application for Compensation required. (The application must specify the person to receive compensation and the amount(s) requested.) Also upload e-order and relate it to the Application.

**Note:** Entry of an order approving employment (if applicable) is generally required prior to consideration of an application for compensation.

#### **Filing Instructions:**

- Select or Add the party seeking compensation.
- Browse for PDF, add any attachments, and click Next.
- The Filer MUST enter the Fee and Expense amounts when prompted.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must <u>serve</u> the <u>Hearing Notice and Application for Compensation</u> to all creditors. The filer must <u>file/docket</u> the Certificate of Service with a copy of the Hearing Notice and Application for Compensation attached.

#### **RESPONSES AND OBJECTIONS**

## Response

Docket Event: Bankruptcy > Answer/Response > Reference an Existing Motion/Application

**<u>Filing Requirements:</u>** Response and Certificate of Service required.

#### **Filing Instructions:**

- Choose <u>Response</u> (not Objection) when responding to a pending motion or other pleading.
- Select or Add the party responding.
- Browse for PDF, add any attachments, and click Next.
- Select the filing to which the response relates.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

## **Objection to Confirmation of Plan**

Docket Event: Bankruptcy > Plan > Objection to Confirmation of 13 Plan

**<u>Filing Requirements:</u>** Objection to Confirmation of Plan and Certificate of Service.

**Note:** Certificate of Service must include the name of debtor(s) and/or attorney for debtor(s), case trustee and US Trustee.

- Select or Add the party objecting to confirmation.
- Browse for PDF, add any attachments, and click Next.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

#### OTHER COMMON FILINGS

## **Certificate of Service**

Docket Event: Bankruptcy > Other > Certificate of Service

<u>Filing Requirements:</u> Certificate of Service including the Names and Addresses of the parties served and the Manner of Service (by mail or electronically) required.

- The Certificate of Service should be dated the date the documents were served.
- A copy of all documents served (e.g. the motion/pleading and court notice issued) must be included.
- When asked if the Certificate of Service is related to an event, select the event to which the Certificate of Service corresponds.

## **Reaffirmation Agreement**

#### If Signed by Counsel for Debtor(s):

Docket Event: Bankruptcy > Other > Reaffirmation Agreement

**Filing Requirements and Instructions:** Reaffirmation Agreement including Coversheet required. All parties involved must sign and date the reaffirmation agreement. All parts must be completed and submitted.

### If NOT Signed by Counsel for Debtor(s):

Docket Event: Bankruptcy > Other > Reaffirmation Agreement (Pro Se)

**Filing Requirements and Instructions:** Reaffirmation Agreement including Coversheet required. All parties involved must sign and date the reaffirmation agreement. All parts (except attorney certification) must be completed and included.

## **Notice of Default or Noncompliance Pursuant to Order**

Docket Event: Bankruptcy > Notices > Notice of Default or Noncompliance
Pursuant to Order

**<u>Filing Requirements:</u>** Notice and Certificate of Service required.

#### Filing Instructions:

- Select or Add the party providing notice.
- Browse for PDF, add any attachments, and click Next.
- Refer/Link the Notice to the related Order.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

## **Notice of Appearance and Request for Notice**

Docket Event: Bankruptcy > Notices > Notice of Appearance and Request for Notice

<u>Filing Requirements:</u> Notice of Appearance and Request for Notice required.

- Select or Add the party appearing and requesting notice.
- Browse for PDF, add any attachments, and click Next.
- A reminder to update the creditor record (aka the matrix) will appear. Click Next.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.
- Go to Bankruptcy > Creditor Maintenance.
  - Select Enter Individual Creditors and input the Name and Address of the party requesting notice. The name and address of both the Filer and the party represented by the Filer may be listed for separate noticing if desired.
  - Leave the **Creditor Type** at its default setting.
  - Click Next/Submit until you receive a Creditors Receipt.

#### PROOF OF CLAIM AND OTHER CLAIM ACTIONS

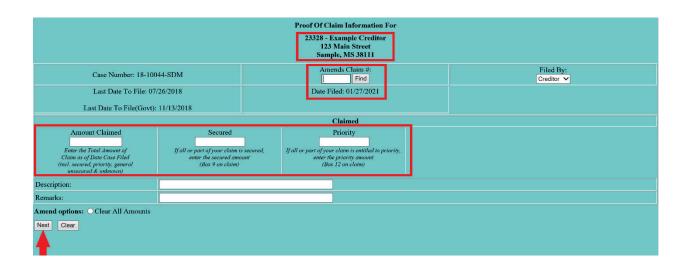
## **Proof of Claim**

Docket Event: Bankruptcy > File Claims

Filing Requirements: Completed Proof of Claim required.

#### Filing Instructions:

- Enter the Case Number and click Next.
- Use the **Select a Creditor** drop-down to choose creditor and click Next.
  - If the creditor is not listed, click **Add Creditor**, input the name and address of the creditor, click Next, then select **File a Proof of Claim**. You may search by name or click Next to return to the Select a Creditor screen.
- On the Proof of Claim input screen, you may indicate whether the claim is being amended, the total amount claimed, and what portion of the claim is secured or priority.



Click Next to browse for PDF, add attachments, and click Next to submit the Proof
of Claim.

**Note:** Creditors may file, amend, and withdraw a proof of claim electronically using the Electronic Proof of Claim (ePOC) system. A PACER account is not required. ePOC information is available at <a href="https://www.msnb.uscourts.gov/epoc-electronic-proof-claim">www.msnb.uscourts.gov/epoc-electronic-proof-claim</a>.

## **Withdrawal of Claim**

Docket Event: Bankruptcy > Claim Actions > Withdrawal of Claim

Filing Requirements: Completed Withdrawal of Claim Form or Letter required.

#### Filing Instructions:

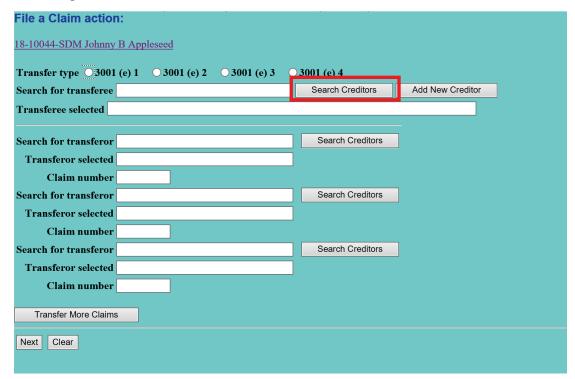
- Select or Add the party withdrawing the claim.
- Browse for PDF, add any attachments, and click Next.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

## **Transfer of Claim**

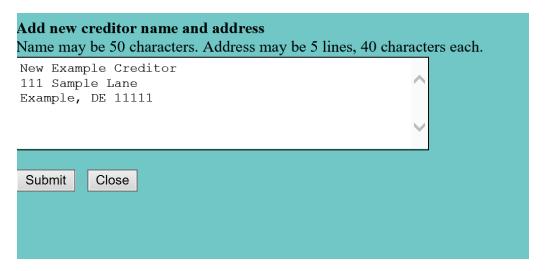
Docket Event: Bankruptcy > Claim Actions > Transfer of Claim

Filing Requirements: Completed Transfer of Claim Form or Letter required.

- Select the party whose claim is being transferred.
- Browse for PDF, add any attachments, and click Next.
- On the Transferor/Transferee input screen, you may search existing creditors by selecting Search Creditors.



 If the creditor is not listed, select Add New Creditor. A pop-up screen will appear for the Filer to input the creditor's name and address. Click Submit.



 Follow the same process to add the Transferor(s). Once all Transferors have been added, click Next until you receive a Notice of Electronic Filing.

## **Notice of Mortgage Payment Change**

Docket Event: Bankruptcy > Claim Actions > Notice of Mortgage Payment Change (B10 Supplement 1)

Filing Requirements: Completed Notice of Mortgage Payment Change required.

#### **Filing Instructions:**

- Select party providing Notice of Mortgage Payment Change.
- When asked if a Notice of Mortgage Forbearance is being filed, select No.
- When prompted, indicate whether a Proof of Claim has been filed with the Court.
  - If "Yes" a future screen will allow the filer to select the correct Proof of Claim.
- Browse for correct PDF, add any attachments, and click Next.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

<u>Note</u>: The procedure above also applies to <u>Notice of Postpetiton Mortgage Fees</u>, <u>Expenses and Changes</u>. *Docket Event: Bankruptcy > Claim Actions > Notice of Postpetiton Mortgage Fees, Expenses and Changes (B10 Supplement 2)*.

## Withdrawal of Notice of Mortgage Payment Change

Docket Event: Bankruptcy > Claim Actions > Withdrawal of Mortgage Payment Change/Postpetition Fees

Filing Requirements: Completed Withdrawal of Mortgage Payment Change or Letter.

- Select party withdrawing the notice.
- Browse for correct PDF, add any attachments, and click Next.
- Select Notice of Mortgage Payment Change from the drop-down menu.
- Choose/Link the correct Notice of Mortgage Payment Change to be withdrawn.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

#### SUBMITTING PROPOSED ORDERS

## **Proposed Order Upload (e-Orders)**

#### Docket Event: Bankruptcy > Order Upload

Local Bankruptcy Rules require ECF users to submit a proposed order when a motion/application is filed. (See Miss. Bankr. L. R. 5005-1(a)(2)(D)).

<u>Order Requirements:</u> All proposed orders must be in PDF format and comply with the following:

<u>Document Size</u>: 8½ x 11 standard paper size; not to exceed 100 MB.

Margins: First Page Subsequent Pages

3" Top 1" Top 1" Bottom 1" Bottom

<u>End of Order</u>: Leave one blank line after the last paragraph in the order. The next line should only contain **##END OF ORDER##** in the center.

Only signatures (if applicable) and the submitter's information should be below this text. Do not include a signature line for the judge.

No Attachments: Orders must be submitted as one PDF. Do not upload attachments/exhibits to orders.

#### **Order Upload Options**

**Single Order Upload** – Use when the proposed <u>order is related to a document/pleading</u> filed in the case. Always use if the order will resolve a pending matter.

**Sua Sponte Order Upload** – Use when the proposed order is not related to a document/pleading filed in the case. This is often used when agreed orders are submitted in lieu of filing a motion (e.g., agreed orders lifting the automatic stay).

#### Order Types

ORDER TYPES		
Ex Parte	Proposed order on a pleading that does not require a	
(No Hearing Required)	hearing;	
Agreed Order	Proposed order signed by all parties. Hearing was not scheduled or not held;	
Noticed/No Response	Pleading and response/objection deadline were properly noticed and no response was filed;	
Hearing Held	Proposed order results from a hearing held on the pleading;	
Hearing Scheduled	Proposed order resolves pleading set for hearing;	
Other	Any other type of order;	

## **Single Order Upload**

- If the related document number is unknown, leave blank and click Next to search for the document.
- You <u>must</u> select at least one Category. Use the Ctrl key to select more than one category.
  - You may also search within a range of Dates Filed and/or Document Numbers.
- Check the box next to the related document.
- Select **Order Type** (see table above) and **Hearing Date** (if applicable).
- If you receive a *Warning* that an order already exists for the document, select Replace the Order. Do not upload another order if the subsequent order should be entered instead.

## **Sua Sponte Order Upload**

- Select Order Type (see table above) and Hearing Date (if applicable).
- Order Description = Sua Sponte (unless other option is applicable).

## **Check Status of Proposed Order**

From CM/ECF Menu select *Utilities > Order Query*.

ORDER STATUS		
Being Processed	Order awaiting review and/or entry;	
Docketed	Order has been signed and docketed;	
No Action Taken	Order was replaced or disapproved;	

#### ADVERSARY PROCEEDINGS

## File a Complaint

<u>Filing Requirements and Instructions</u>: Complaint, Filing Fee (if applicable) and Corporate Ownership Statement (if applicable) required.

Follow these steps to open an adversary proceeding and file a complaint:

- 1. Docket Event: Adversary > Open Adversary Proceeding.
- Input Case Data: Complaint value = y.
- 3. Input Associated Case information:
  - Lead Case Number: Input related bankruptcy case number.
  - **Association Type** = Adversary.
- 4. The Judge Assignment screen appears. Click Next.
- 5. Select or Add the **Plaintiff(s) Information**.
  - The Plaintiff's Name and Role in Bankruptcy Case are required (e.g., debtor, creditor, trustee, etc.).
    - i. Do not input information in the County, Phone, Fax, Email or Party Text fields.
  - If applicable, select *Alias* and/or *Corporate Parent/Affiliate* to enter information.
  - Click Submit and repeat steps above until all Plaintiffs have been added.
     Then click End Plaintiff Selection.
- 6. Select or Add the **Defendant(s) Information**.
  - The Defendant's **Name** and **Role in Bankruptcy Case** are required (e.g., debtor, creditor, trustee, etc.).
    - Do not input information in the County, Phone, Fax, Email or Party Text fields.
  - If applicable, select *Alias* and/or *Corporate Parent/Affiliate* to enter information.
  - Click Submit and repeat steps above until all Defendants have been added.
     Then click End Defendant Selection.
- 7. Input **Adversary Statistical information**:
  - Select the appropriate Party Code, Rule 23 (class action), Jury Demand and State Law options from the drop-down lists.
  - **Demand** If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, 5 = \$5000; 50 = \$50,000.
  - **Primary Nature of Suit** Select up to five from the drop-down list.

- 8. Browse for PDF, add any attachments, and click Next.
- 9. Two questions will appear regarding **Fee Deferment/Exemption**. Read these questions carefully. If the plaintiff is not eligible for deferment or exemption, leave the default of **n** (no) and click Next.

**Note**: A motion must be filed to seek deferment of the filing fee. No motion is required if the plaintiff is eligible for an exemption.

- 10. The **Filing Fee** screen will appear (unless you answered y in 9 above).
- 11. Review the docket text for accuracy and click Next until you receive a **Notice of Electronic Filing**.
  - The adversary proceeding number assigned will appear on this screen along with the main bankruptcy case number.
  - The adversary proceeding filing information will automatically populate to the main bankruptcy case.

## **Issuance and Service of Summons**

The Clerk's Office will issue ONE Summons to the Filer to be used for all Defendants.

- A copy of the Summons and Complaint <u>must</u> be served upon each named Defendant (and any other parties required to be served) within <u>7 days</u> of issuance of the summons.
  - Review Fed. R. Bankr. P. 7004 for service requirements.
  - If service does not comply with Rule 7004, the filer should file a *Request* for *Alias Summons* for issuance of a subsequent (alias) summons. (See procedure below.)
- Complete the certificate of service (2<sup>nd</sup> page) issued with the summons. Copies may be used as needed to indicate proof of service to each party served.
  - Indicate clearly on the certificate of service if the defendant was served by serving an officer, registered agent, or attorney for defendant (e.g., John Doe c/o Jane Doe, Registered Agent, P. O. Box 1, City, ST Zip).
- File a copy of both pages of the summons for each defendant. See Summons Service Executed.

## **Summons Service Executed**

Docket Event: Adversary > Summons Executed & Other Actions > Summons Service Executed

#### Filing Requirements:

Copy of Summons with Completed Certificate of Service.

#### Filing Instructions:

File a copy of both pages of the Summons as follows:

- 1. Browse for PDF, add any attachments, and click Next.
- 2. Select the **Defendant/Party** to whom the summons was served/executed and click Next.
- 3. Input the **Date** on which the party was served and click Next. (This date should match the service date on the certificate of service.)
- 4. Review the docket text for accuracy and click Next until you receive a **Notice of Electronic Filing**.

<u>Note</u>: If an Alias Summons was served, select "Alias" in the prefix dropdown menu of the docket text.

## **Request for Alias Summons**

Docket Event: Adversary > Other > Request for Alias Summons

#### **Filing Instructions:**

 Select the party <u>requesting</u> the Alias Summons (this is not the party to be served) and click Next until you receive a Notice of Electronic Filing. No document is required.

## **Application to Clerk for Entry of Default**

Docket Event: Adversary > Motion > Clerk's Entry of Default

**Filing Requirements and Instructions**: Application to Clerk of Entry of Default is required. See court's website for required form.

A Clerk's Enty of Default will be docketed if the record reflects default by the defendant(s). A Notice of Deficiency and Denial of Application for Entry of Default will be docketed if the record does not clearly indicate default.

## **Motion for Default Judgment**

Docket Event: Adversary > Motion > Default Judgment

<u>Filing Requirements and Instructions</u>: Motion/Application for Default Judgment is required. See court's website for template (but not required) form. Also upload e-order and relate it to the Motion.

The Court will review and determine whether a hearing is necessary.