

Open a BK Case

Several bankruptcy software providers have developed products that greatly simplify the filing of new bankruptcy cases using Case Upload. You are strongly encouraged to contact your petition software provider to inquire about these products.

NOTES:

1. Per LBR 9037-1(a), OF 121 *Statement About Your Social Security Numbers* must be filed with an electronically filed voluntary petition (if Individual debtor).
2. Per LBR 4001-1(f), a debtor's petition accompanied by a deposit of rent under §362(l) must be filed in paper. The deposit must be submitted only in the form of a cashier's check or money order made payable to the landlord, and an envelope addressed to the landlord should be included.
3. Per LBR 1007-1(c), do not file payment advices with the Court. Deliver them to the U.S. Trustee (Ch 7, 11); or, to the case trustee (Ch 12, 13). Also bring them to the 341(a) Meeting.
4. For court preferences on data entry, please see *Style Guide* on the court's website at www.orb.uscourts.gov, under Electronic Filing> ECF Procedures> General.
5. The petition documents should be filed in a single pdf in the following order: **Petition; Exhibit D-1, Exhibit D-2** [Ch 12, 13, when necessary]; **Attorney's Disclosure Statement** [Ch 7, 11, 12]; **Individual Debtor's Statement of Intent** [Ch 7]; **Summary of Assets & Liabilities; Schedules A-J** [Schedules C, I and J not required for Non-Individual debtor], **Declaration to Schedules; Statement of Financial Affairs; List of Creditors Who Have the 20 Largest Unsecured Claims with Certificate of Service** indicating that a copy of same and self-adhesive labels were provided to the U.S. Trustee.[Ch 11]; **OF 201A Attachment to Voluntary Petition** [Ch 11 if Non-Individual debtor files Periodic Reports].
6. The following documents should be filed separately, as applicable: **Statement About Your Social Security Numbers** [if Individual, any Chapter]; **Corporate Ownership Statement** [Ch 7, 11, 12] [if non-governmental corporation]; **Certificate of Credit Counseling Briefing** [if Individual debtor]; **Individual Debtor's Application to Pay Filing Fees in Installments; Application to Have the Ch 7 Filing Fee Waived** [Ch 7] [if Individual debtor]; **Chapter 12 Plan** [Ch 12]; **Chapter 13 Plan** [Ch 13]; **Debtor's Attorney's Disclosure of Compensation** [Ch 13]; **Statement of Current Monthly Income** (and any related 122-series forms) [Ch 7, 11, 13] [if Individual debtor]; **Motion for Extension/Exemption re Credit Counseling/Financial Management Course** [if Individual debtor]; **Small Business documents** [Ch 11] [if small business debtor]; **Electronic Filing Declaration**.
7. Malheur County cases will be transferred to the District of Idaho unless a statement indicating that the debtor wishes the case to remain in Oregon is filed with the petition.

- STEP 1.** Click **Bankruptcy** on the ECF Main Menu Bar.
- STEP 2.** Click **Open a BK Case**.
- STEP 3.** **Open New Bankruptcy Case** screen displays.
- Case type** – defaults to **bk**.
 - Date filed** – defaults to date of case entry.
 - Chapter** – click on down arrow; select appropriate Chapter.
 - Joint Petition** – if there is a joint debtor, change to **y**. If no joint debtor, keep the default as **n** for no.
 - Deficiencies** – defaults to **n**. Do NOT change this field.
 - Click **Next**.
- STEP 4.** **Search for a debtor** screen displays:
- Search for an existing record of the debtor by entering debtor's SSN/ITIN **or** Tax ID/EIN **or** debtor's Last name and First name **or** debtor's Business name.
 - Click **Search**.
- STEP 5.** **Party search results** screen displays.
- If **No person found** displays, click **Create new party**. Proceed to **STEP 6** below.
 - If the search criteria matches any parties, a drop-down box displays them. If the party is listed, click on the party's name in the box. On the pop-up screen, check to see if the information for the party matches 100% (first, middle, last name [or business name]; SSN/ITIN; address; county). If the information matches exactly, click **Select name from list**. If the information does not match exactly, click **Create new party**.
- STEP 6.** **Debtor Information** screen displays. Enter all debtor information as required.
- NOTE:** if **Select name from list** was chosen, some of the information will already be entered: debtor's name, SSN/ITIN/Tax ID/EIN, address and county. Enter debtor's other data as required.
- Last name, First name, Middle name** – enter debtor's last, first and middle name exactly as they appear on the petition. If debtor is a business, enter exact business name in **Last name** field. Confirm entry is correct.
 - Generation** (Jr., III, etc.) – enter, if any, and confirm entry is correct.
 - Title** – do NOT enter anything in this field.

- Social Security Number or ITIN** – enter, if any, and confirm entry is correct.

NOTE: if there is an additional **SSN** or **ITIN**, click on the “plus” symbol to add as appropriate.

- Tax ID/EIN** – enter, if any, and confirm entry is correct.

NOTE: if there is an additional **Tax ID** or **EIN**, click on the “plus” symbol to add as appropriate.

- Office** – do NOT enter anything in this field.

- Address 1, Address 2, Address 3** – enter debtor’s mailing address, exactly as it appears on the petition. Enter the first line of the address in **Address 1** field, the second line in **Address 2** field, and so on. Confirm entry is correct.

- City, State, Zip** – enter and confirm entry is correct.

- County** – click on down arrow; select appropriate County of residence (or principal place of business) for debtor.

- Country; Phone; Fax; Party Text** – do NOT enter anything in these fields.

- Alias** – click if debtor has any aka, dba, fdba or fka names. At **Alias Information** screen, enter names exactly as they appear on the petition. Select the correct **Role** type for each alias. Business names should be entered in **Last name** field. Click **Add aliases**.

NOTE: If there are more than five aliases, click **Alias** again to return to **Alias Information** screen. Continue entering all data until all information is entered. Click **Add aliases**.

- Corporate parent/affiliate** – click if debtor has a Corporate Parent or Affiliate. At **Search for a corporate parent/affiliate** screen, enter the business name exactly as it appears on the petition. If an exact match is found, click **Select name from list**; if not, click **Create new corporate parent/affiliate**, enter business name, confirm entry is correct, and click **Add corporate parent/affiliate**.

STEP 7. Confirm all information entered is correct. You may view all Alias and Corporate parent/affiliate information entered by clicking Review.

- Click **Submit**. **NOTE:** If debtor is a Non-Individual, click through the two warning messages that may appear regarding blank first name and blank SSN/ITIN.

STEP 8. **Search for a joint debtor** screen displays if the petition is for joint debtors. If the petition is NOT for joint debtors, proceed to **STEP 12** below.

- Search for an existing record of the joint debtor by entering joint debtor's SSN/ITIN **or** Tax ID/EIN **or** joint debtor's Last name and First name **or** joint debtor's Business name.
- Click **Search**.

STEP 9. Party search results screen displays.

- If the search criteria does not match any party, **No person found** displays. If joint debtor's address is different from the debtor's address, leave the checkmark in the box for **Copy previous party's address**. Uncheck the box if joint debtor's address is different from the debtor's address. Click **Create new party**. Proceed to **STEP 10** below.
- If the search criteria matches any parties, a drop-down box displays them. If the party is listed, click on the party's name in the box. On the pop-up screen, check to see if the information for the party matches 100% (first, middle, last name [or business name]; SSN/ITIN; address; county). If the information matches exactly, uncheck the box for **Copy previous party's address**, then click **Select name from list**.
- If the information does NOT match exactly, determine if the checkmark in the box for **Copy previous party's address** is correct; remove checkmark if not correct. Click **Create new party**.

STEP 10. Joint Debtor Information screen displays. Enter all joint debtor information as required.

NOTE: if **Select name from list** was chosen, some of the information will already be entered: joint debtor's name, SSN/ITIN/Tax ID/EIN, address and county. Enter joint debtor's other data as required.

- Last name, First name, Middle name** – enter joint debtor's last, first and middle name exactly as they appear on the petition. If joint debtor is a business, enter exact business name in **Last name** field. Confirm entry is correct.
- Generation** (Jr., III, etc.) – enter, if any, and confirm entry is correct.
- Title – do NOT enter anything in this field.
- Social Security Number or ITIN** – enter, if any, and confirm entry is correct.

NOTE: if there is an additional **SSN** or **ITIN**, click on the “plus” symbol to add as appropriate.

- Tax ID/EIN** – enter, if any, and confirm entry is correct.

NOTE: if there is an additional **Tax ID** or **EIN**, click on the “plus” symbol to add as appropriate.

- Office – do NOT enter anything in this field.

- Address 1, Address 2, Address 3** – if joint debtor’s mailing address is NOT the same as the debtor’s mailing address, enter the first line of joint debtor’s address in **Address 1** field, the second line in **Address 2** field, and so on, exactly as it appears on the petition. Confirm entry is correct.
- City, State, Zip** – enter and confirm entry is correct.
- County** – click on down arrow; select appropriate County of residence (or principal place of business) for joint debtor.
- Country; Phone; Fax; Party Text – do NOT enter anything in these fields.
- Alias** – click if joint debtor has any aka, dba, fdba or fka names. At **Alias Information** screen, enter names exactly as they appear on the petition. Select the correct **Role** type for each alias. Business names should be entered in **Last name** field. Click **Add aliases**.

NOTE: If there are more than five aliases, click **Alias** again to return to **Alias Information** screen. Continue entering all data until all information is entered. Click **Add aliases**.

- Corporate parent/affiliate** – click if joint debtor has a Corporate Parent or Affiliate. At **Search for a corporate parent/affiliate** screen, enter the business name exactly as it appears on the petition. If an exact match is found, click **Select name from list**; if not, click **Create new corporate parent/affiliate**, enter business name, confirm entry is correct, and click **Add corporate parent/affiliate**.

STEP 11. Confirm all information entered is correct. You may view all Alias and Corporate parent/affiliate information entered by clicking **Review**.

- Click **Submit**. **NOTE:** If joint debtor is a business, click through the two warning messages that may appear regarding blank first name or blank SSN/ITIN.

STEP 12. The Divisional Office screen displays, based on the county of the debtor. This information indicates whether the new bankruptcy case will be administered from the Bankruptcy Court in *Eugene* or in *Portland*, based on the county of the debtor.

- Click **Next**.

STEP 13. Petition information screen displays. Enter the data exactly as it appears on the petition. Most items below appear on all chapters, but some items appear only in one chapter.

- [Ch 11] **Small business** – click on down arrow; select appropriate option.
- [Ch 11] **A plan is being filed with this petition. Acceptances of the plan were solicited prepetition.** – click on the appropriate selection(s).
- Prior filing within last 8 years** – click on down arrow; select **no** or **yes**.

- Fee status** – click on down arrow; select appropriate option.

If paying by installments, change **Fee status** from **Paid** to **Installment**. If filing an Application to Have the Ch 7 Filing Fee Waived (Ch 7, Individual), select **fee not paid**.

- Nature of debt** – click on down arrow; select **consumer** or **business** or **other**, as appropriate. (NOTE: a Ch 12 defaults to business.)
- Asset notice** – should be left at **No** for Ch 7 and **Yes** for Ch 11, 12, 13.
- Estimated number of creditors** – click on down arrow; select appropriate option.
- Estimated assets** – click on down arrow; select appropriate option.
- Estimated liabilities** – click on down arrow; select appropriate option.
- Type of debtor** – select appropriate option.
- Nature of business** – select appropriate option.
- Special categories** – for Non-Individual debtor only: select appropriate option.
- NAICS code** – for Non-Individual debtor only: insert, or select from dropdown, the appropriate NAICS code.
- Confirm entries are correct, then click **Next**.

STEP 14. Reminders, according to the Chapter being filed and the previous selections entered, will display.

- Click **Next**.

STEP 15. The filing **Fee** displays. **Review the fee amount carefully. This is what you will be required to pay.** If you made a mistake by, for example, designating a case as “paid” when you intended to file an application to pay in installments or waive the filing fee, you must click **Back** and correct the fee status.

If “installments” was selected in the **Fee status** field on the previous screen (part of **STEP 13** above), change the amount in the **Fee** box to the amount being paid today. **NOTE:** If Ch 11 or Ch 13, the minimum payment required by LBF 110 is required at the time of filing.

- ❑ Click **Next**. If any filing fees are due, you will receive a message that the Payment Processing screen is loading, then you will be taken to PACER for selection of your payment method. [**Tip:** You have the ability to store credit card and/or ACH information in PACER and use this stored information to make your filing fee payments. To add a credit card or ACH information to your PACER account, go to www.pacer.gov, click on **Manage My Account**, click on the **Payments** tab, and select **Manage Recurring Payments**.]

- ❑ Select a payment method, confirm the email address to which a receipt will be sent, authorize the charge, and click Submit. You will be directed back to CM/ECF.
- ❑ [Ch 7, consumer debt] Proceed to **STEP 16** below.
- ❑ [Ch 7, business debt; Ch 11; Ch 13] Proceed to **STEP 18** below .
- ❑ [Ch 12] Chapter 12 Plan due date displays. Click **Next** and proceed to **STEP 18** below..

STEP 16. [Ch 7 Individual, consumer debt] At **Presumption of Abuse** screen, click on the appropriate selection. **NOTE:** Select the option "Insufficient information filed to determine if presumption of abuse exists" if not filing the OF 122A-series forms.

- ❑ Click **Next**.

STEP 17. [Ch 7 Individual, consumer debt] The **Schedules** and **Form 122A-series** screen displays. Enter data in the appropriate sections.

- ❑ Click **Next**.

STEP 18. **Are you filing a completed Summary of Assets & Liabilities?** screen displays.

- ❑ [Ch 11 or Ch 13 Individual; consumer debt] If **Yes** or **No** is selected, the **Schedules** screen displays. Enter data in the appropriate sections. Click **Next** and proceed to **STEP 19** (if **yes**) or **STEP 21** (if **no**) below.

- [Ch 7 or Ch 12]
Select **Yes** if appropriate, click **Next** and proceed to **STEP 19** below.

Select **No** if appropriate, click **Next** and proceed to **STEP 21** below.

- [Ch 11, business debt, small business]

If **No** is selected, "Chapter 11 Small Business Plan due date" screen displays with date. Click **Next** and proceed to **STEP 21** below.

If **Yes** is selected, click **Next** and proceed with **STEP 19** below. At completion of **STEP 19**, the "Chapter 11 Small Business Plan due date" screen displays with date.

- [Ch 11 business or consumer debt, not small business]

If **No** is selected, "Exclusivity Period Expires" screen displays with date. Click **Next** and proceed to **STEP 21** below.

If **Yes** is selected, click **Next** and proceed with **STEP 19** below. At completion of **STEP 19**, the "Exclusivity Period Expires" screen displays with date.

STEP 19. [Any Chapter] If **Yes** was selected (in **STEP 18** above), a **Summary of Assets & Liabilities** screen displays. Enter data in the appropriate sections.

- Click **Next**.

STEP 20. A reminder or deadline may display, note same, and click **Next** again.

STEP 21. **Select the pdf document** screen displays.

- Click **Browse** to select the Petition. Preview the document to confirm it is the correct document; then, attach it.
- Click **Next**. Click **Next** again.

STEP 22. **Docket Text: Final Text** screen displays. Confirm the docket text is correct.

- Click **Next**.

STEP 23. If any filing fees are due, a separate window, the Electronic Payment screen ("**Summary of current charges**"), pops up over the **Notice of Bankruptcy Case Filing** screen.

- Click **Pay Now** to pay all fees due to the court, or click **Continue Filing** to file another case or document.
- Note the Bankruptcy Case Number.

STEP 24. Upload the creditors using the event **Bankruptcy> Creditor Maintenance> Upload List of Creditors File**. See separate procedure for more details, if necessary.

STEP 25. Pursuant to LBR 5005-4(e), debtor's attorneys have the option of keeping scanned replicas rather than paper originals of FRBP 1008 documents. When choosing this option, a scanned, signed original of LBF 5005 must be filed and the debtor's attorney must retain the signed original in paper. If applicable, the event is: **Bankruptcy> Miscellaneous> Electronic Filing Declaration**.

STEP 26. File other documents, as applicable, associated with the Petition.

Chapter 7 Petitions:

- a. If debtor is a non-government corporation, file the Corporate Ownership Statement. The event is: **Bankruptcy> Miscellaneous> Corporate Ownership Statement**.
- b. If paying by installments, file LBF 110 *Individual Debtor's Application to Pay Filing Fees in Installments*. The event is: **Bankruptcy> Motions/Applications> Pay Filing Fee in Installments**.
- c. If debtor is an Individual, and if applying to waive the filing fee, file OF 103B *Application to Have the Chapter 7 Filing Fee Waived* and any supporting documents in a single pdf. The event is **Bankruptcy> Motions/Applications> Have the Chapter 7 Filing Fee Waived**.
- d. If debtor is an Individual, file OF 121 *Statement About Your Social Security Numbers*.
- e. If debtor is an Individual, file OF 122A-1 *Statement of Current Monthly Income* (and, if necessary, OF 122A-1Supp *Statement of Exemption from Presumption of Abuse*) in one pdf using the following event: **Bankruptcy> Miscellaneous> Chapter 7 Statements-Monthly Income/Exemption Presumption of Abuse**. If necessary, file OF 122A-2 *Chapter 7 Means Test Calculation* using event: **Bankruptcy> Miscellaneous> Chapter 7 Means Test Calculation**.

NOTE: Do not file supporting documents (or payment advices) with the Court; instead, send a copy to the U.S. Trustee and take a copy to the 341(a) Meeting.

- f. If debtor is an Individual, file the Certificate re Credit Counseling Briefing using the event: **Bankruptcy> Miscellaneous> Certificate of Credit Counseling**.
- g. If debtor is an Individual and is seeking an extension of time for, or an exemption from, Credit Counseling, file LBF 100.3 *Motion for Extension/Exemption re Credit Counseling/Financial Management Course*. The event is **Bankruptcy> Motions/Applications** - [choose the appropriate request(s)] **Extend Time for Credit Counseling** or **Exemption from**

Credit Counseling or Exemption from Financial Management Course.
File any document relating to exigent circumstances using the event
Bankruptcy> Miscellaneous> Exigent Circumstances re: Credit Counseling.

- h. Proceed to **STEP 27** below to assign the judge, trustee and 341(a) meeting of creditors date.

Chapter 11 Petitions:

- a. If debtor is a non-government corporation, file the Corporate Ownership Statement. The event is: **Bankruptcy> Miscellaneous> Corporate Ownership Statement.**
- b. If debtor is an Individual, and if paying by installments, file LBF 110 *Individual Debtor's Application to Pay Filing Fees in Installments*. The event is: **Bankruptcy> Motions/Applications> Pay Filing Fee in Installments.** **NOTE:** For Ch 11 with installment application, the minimum payment required by LBF 110 is required at time of filing.
- c. If debtor is an Individual, file OF 121 *Statement About Your Social Security Numbers*.
- d. If debtor is an Individual, file OF 122B *Statement of Current Monthly Income* using the following event: **Miscellaneous> Chapter 11 Statement of Current Monthly Income.**
- e. If debtor is an Individual, file the Certificate re Credit Counseling Briefing using the event: **Bankruptcy> Miscellaneous> Certificate of Credit Counseling.**
- f. If debtor is an Individual and is seeking an extension of time for, or an exemption from, Credit Counseling, file LBF 100.3 *Motion for Extension/Exemption re Credit Counseling/Financial Management Course*. The event is **Bankruptcy> Motions/Applications** - [choose the appropriate request(s)] **Extend Time for Credit Counseling or Exemption from Credit Counseling or Exemption from Financial Management Course.** File any document relating to exigent circumstances using the event **Bankruptcy> Miscellaneous> Exigent Circumstances re: Credit Counseling.**
- g. If Small Business is selected: File the following documents using events in the **Bankruptcy> Miscellaneous** category: Balance Sheet; Statement of Operations; Cash Flow Statement; Tax Documents – or Statement No Documents Re 1116 Filed or Prepared.
- h. **NOTE:** Do not file payment advices with the Court; instead, send a copy to the case trustee and take a copy to the 341(a) meeting.
- i. Proceed to **STEP 27** below to assign the judge. The 341(a) meeting of creditors (and any trustee) will be set at a later date.

□ **Chapter 12 Petitions:**

- a. If debtor is a non-government corporation, file the Corporate Ownership Statement. The event is: **Bankruptcy> Miscellaneous> Corporate Ownership Statement.**
- b. File LBF 1200.05 *Chapter 12 Plan*. The event is: **Bankruptcy> Plan> Chapter 12 Plan.**
- c. If debtor is an Individual, and if paying by installments, file LBF 110 *Individual Debtor's Application to Pay Filing Fees in Installments*. The event is: **Bankruptcy> Motions/Applications> Pay Filing Fee in Installments.**
- d. If debtor is an Individual, file OF 121 *Statement About Your Social Security Numbers*.
- e. If debtor is an Individual, file the Certificate re Credit Counseling Briefing using the event: **Bankruptcy> Miscellaneous> Certificate of Credit Counseling.**
- f. If debtor is an Individual and is seeking an extension of time for, or an exemption from, Credit Counseling, file LBF 100.3 *Motion for Extension/Exemption re Credit Counseling/Financial Management Course*. The event is **Bankruptcy> Motions/Applications** - [choose the appropriate request(s)] **Extend Time for Credit Counseling or Exemption from Credit Counseling or Exemption from Financial Management Course.** File any document relating to exigent circumstances using the event **Bankruptcy> Miscellaneous> Exigent Circumstances re: Credit Counseling.**
- g. Proceed to **STEP 27** below to assign the judge and trustee. The 341(a) meeting of creditors will be set at a later date.

□ **Chapter 13 Petitions:**

- a. File LBF 1305 *Debtor's Attorney's Disclosure of Compensation*. The event is: **Bankruptcy> Miscellaneous> Attorney Disclosure of Compensation.**
- b. File LBF 1300.17 *Chapter 13 Plan*. The event is: **Bankruptcy> Plan> Chapter 13 Plan.**
- c. If paying by installments, file LBF 110 *Individual Debtor's Application to Pay Filing Fees in Installments*. The event is: **Bankruptcy> Motions/Applications> Pay Filing Fee in Installments.** **NOTE:** If Ch 13 with installment application, the minimum payment required by LBF 110 is required at time of filing.
- d. File OF 121 *Statement About Your Social Security Numbers*.

- e. File OF 122C-1 *Statement of Current Monthly Income* using the following event: **Bankruptcy> Miscellaneous> Chpt 13 Stmt of Current Monthly Income/Calculation of Commitment Period**. If necessary, file OF 122C-2 *Calculation of Your Disposable Income* using the following event: **Bankruptcy> Miscellaneous> Chpt 13 Calculation of Your Disposable Income**.

NOTE: Do not file supporting documents (or payment advices) with the Court; instead, send a copy to the case trustee and take a copy to the 341(a) meeting.

- f. File the Certificate re Credit Counseling Briefing using the event: **Bankruptcy> Miscellaneous> Certificate of Credit Counseling**.
- g. If debtor is seeking an extension of time for, or an exemption from, Credit Counseling, file LBF 100.3 *Motion for Extension/Exemption re Credit Counseling/Financial Management Course*. The event is **Bankruptcy> Motions/Applications - [choose the appropriate request(s)] Extend Time for Credit Counseling or Exemption from Credit Counseling or Exemption from Financial Management Course**. File any document relating to exigent circumstances using the event **Bankruptcy> Miscellaneous> Exigent Circumstances re: Credit Counseling**.
- h. Proceed to **STEP 27** below to assign the judge, trustee and 341(a) meeting of creditors date.

STEP 27. Assign the Judge/Trustee/341(a) Meeting of Creditors Date.

NOTE: This STEP must only be done after all documents accompanying the petition have been filed (such as LBF 1305 *Debtor's Attorney's Disclosure of Compensation*).

- This STEP may be done after the entry of multiple cases.
- Click **Bankruptcy** on the ECF Main Menu Bar.
- Click **Judge/Trustee Assignment**.

NOTE: For Ch 7 and Ch 13, the judge and trustee will be assigned, as will the 341(a) meeting of creditors date. A confirmation hearing date will also be assigned for Ch 13.

Ch 12 cases will be assigned judge and trustee. Ch 11 cases will be assigned a judge; any trustee will be assigned at a later date. For both Ch 11 and Ch 12, the 341(a) meeting of creditors will be set at a later date.

NOTE: If filing a minimum petition, the Court will enter the Order to File Documents. Many of them, including those for which no separate event is listed above (e.g., Schedules, Statement of Intent, Statement of Financial Affairs), are filed using the event **Bankruptcy> Miscellaneous> Missing Documents Filed**. See separate procedure *“Missing Documents Filed”*.