

Open Adversary/Stipulated Judgment 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 an AP Case** screen displays.

- Case type** is **ap**.
- Date Filed** is current date.
- Change “Complaint” from **Y** to **N**. If you are Attorney representing yourself, log in ECF using your Attorney log in and follow the instructions for Attorney filing Stipulated Judgment.
- 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 or 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.
- At **Association Type** is **Adversary** and **must not be changed**.
- Click **Next**.

STEP 6. The Case is assigned to **XXXXXX** Division, Judge **XXXXXX** based on the lead Bankruptcy Case YY-NNNNN screen displays. .

- Click **Next**.

STEP 7. Answer the prompt: Select the filer e.g. Plaintiff or Defendant by choosing Plaintiff.

- Click **Next**.

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

- Add all plaintiffs 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/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/UST. If you are an Attorney filing on behalf of yourself as Trustee/UST, start over using your ECF attorney account and login. See Step 3.
- When all the information for the first plaintiff is entered, click the **Submit** button.
- If the first name and any address fields are blank, you will receive WARNING pop-ups that read “Warning: The first name is blank.” and “Warning: The Address 1 is blank.” Be sure that if your Plaintiff party is a business, that only the **Last name** field is populated and an address is only required if that party does not have an attorney. Click OK for both of these Warning pop-ups.
- When all plaintiffs have been added, click **End plaintiff selection**.

STEP 9. 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 is required for any pro se Defendant.**

- 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 **Submit**.
- When all defendants have been added, click **End defendant selection**.

STEP 9. A statistical information screen displays.

- Party code:** select the appropriate party code from the drop-down list.
- Primary nature of suit field:** select the appropriate nature of suit from the drop-down list.
- Second through Fifth natures of suit:** select one nature of suit per drop-down list. If there are no additional natures of suit, leave the default as NONE.
- Rule 23 (class action):** if the action is not class action suit, select **n**; if 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, i.e., \$500.00 would be entered as 1; \$40,000 would be entered as 40.
- State law:** select either “yes” or “no”, depending on whether or not this case involves a substantive issue of state law.
- Click **Next**.

STEP 10. Select event from the drop down: **Stipulated Judgment without Complaint**.

- Respond to the question: Will the Stipulated Judgment be uploaded immediately following entry of this event? Yes or No
- Click Next.
- A reminder will display: Use this event only when opening a new adversary proceeding solely for the purpose of filing a Stipulated Judgment. If you are filing an order of judgment (including a stipulated order or judgment) in an existing adversary proceeding, do not continue and submit your order or judgment using Order Upload.
- Click **Next**.

STEP 11. *FOR TRUSTEE ONLY:* Answer the question: Are you certifying under penalty of perjury that there are insufficient funds in the estate to pay the filing fee?

- Click **Next**.

STEP 12. *FOR TRUSTEE ONLY:* The filing fee amount will appear.

- If the answer to the question in Step 10 is Yes, these reminders will display: Make sure the adversary proceeding number is on the stipulated judgment. Upon completion of this event, upload your judgment using Order Upload.
- Click **Next**.
- Click **Next** again.

STEP 13. The **Docket Text: Final Text** screen displays.

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

STEP 14. The **Notice of Electronic Filing (NEF)** screen displays.

STEP 15. If the filing fee is not deferred or exempt, the **Electronic Payment** window displays over the top of the **Notice of Electronic Filing (NEF)** 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.
- Or click **Continue Filing** to file another document.

STEP 16. Enter the new Adversary Proceeding case number on your prepared Stipulated Judgment and submit the Judgment via Order Upload.