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### Case Opening - Adversary Proceeding

[Adversary Case Opening](#)

#### Adversary Case Opening

Click the **Adversary** hyperlink on the CM/ECF Main Menu.

1. The Adversary Events screen displays.

Click **Open an AP Case** hyperlink.

2. The Case Data screen displays.

Accept the default, click **Next**.

3. The Request to Enter **Lead Case Number** displays.

Enter **lead case number**; Association type defaults to Adversary. **Do not change the default.**

Click **Next**.

4. The Adversary case will be assigned to the same divisional office and Judge based on the lead case number that was entered.

Click **Next**.

5. The **SEARCH FOR PLAINTIFF**  screen displays.

Search for the "Plaintiff" by Last/Business name, SSN or Tax ID. Click, **Search**.  
Select the party from list or create new party.

6. The **PLAINTIFF INFORMATION** screen displays.

Enter **Role in Bankruptcy Case** from pick list.  
Add yourself as the attorney for the plaintiff.  
Select **Attorney**.

7. The **SEARCH FOR ATTORNEY** screen displays.

Search for your name. Enter **Last Name** and/or **Bar ID**.

**Note:** You may need to insert a preceding 0 in the Bar ID if only five numbers and no match is found.

Select **attorney name from list**.  
Select **Add Attorney**. Click **Submit**.

8. The **SEARCH FOR PLAINTIFFS** screen reappears.

If there are additional plaintiffs continue to add them until they are all part of the case then click **End plaintiff selection**.

9. The **SEARCH FOR DEFENDANT**  screen displays.

Search for the "Defendant" by Last/Business name, SSN or Tax ID. Click, **Search**.

10. The **DEFENDANT INFORMATION** screen displays.

Enter **Role in Bankruptcy Case** from pick list.  
Click **Submit**.

11. The **SEARCH FOR DEFENDANT** screen reappears.

If there are additional defendants continue to add them until they are all part of the case then click **End defendant selection**.

12. The **STATISTICAL DATA** screen appears next.

Complete the statistical information. **Select the Primary nature of suit first**. If there are additional nature of suits please select from the appropriate pick list. Up to five Nature of Suit codes can be entered for an adversary.

**Note:** i.e. If one of the Nature of Suits is Objection/revocation of [discharge](#)<sup>i</sup>, select this as the Primary nature of suit.

State law is for entry of an existing substantive issue of state law.

Note: The following question will display. Please enter the appropriate answer.

**13. Is the plaintiff the [trustee](#)<sup>i</sup>? Please enter [y or n].**

If you entered **Y** skip to **Number 14**.

If you entered **N** the following question will display

***Is the plaintiff a [debtor](#)<sup>i</sup> or child support [creditor](#)<sup>i</sup>? Please enter [y or n].***

If you entered **N** skip to **Number 15**.

**14.** If you entered **Y** that the plaintiff is a trustee, the following question displays

***Are you paying the filing fee now? Please enter [y or n].***

If you entered **N** the following reminder displays:

***You must file an application to defer filing fee in this adversary immediately after the complaint has been filed.***

Click **Next**.

**15.** Select browse to associate the pdf of the complaint only; check the radio button attachments to documents **Y**, click **Next**.

**Select** browse and attach the pdf of the AP cover sheet

Select **AP cover sheet** as the attachment type.

Click **Add to List**.

Click **Next**.

**Note:** In **Oakland** and **San Francisco** divisions **only**. DO NOT DOCKET the " Discovery Order". The Court will mail a copy of the order with the "Summons Issued" back to the attorney.

The Court will prepare and enter the "Summons and Notice In An [Adversary Proceeding](#)", it will be transmitted electronically **via** the NEF (Notice of Electronic Filing) to the attorney for the plaintiff for service on the defendants by mail, in accordance with FRBP 7004.

The **Fee amount** displays

Click **Next**.

Click **Next**.

Click **Next**.

***Review final docket text.***

Click **Next**.

Submit payment.

The Complaint appears in both the adversary and the bankruptcy case.

### Things to Remember in Adversary Cases

Don't forget to add yourself as the attorney for the [plaintiff](#).

Attach the cover sheet as an attachment.

If needed, file a Request for Alias Summons to be issued

Do not add the Attorney for the [Defendant](#). They are added to the case when they file an answer to the complaint. Include the defendants address.

Change the Y to an N in the Case Opening Screen if the case is a Removal.

The Open Adversary event will also docket to the bankruptcy case and create an entry on the docket showing the filing of the adversary case.

After the Summons has been served file the Summons Service Executed.

All adversary documents are to be filed in the [Adversary Proceeding](#) not the Bankruptcy Case.

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