Bankruptcy Case Opening

This process shows the steps and screens required for attorneys to open a bankruptcy case on CM/ECF. The case is a Chapter 7, no asset, individual consumer.

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

Step 2 The **Bankruptcy Events** screen appears (**See Figure 4-1**).

- Click on the **Open BK Case** hyperlink.

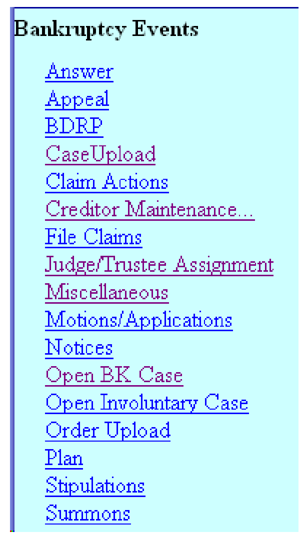


Figure 4-1

Step 3 The **Case Data** screen appears (**See Figure 4-2**).

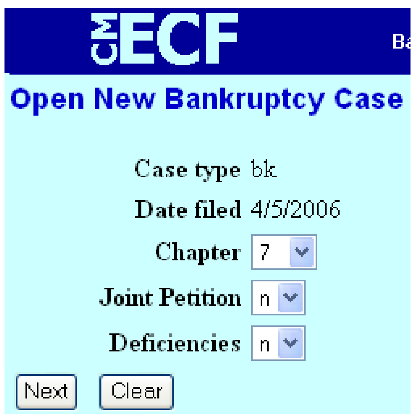


Figure 4-2

- The **Case Type** defaults to **bk**. No action is necessary.
- The current date is displayed in the **Date Filed** field.
- Select the **Chapter** from the pick list box.
- The default value for **Joint** is **n**; for a Joint filing select **y**.
- If there are any items missing from the petition change the **Deficiencies** box from **n** to **y**.
- Click **[Next]**.

Adding Parties

Consistently adding names and addresses with the same formats and abbreviations aids in the search for and retrieval of these records and helps prevent numerous duplicate entries. To avoid duplicate entries, it is important to use the following procedures when adding names to the CM/ECF database.

How to Search for a Party

- Before adding a party, it is recommended that a database search is conducted in order to eliminate duplicate records in the system. You may use the following information to conduct a search: social security number, tax identification number, last name or business name.

Step 4 Enter the debtor's last name and click **[Search]**. For business filings, enter the entire name in the Last/Business name field (**See Figure 4-3**).

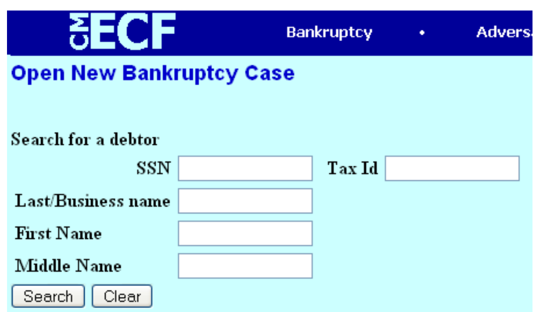


Figure 4-3

- If there are no matches, the system will return a *No Person Found* message (**See Figure 4-4**).

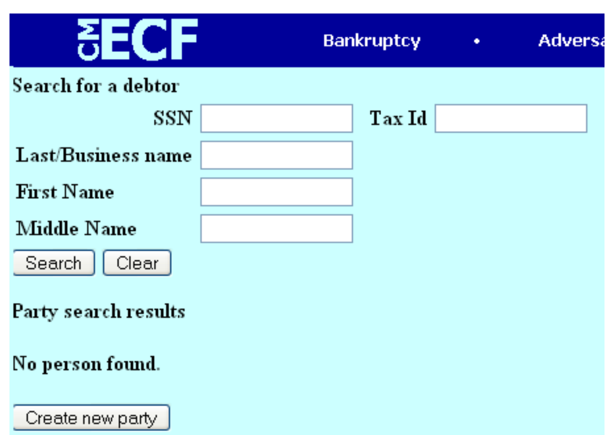
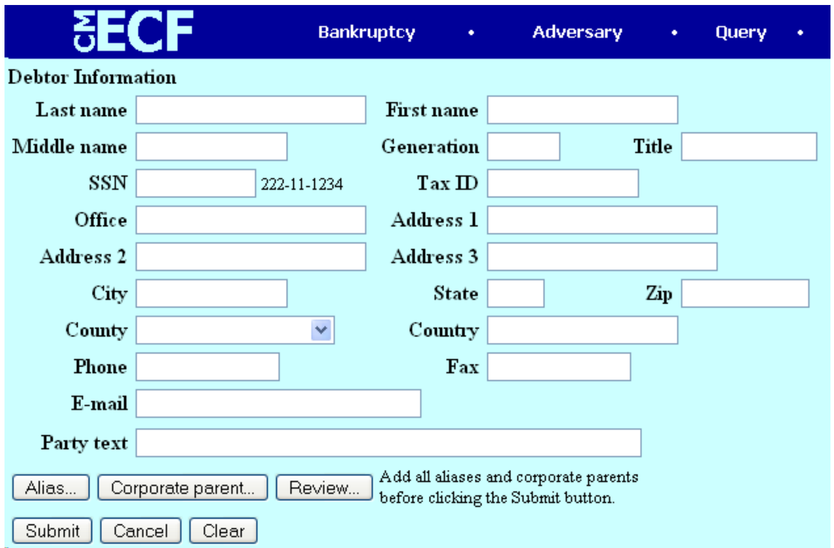


Figure 4-4

- Since the party is not already on the database, you may add the debtor. Click **[Create New Party]**.

- The Party Information screen appears (**See Figure 4-5**).


CM ECF Bankruptcy • Adversary • Query •

Debtor Information

Last name | First name
Middle name | Generation | Title
SSN 222-11-1234 | Tax ID
Office | Address 1
Address 2 | Address 3
City | State | Zip
County | Country
Phone | Fax
E-mail
Party text

Alias... Corporate parent... Review... Add all aliases and corporate parents before clicking the Submit button.

Submit Cancel Clear

Figure 4-5

Step 5 Enter the debtor **Name** and **Address** information in the appropriate boxes.

Names of individuals

- ***Capitalize the first letter of the first, middle and last names only***. Enter the last name in the last name field, the first name in the first name field, and the middle name in the middle name field (If only a middle initial is provided, enter it with a capital letter followed by a period).

- Type the generation, if there is one, in the generation field (e.g. Jr., Sr., III).

- Titles (e.g. M.D., PhD) must be placed in the **Party text field only**. Do not include titles in the generation or last name field.

Company and organization names

- Type company or organization names in the last name field. Leave the first name, middle name, and generation fields blank.

- Company names with initials should be added with no spaces between the first and second initials.

  Example: A.B. Truck Lines

- Company names using initials such as GMAC, PG&E should be spelled out with the exception of the name that is only part of the name not the whole name.

  Example: General Motors Acceptance Corp.
  Example: Pacific Gas and Electric Co.
  Example: RDI Financial Inc.

- If the word *The* is the first word in a name, type *The* ***before*** the name.

- ***Do not use the ampersand (&) symbol*** in names or addresses. Type the word "and" instead of the ampersand.

  Example: A and A Seed Co.

- Associates, Association, Company, Corporation, and Incorporated must be abbreviated as *Assoc*., *Assn*., *Co*., *Corp*. and *Inc*.

- Use all lower case letters when *of* and *the* appear in the middle of a name.

- Do not add *LLC, LLP, LP, N.A., FSB, Esq* as part of the name. Place this information in the ***Party Text field only***.

- If *aka, faka, dba, fdba* are applicable, ***do not*** add as part of the name. Click on **[ALIAS]**, and add them in the alias field.

- For **State Agencies**, type the two letter state abbreviation followed by the department name on the same line. Remember to indicate the state's name even if it is not part of the agency title.

Example: CA Franchise Tax Board

- For **County Agencies**, type the county name followed by department name.

  Example: San Francisco County Tax Collector, Santa Cruz County Assessor

- If county or city is the name of the party, type *County of* or *City of* followed by the name.

  Example: County of Marin, City of San Jose

- Government agencies are to be added in the following manner:

  Example: U.S. Dept. of [agency]
  Example: U.S. Dept. of Veterans Affairs

  There are a few exceptions to this rule such as:

  Example: USDA Rural Development [fdba Farmers Home Administration; fdba Rural Economic and Community Development Services]

  Example: Internal Revenue Service

- Since a **Trust** or **Estate** is a legal entity, and should be added as filed, with the ***exception*** if the word *The* is the first word in the name or title.

  Example: *The Estate of John Doe* would be entered in the last name field as: **Estate of John Doe**

  The Trust of Jane Doe would be entered in the last name field as: **Trust of Jane Doe**.

- A name such as *Calif. Auto Dealers, Inc*. must be spelled out.

  Example: California Auto Dealers, Inc.

- Doctors, dentists et cetera should be added [if an individual] by placing the first name in the first name field, last name in the last name field. **MD or DDS** et cetera should be added in the ***Party Text field only***.

- When adding a party with a partnership or a **California Corporation** in the name the party text field should be used.

  Example: Hancock Insurance Company, an California Corporation would be entered:

  Last/Business Name Field: Hancock Insurance Company

  Party Text: a California Corporation

ALWAYS SEARCH CAREFULLY BEFORE ADDING PARTIES!

Rules for Entry of Addresses

There are three address lines available for the entry of address information. Always start entering address information on Address 1. Do not leave blank lines before or between address items.

- Type company name care of designation on **Address 1** if such information is available. If not, start entering information on **Address 1** in the following order (each of the following items should be on a separate line):

	Example
Building name (if any)	U.S. Courthouse Building
Street Address (if any)	123 Main St.
Post Office box number (if any)	P.O.Box 123

- **Number:** Use integers instead of spelling out any numbers. (e.g., use *1,2,3* or 1^{st} , 2^{nd} , 3^{rd} instead of *one, two, three* or *first, second, third*. ***Never*** use a lower case *L* (e.g., *l*) in place of the number for *one* or *first* (e.g. l^{st}).

- **Direction:** Use capital letters with no spaces or periods when typing street directions (e.g., N, S, E. W, NE, NW, SE, SW, 1834N Main St.).

- **Suite, Apartment, Office or Room:** Type the number symbol **#** to make these references in the address, even if the suite, apartment, office, or room number is a letter. ***Do not type a comma before***, or leave more than one space before the # symbol.

  Example

Correct	Incorrect
123 Main St. #3456	123 Main St. Room 3456
22 Country Ln. #3	22 Country Ln. Apt. 3
456 Winding St. #A	456 Winding St. Suite A
2254 12th St. #D	2254 12th St., #D

- **Floor Number:** Use an integer for the number 1st, 2nd, et cetera and use the abbreviation *Fl.* for the word Floor. Type the floor number on the same line as the street address. ***Do not include a comma*** after the street name, e.g., 123 Main St. 5th Fl.

- **Zip Code:** Type all nine digits of a nine-digit zip code. Use a hyphen to separate the first five digits from the last four digits. If the zip code only contains five digits type the zip code as is.

- **Care of designation:** Designate care of by using ***c/o***. ***Do not use the percent sign symbol (%).***

- **Street names that are letters:** When the name of a street is a letter, e.g., *O St.*, the name should be typed as a capital letter. ***Do not*** place a period after the letter or place the letter in quotation marks.

Example

Correct	Incorrect
1123 O St.	1123 "O" St.
456 G St.	456 G. St.

- **Street address abbreviations:** Use the abbreviations listed below with a capital letter for the first letter and a period at the end of the abbreviation. ***Do not*** type out whole words unless indicated below.

Avenue - Ave.	Parkway - Pkwy.
Boulevard - Blvd.	Place - Pl.
Center - Center	Plaza - Plaza
Circle - Circle	Road - Rd.
Court - Ct.	Rural Route - RR
Drive - Dr.	Square - Sq.
Expressway - Expwy.	Street - St.
Highway - Hwy.	Way - Way
Lane - Ln.	

- **Post Office Box:** Type post office box designations as P.O.Box. Place a period after both the "P" and "O." Type one space before the word Box. ***Do not*** type a space between the period after "P" and "O." ***Do not*** use the number symbol (#) ***before*** the number.

CORRECT	INCORRECT
P.O. Box 12	Post Office Box #12
P.O. Box 45	PO Box 45
P.O. Box 367	P. O. Box 367

♦ If the party has an alias, click the **[Alias]** button.

Step 6 The **ALIAS** screen appears (**See Figure 4-6**).

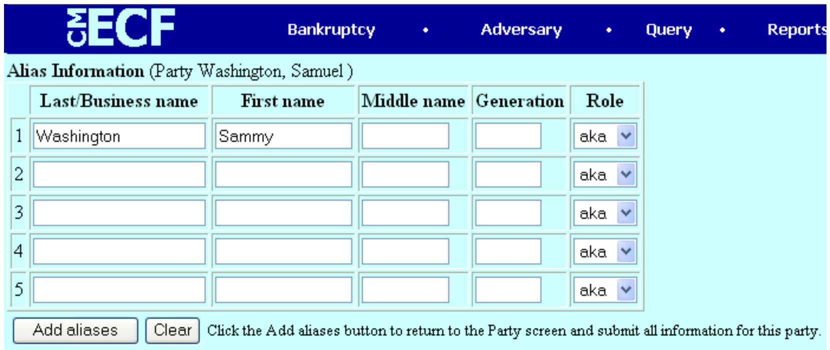


Figure 4-6

- You can enter up to ***five*** alias records. **Alias Role** selections include aka, dba, fdba, fka.
- Click **[Add aliases]**.

Step 7 The **DEBTOR INFORMATION** screen appears (**See Figure 4-7**).

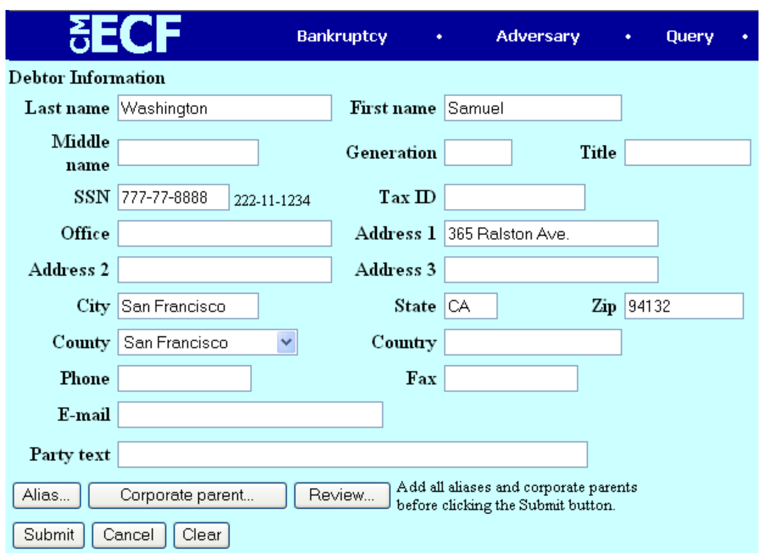


Figure 4-7

- If the party has a corporate parent, click the **[Corporate Parent]** button.

Step 8 Enter the corporate parent name (**See Figure 4-8**).

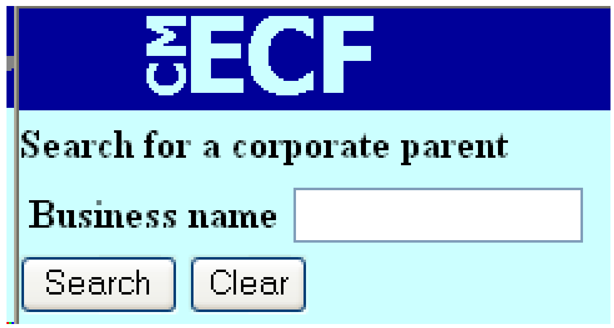


Figure 4-8

- If there are no matches, the system will generate a ***No Person Found*** message.
- Since the party is not already in the database, proceed to add the corporate parent. Click **[Create new corporate parent]** (See **Figure 4-9**).

Figure 4-9

- Enter the corporate parent's name (**See Figure 4-10**).

Figure 4-10

- Click the **[Add Corporate Parent]** button.

Step 9 The **DEBTOR INFORMATION** screen reappears (**See Figure 4-7**).

- Click the **[Review]** button to access the debtor's attorney, corporate parent and alias information (**See Figure 4-11**).

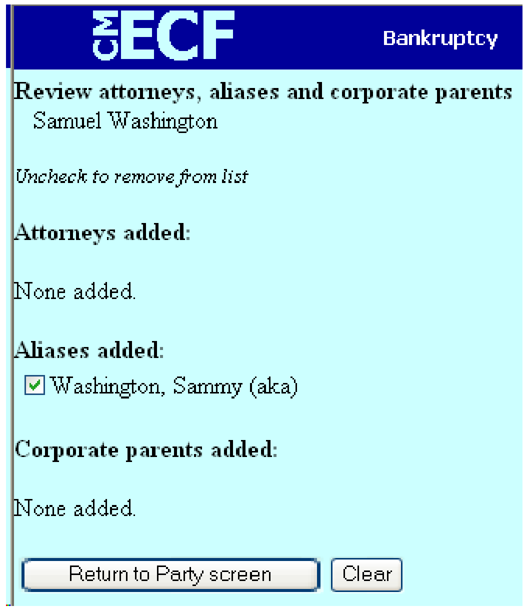


Figure 4-11

- Verify the information.

- Note attorneys ***cannot*** be added until the conclusion of the case opening process.

- Click **[Return to Party Screen]**.

Step 10 The **PARTY INFORMATION** screen reappears. If you are finished adding information for this new party, click **[Submit]** to continue with case opening.

Step 11 Next, a confirmation of the divisional office assignment will appear on your screen. The assignment is based on the debtor's county and zip code (**See Figure 4-12**).

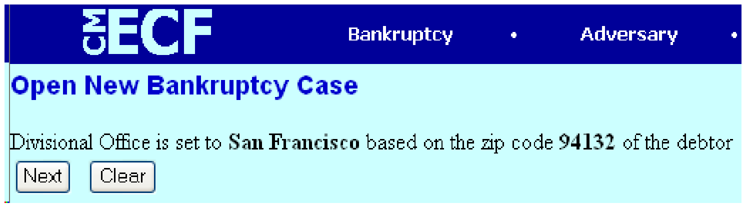


Figure 4-12

- Click **[Next]**.

Note: If this is a joint debtor filing, a **JOINT DEBTOR PARTY** search screen appears (**See Figure 4-13**).

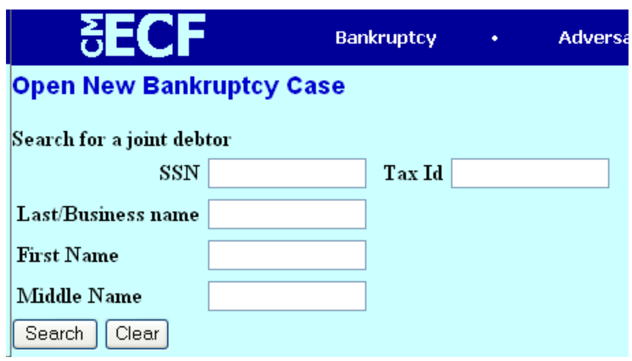


Figure 4-13

- Use the same procedures for searching for the joint debtor.

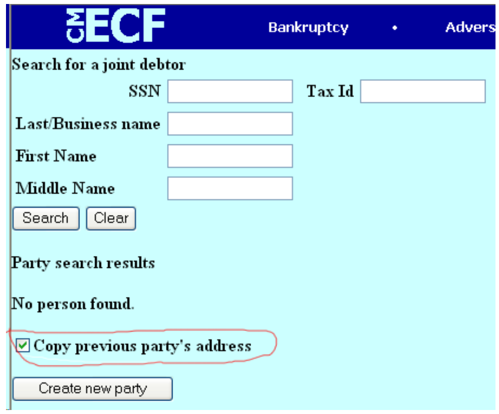


Figure 4-14

Note: A check mark is placed in the box to indicate the debtor's address will be copied to the joint debtor (**See Figure 4-14**). This is a system default. If the address of the joint debtor ***is not*** the same remove the check mark and enter a different address for the joint debtor.

Step 12 The **STATISTICAL DATA** screen appears (**See Figure 4-15**).

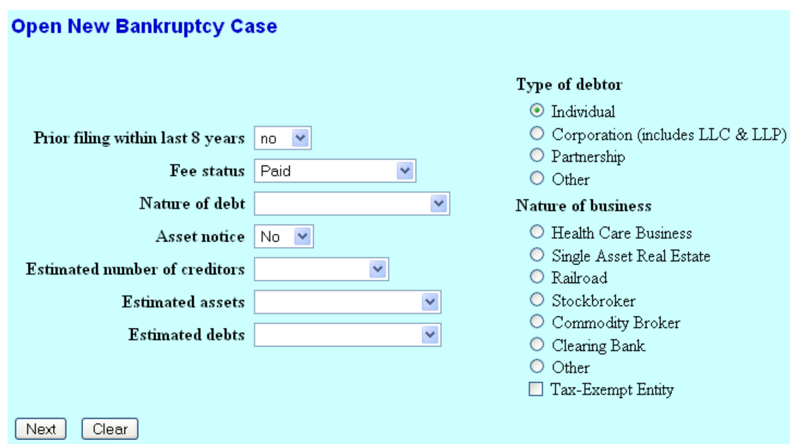


Figure 4-15

- Indicate either yes or no for *Prior Filing within Last 8 Years*.

- **Fee Status** values are *Paid, Installment, and IFP* filing fee waived.

  - If the petition is accompanied with an *Application to Pay Filing Fees in Installments*, choose **Installment** from the pick list box.
  - If the petition is accompanied by an *Application for Waiver of*

the Chapter 7 Filing Fee, choose **IFP** from the pick list.

- Designate the **Nature of Debt** as Consumer or Business.
- Choose **Y** (yes) or **N** (no) for **Asset notice** designation.

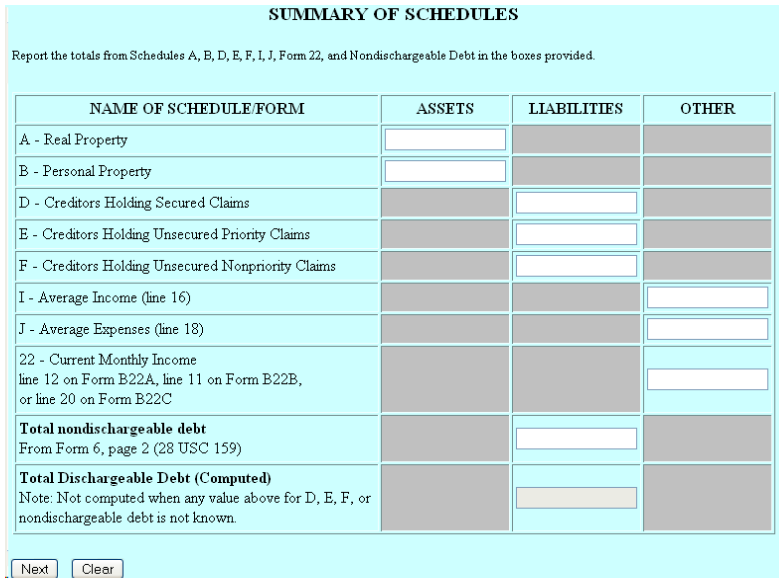
  Note: For Chapter 11 and Chapter 13 cases, ***always*** select **Y**(yes).

- Select the range of **Estimated Creditors** from the pick list:
  - 1 - 49
  - 50 - 99
  - 100 -199
  - 200 - 999
  - 1,000 - 5,000
  - 5,001 - 10,000
  - 10,001 - 25,000
  - 25,001 - 50,000
  - 50,001 - 100,000
  - over 100,000
- Select the correct dollar range for **Estimated Assets**:
  - $0 - $10,000
  - $10,001 - 100,000
  - $100,001 - 1 million
  - $1 million - 100 million
  - More than $100 million
- Select the correct dollar range for **Estimated Debts**:
  - $0 to $50,000
  - $50,001 to $100,000
  - $100,000 to $1 million
  - $1 million to $100 million
  - More than $100 million
- Select the **Type of Debtor** by clicking the applicable radio button.
- Select the **Nature of Business** by clicking the applicable radio button.

Note: Tax-Exempt Entity can be selected in conjunction with any type of business

Step 13 The **SUMMARY OF SCHEDULES** screen appears (**See Figure 4-16**).

Note: Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Non-dischargeable Debt in the boxes provided.



SUMMARY OF SCHEDULES

Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
A - Real Property			
B - Personal Property			
D - Creditors Holding Secured Claims			
E - Creditors Holding Unsecured Priority Claims			
F - Creditors Holding Unsecured Nonpriority Claims			
I - Average Income (line 16)			
J - Average Expenses (line 18)			
22 - Current Monthly Income line 12 on Form B22A, line 11 on Form B22B, or line 20 on Form B22C			
Total nondischargeable debt From Form 6, page 2 (28 USC 159)			
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E, F, or nondischargeable debt is not known.			

Next Clear

Figure 4-16

- Click **[Next]**.

Step 14 The **SELECT A PDF DOCUMENT** screen appears (**See Figure 4-17**).

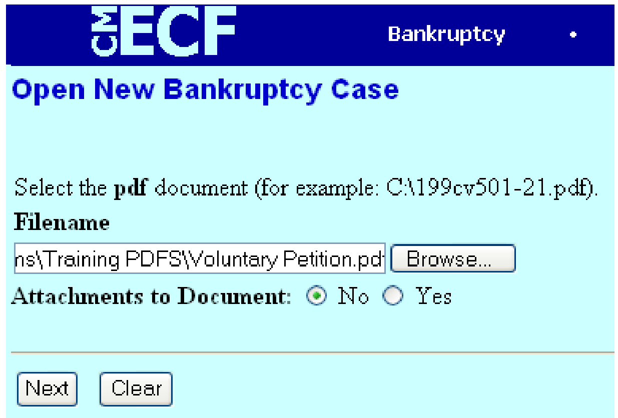


Figure 4-17

- Click **[Browse]**, then navigate to the directory where the applicable PDF file is located.

- Highlight the file. Rght click with your mouse and select **Open** to verify the contents of the document. If correct, double-click the PDF file to select it.

- There will be no attachments to this petition. Attachments will be covered in a later lesson.

- Click **[Next]**.

Step 15 The **Incomplete Filings, Section 521 Incomplete Filings and Meeting of Creditors** screen appears displayig the due dates for the missing documents (**See Figure 4-18**).

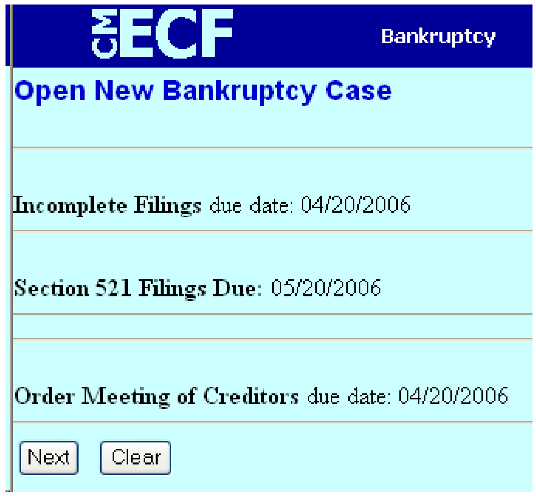


Figure 4-18

- The court will monitor these deadlines for compliance.
- The deadline for missing documents is calculated and displayed. This will appear on the final docket text and as a schedule for queries and reports.
- Click **[Next]**.

Step 16 The **PRESUMPTION ARISES** screen appears. Highlight the applicable selection and click **[Next]** (**See Figure 4-19**).

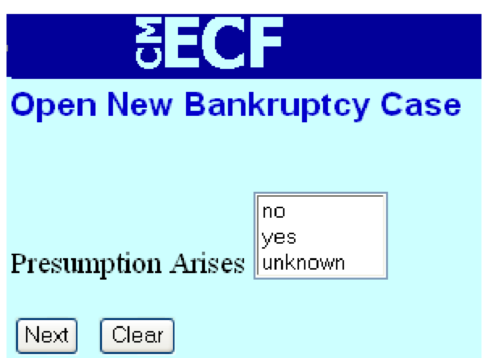


Figure 4-19

Step 17 The **FILING FEE** screen appears with the fee amount (**See Figure 4-20**).

Figure 4-20

- Click **[Next]**.

Step 18 The following screen appears (**See Figure 4-21**).

Figure 4-21

- Click **[Next]**.

Step 19 The **FINAL TEXT EDITING** screen appears (**See Figure 4-22**).

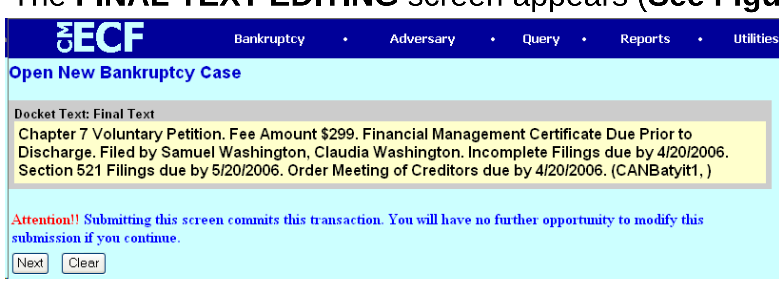


Figure 4-22

- Verify the accuracy of the docket text. This is what will appear 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 locate and correct the error.
- To abort or restart the transaction, click on the **Bankruptcy Events** hyperlink on the CM/ECF Main Menu Bar. Although this can be done at any time, this is ***your last opportunity*** to change the event.
- If the docket text is correct, click **[Next]**.

Step 20 **Summary of Charges** appears (**See Figure 4-23**).

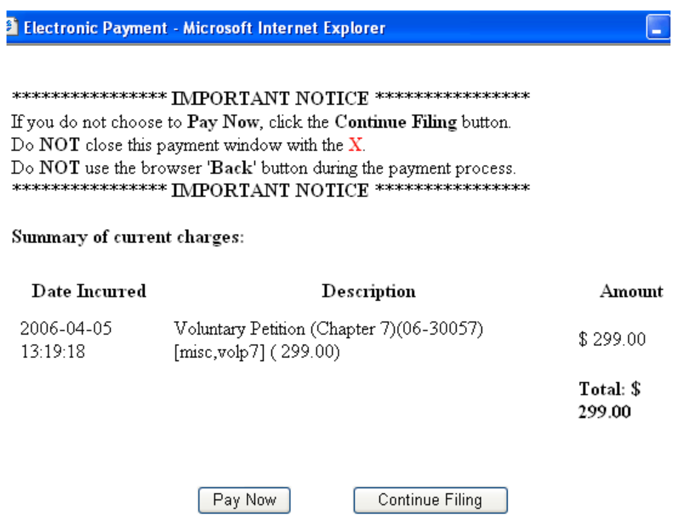


Figure 4-23

- The summary of current charges appears with the option for you to pay now or continue filing.
- If you are paying now, click **[Pay Now].** If you wish to file at the end of your session, click **[Continue Filing]**.

DO NOT USE "X" TO CLOSE THE PAYMENT WINDOW

- A request to enter credit card information appears (**See Figure 4-24**).

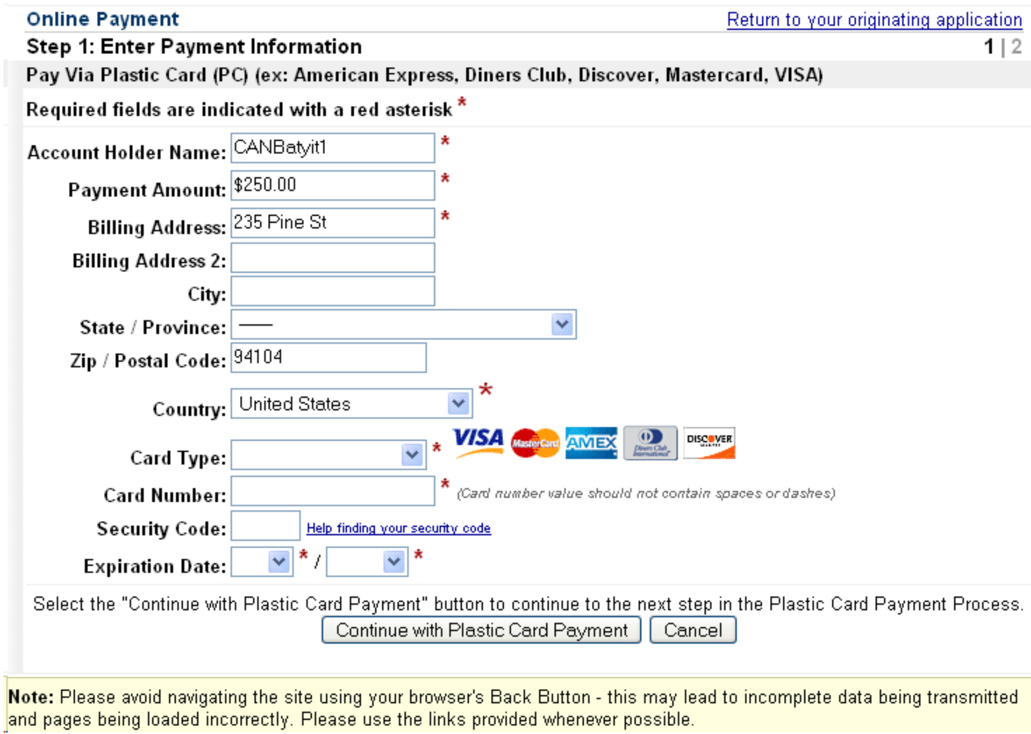


Figure 4-24

- Use the drop down arrow to select card type.
- Enter the card number.
- Enter the Expiration Date (Use the drop down arrow to select the month and year).
- Click **[Continue with Plastic Card Payment]**.
- Authorize payment by placing a checkmark in the authorization box.
- To have a confirmation e-mail sent to you upon completion of this transaction, provide an e-mail address and re-enter it for confirmation (**See Figure 4-25**).

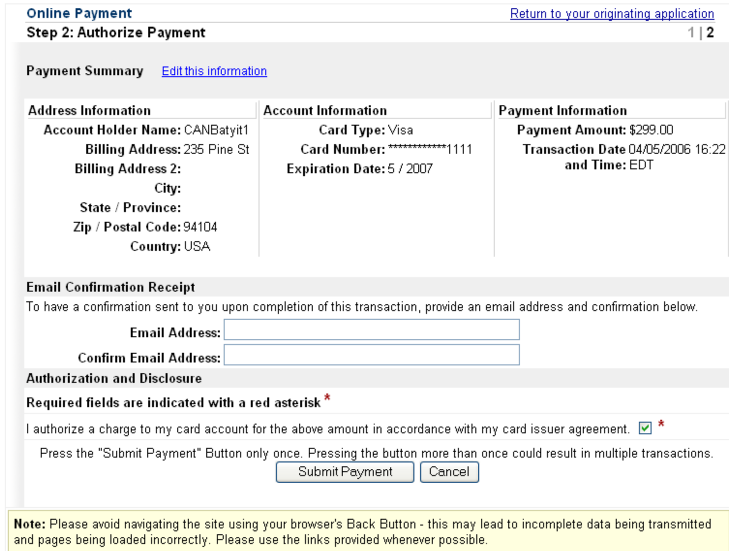


Figure 4-25

- A confirmation of your transaction receipt appears (**See Figure 4-26**).

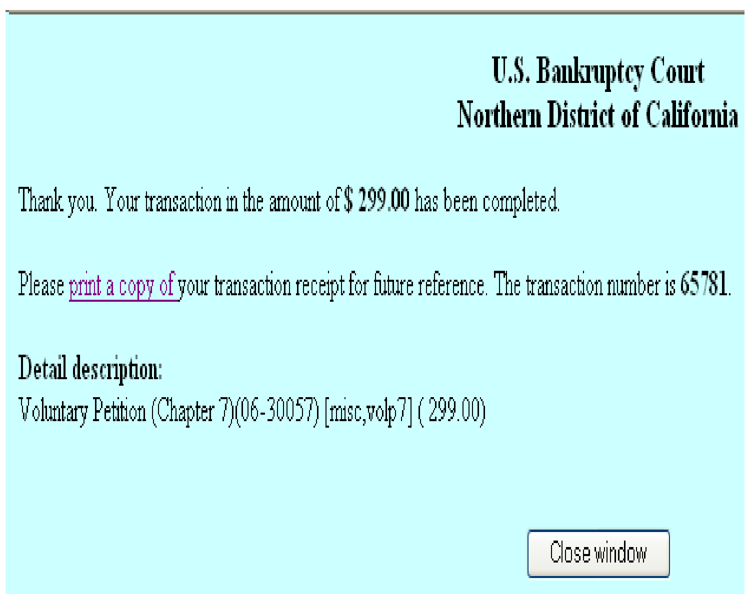


Figure 4-26

Note: If fees are not paid by midnight of the filing date, you will be locked out of the ECF system until the fees are paid.

Step 21 The **NOTICE OF ELECTRONIC FILING** screen appears **(See Figure 4-27**).

Figure 4-27

- Make a note of the case number.

- The **Notice of Electronic Filing** verifies that the filing was sent electronically to the court's database. It certifies that the petition is now the official court record.

Note: It is recommended to save and/or print this screen for future reference.

This page is also available for viewing by accessing the docket report from either the Query or Reports Main Menu Bar selection. Refer to **Reports** for additional instructions.

- Click on the case number hyperlink identified in blue. The Notice of Electronic Filing will present the docket report for this case (**See Figure 4-28**).

DebtEd, MEANSNO, 727OBJ

U.S. Bankruptcy Court
Northern District of California (San Francisco)
Bankruptcy Petition #: 06-30057

Assigned to: Judge Thomas E. Carlson
Chapter 7
Voluntary
No asset

Date Filed: 04/05/2006

Debtor
Samuel Washington
365 Ralston Ave.
San Francisco, CA 94132
SSN: xxx-xx-8888
aka
Sammy Washington

represented by **CANBatyit1**
235 Pine St
24th Floor
San Francisco, CA 94104
Email: CMECF_Train@canb.uscourts.gov

Joint Debtor
Claudia Washington
365 Ralston Ave.
San Francisco, CA 94132
SSN: xxx-xx-4444

represented by **CANBatyit1**
(See above for address)

Trustee
Brian Holt
One Nob Hill Circle
San Francisco, CA 94108

U.S. Trustee
Office of the U.S. Trustee / SF
Office of the U.S. Trustee
235 Pine Street, Suite 700
San Francisco, CA 94104
(415) 705-3333

Filing Date	#	Docket Text
04/05/2006	1	Chapter 7 Voluntary Petition. Fee Amount $299. Financial Management Certificate Due Prior to Discharge. Filed by Samuel Washington, Claudia Washington. Incomplete Filings due by 4/20/2006. Section 521 Filings due by 5/20/2006. Order Meeting of Creditors due by 4/20/2006. (CANBatyit1,) (Entered: 04/05/2006)

Figure 4-28

- Click on the document number hyperlink. The PDF version of the petition appears.

- The **Notice of Bankruptcy Case Filing** hyperlink appears at the top of the Notice of Electronic Filing. Click on this hyperlink to reveal a notice summarizing the pertinent details and participants of this case.

- The **NOTICE OF BANKRUPTCY CASE FILING** screen appears (**See Figure 4-29**).

United States Bankruptcy Court
Northern District of California

Notice of Bankruptcy Case Filing

A bankruptcy case concerning the debtor(s) listed below was filed under Chapter 7 of the United States Bankruptcy Code, entered on 04/05/2006 at 1:19 PM and filed on 04/05/2006.

Samuel Washington
365 Ralston Ave.
San Francisco, CA 94132
SSN: xxx-xx-8888
aka
Sammy Washington

Claudia Washington
365 Ralston Ave.
San Francisco, CA 94132
SSN: xxx-xx-4444

The case was filed by the debtor's attorney:

CANBatyit1
235 Pine St
24th Floor
San Francisco, CA 94104

The case was assigned case number 06-30057.

In most instances, the filing of the bankruptcy case automatically stays certain collection and other actions against the debtor and the debtor's property. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although the debtor can request the court to extend or impose a stay. If you attempt to collect a debt or take other action in violation of the Bankruptcy Code, you may be penalized. Consult a lawyer to determine your rights in this case.

If you would like to view the bankruptcy petition and other documents filed by the debtor, they are available at our *Internet* home page https://ecf.canb.uscourts.gov/ or at the Clerk's Office, 235 Pine Street, 19th floor, Post Office Box 7341, San Francisco, CA 94120.

You may be a creditor of the debtor. If so, you will receive an additional notice from the court setting forth important deadlines.

Gloria L. Franklin
Clerk, U.S. Bankruptcy Court

Figure 4-29

- This certification was created in addition to the initial notice of filing. It also displays the debtor(s), attorney, case number, time filed date of the case opening information. It can be used as an official notice of stay (in addition to the 341 Meeting Notice) to stop foreclosures and other creditor actions. It may be saved or printed at the time of filing.

- The Notice of Bankruptcy Case Filing is also available for viewing or printing through the Query Main Menu Bar. This option is available to the public and court users.

- To print a copy of this notice, click the browser **[Print]** icon.

- To save a copy of this receipt, click **[File]** on the browser menu bar and select **Save Frame As**.