

# Open Adversary/Notice of Removal for Attorney Filers

**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** and is hard-coded.
- Date Filed** is current date and is hard-coded.
- Change “Complaint” from Y to N. A selection for “counsel” will appear with a default of “plaintiff.” If the filing party is attorney for plaintiff in the removed action, leave the default as “plaintiff.” If the filing party is attorney for defendant in the removed action, change the selection to “defendant.”
- 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. If the related case is pending outside the District of Oregon, use 00-99999 as the Lead 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**. This answer should be the same as the answer to the “Counsel for” prompt in Step 3.

- 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. **NOTE: An address for any pro se Plaintiff is required.**
- 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. Creditor).
- If applicable, enter any alias names by selecting **Alias**.
- If applicable, enter any corporate parent by clicking **Corporate Parent**.
- If you are Counsel for Plaintiff as selected on the opening screen, you will be automatically associated as the Attorney for the Plaintiff(s). Click the **Add Additional Attorney** button only if you need to add co-counsel. If you are Counsel for the Defendant as selected on the opening screen, use the **Attorney** button to associate any attorney with the plaintiff.
- 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 for any pro se Defendant 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**
- If you are filing this proceeding as Counsel for Defendant, click the **Attorney** button to associate yourself with the defendant.
- Click **Submit**.
- When all defendants have been added, click **End defendant selection**.

**STEP 10.** 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. **01 Determination of removed claim or cause.**
- 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 11.** Select event from the drop down: **Notice of Removal**.

A screen displays with the following questions:

◆ Is Filer a

● Debtor in a Chapter 7-12-13 case?

● U.S. Govt Agency?

● Child Support Creditor or its representative, and is Official Form #B281 attached as the last page of this filing?

◆ Is Filer a

● Trustee that is certifying under penalty of perjury and there are insufficient funds in the estate to pay the filing fee?

● Chapter 11 Debtor in Possession that is certifying under penalty of perjury that there are insufficient funds in the estate to pay the filing fee?

Respond to the questions as appropriate. The default for each is No.

Click **Next**.

**STEP 12.** The filing fee amount will appear as appropriate.

Click on the **Browse** button to attach the pdf of the complaint.

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 select a heading on the menu bar to continue in ECF.
- Or click **Continue Filing** to file another document.
- Contact an Adversary Proceeding clerk if you require a Summons to be issued.