

Open an Adversary Proceeding/Complaint For Trustees and US Trustee

STEP 1. Click on **Adversary** on the ECF Main Menu Bar.

STEP 2. Click on **Open an AP Case**.

STEP 3. The **Open Adversary Case** screen displays.

- The **Case type** is **ap** (hard coded).
- The **Date filed** defaults to the current date.
- The **Complaint** field must be **y** (default).
- Click **Next** .

STEP 4. These reminders display:

On the next screen, Association Type must be Adversary.

If you are filing a Stipulated Judgment without Complaint of a Notice of Removal, on the previous screen be sure you have changed the selection for complaint from Y to N.

Do not file the Adversary Proceeding Cover Sheet.

- Click **Next**.

STEP 5. The case association screen displays.

- Enter **Lead case number** in YY-NNNNN format. This would be the Bankruptcy Case Number.
- Click **Next**.

STEP 6. A screen displays: The case is assigned to XXXX Division, Judge XXXX based on the lead Bankruptcy Case YY-NNNNN

STEP 7. The **Search for a plaintiff** screen displays.

- Add all Plaintiff parties to the Complaint one at a time. You may search by Social Security Number, Tax ID Number, Last Name and First Name, Last Name only, or by a Business Name. Refer to the Style Guide for the style conventions for adding parties and addresses.
- The following fields must never be used: **Office, Country** (unless plaintiff resides or is located in a foreign country), **Phone, Fax, E-mail, and Party text**.
- Click on the drop-down list **Role in Bankruptcy Case** and select the appropriate Plaintiff role type (e.g. Trustee or US Trustee).
- If applicable, enter any alias names by selecting **Alias**.
- If applicable, enter any corporate parent by clicking **Corporate Parent**.
- Do not click the Attorney button to add yourself as Attorney for Trustee. If you are an Attorney filing on behalf of yourself as Trustee or US Trustee, follow the instructions for an Attorney filing Adversary Complaint and log in using your Attorney log in and password.
- Click **Review** to see previously entered party information.
- When all information for the first plaintiff is entered, click the **Submit** button.
- If the first name and any address fields are blank, you will receive a WARNING pop-up that reads “Warning: The first name is blank.” and “Warning: The address 1 is blank.” Click OK for both of these messages.
- When all Plaintiffs have been added, click **End plaintiff selection**.

STEP 8. The **Search for a defendant** screen displays.

- Add all defendants, one at a time. You may search by Social Security Number, Tax ID Number, Last Name and First Name, Last Name only, or by a Business Name. Refer to the Style Guide for the style conventions for adding parties and addresses. **NOTE: An address for all Defendants is required**
- The following fields must never be used: **Office, Country** (unless defendant resides or is located in a foreign country), **Phone, Fax, E-mail, and Party text**.
- Click on the drop-down list **Role in Bankruptcy Case** and select the appropriate Defendant role type (e.g. Creditor).
- If applicable, enter any alias names by selecting **Alias**.

- If applicable, enter any corporate parent by clicking **Corporate Parent**.
- Do not click the Attorney button to add attorney for defendant even if you know who the attorney is.
- Click **Review** to see previously entered party information.
- Click the **Submit** button.
- When all Defendants have been added, click **End defendant selection**.

STEP 9. The Statistical Information screen displays.

- Party code:** select the appropriate party code regarding the United States from the drop-down list.
- Primary Nature of suit:** select the appropriate nature of suit from the drop down list.
- Second through Fifth Nature of Suit:** select one nature of suit per drop-down list. If there are no additional suits, leave the default as NONE.
- Rule 23 (class action):** if this Adversary is not a class action suit, select **n**; if it is a class action suit, select **y**.
- Jury demand:** if a jury demand is requested, select the appropriate party(ies) from the drop-down list; if a jury demand is not requested, select **None**.
- Demand (\$000):** enter the dollar amount, rounded to the nearest thousand dollars, i.e., \$500.00 would be entered as 1, and \$40,000 would be entered as 40.
- State law:** enter Yes or No, depending on whether or not this case involves a substantive issue of state law.
- Click **Next**.
- Click **Next** again. {Trustee only}

STEP 10. Trustee Only -Answer the question regarding fees. If there are insufficient fees to pay the filing fee, the fee will be \$0 and the filing fee will be deferred.

- Click **Next**.

STEP 11. Trustee Only -The fee amount will display.

- Browse to select the appropriate PDF to attach.
- Click **Next**.
- Click Next two more times.

STEP 12. The Docket Text: Final Text screen appears.

- Verify the docket text is correct.
- Click **Next**.

STEP 13. The Notice of Electronic Filing (NEF) screen displays.

{Trustee Only} -If the filing fee is not deferred or exempt, the **Electronic Payment** window displays over the top of the **Notice of Electronic Filing** screen.

- Click **Pay Now** to pay fees. You will then be completing information in the Pay.gov electronic payment area. Upon completion of your transaction, you must make a selection from the ECF headings to continue in ECF.
- Click **Continue Filing** to file another document.