

Open Involuntary Case-

NOTES:

1. If the e-filer represents any petitioning creditor, there is no need to enter the address of that petitioning creditor.
2. If any petitioning creditor is a non-governmental corporation, a **Corporate Ownership Statement** should be filed separately from the Involuntary petition (see STEP 24 for event to use).
3. Any **Electronic Filing Declaration** must be filed separately.
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.
5. Outside of Oregon cases:
 - For a debtor with an address outside of Oregon, use the address on the petition (if the county is unavailable as a selection, choose "Out of state") and do not change the office designation from Portland (LBR 1073-1).
 - 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 Involuntary Case**.

STEP 3. **Open Involuntary Case** screen displays.

- **Case Number** – leave blank (no number should be entered here; a case number will be generated automatically later during the filing process)
- **Case type** – defaults to **bk**.
- **Date filed** – defaults to date of case entry.
- **Chapter** – click on down arrow; select appropriate Chapter (7 or 11).
- **Joint Petition** – defaults to **n** for one debtor.
- 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 available 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 available 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.
- **Phone** – enter, if any, and confirm entry is correct. Format is (xxx) xxx-xxxx or xxx-xxx-xxxx.
- Country; Fax; E-mail; 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 business, click through the two warning messages that may appear regarding blank first name and blank SSN/ITIN.

STEP 8. **Search for a petitioning creditor** screen displays.

- Search for an existing record of the petitioning creditor by entering the first petitioning creditor's information: SSN/ITIN **or** Tax ID/EIN **or** petitioning creditor's Last name and First name **or** petitioning creditor's Business name.
- Click **Search**.

STEP 9. **Party search results** screen displays.

- If **No person found** displays, 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, click **Select name from list**. If the information does not match exactly, click **Create new party**.

STEP 10. **Petitioning Creditor Information** screen displays. Enter petitioning creditor's information as required.

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

NOTE: If petitioning creditor is represented by the e-filer, the address need not be entered.

- **Last name, First name, Middle name** – enter petitioning creditor’s last, first and middle name exactly as they appear on the petition. If petitioning creditor 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.
- **Tax ID/EIN** – enter, if any, and confirm entry is correct.
- Office – do NOT enter anything in this field.
- **Address 1, Address 2, Address 3** – enter petitioning creditor’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 petitioning creditor.
- **Phone** – enter, if any (only if not represented by an attorney), and confirm information is correct. Format is (xxx) xxx-xxxx **or** xxx-xxx-xxxx.
- Country; Fax; E-mail; Party Text – do NOT enter anything in these fields.

STEP 11. If petitioning creditor is represented by an attorney, use one of the two steps directly below. If petitioning creditor is **not** represented by an attorney, proceed to **STEP 14** below.

- **The user opening the case is the filing attorney for this party** – if this statement is correct, click in the box and proceed to **STEP 14** below.
- **Attorney** – click if petitioning creditor is represented by an attorney other than the e-filer. At **Search for an attorney** screen, enter Bar Id **or** Last name of attorney. Click **Search**.

STEP 12. **Attorney search results** screen displays.

- If **No person found** displays, click **Create new attorney**. Proceed to **STEP 13** below.
- If the search criteria matches any attorneys, a drop-down box displays them. If the attorney is listed, click on the party’s name in the box. On the pop-up screen, check to see if the information for the attorney matches 100% (Name, Bar Id, Phone, Address). If the information matches exactly, click **Select name from list**. If the information does not match exactly, click **Create new attorney**.

STEP 13. Attorney Information screen displays. Enter all attorney information as required.

NOTE: If **select name from list** was chosen, the attorney's name or other information may already be entered. Enter attorney's other data as required.

- Leave these fields blank: Title; Office; Country; Fax.
- Click **Add attorney**.

STEP 14. If petitioning creditor has any **Alias** and/or **Corporate parent/affiliate** information, use the steps directly below. If not, proceed to **STEP 15** below.

- **Alias** – click if petitioning creditor has any aka, dba, fdba or fka names. At the **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 petitioning creditor 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 15. Confirm all information entered is correct. You may view all Attorney, Alias and Corporate parent/affiliate information entered by clicking **Review**.

- Click **Submit**. **NOTE:** If petitioning creditor is a business **or** is represented by an attorney and no address was entered, click through the warning messages that may appear regarding blank first name, SSN/ITIN, address 1, city, state, zip.

STEP 16. Search for a petitioning creditor screen displays again.

- If there are no more petitioning creditors, proceed to **STEP 17** below.
- If there are additional petitioning creditors, enter the information for each as per **STEP 8** above, until all petitioning creditors are added. After the last petitioning creditor has been added, proceed to **STEP 17** below.

NOTE: If the same attorney represents different petitioning creditors, use the **Copy attorney** button for adding the attorney for any additional petitioning creditors.

If a different attorney represents different petitioning creditors, enter the attorney for each as per **STEP 11** above.

- STEP 17.** Click **End petitioning creditor selection**.
- STEP 18.** 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. For out-of-state debtors, do not change from Portland (LBR 1073-1).
- Click **Next**.
- STEP 19.** Petition information screen displays. Enter the data exactly as it appears on the petition. Most items below appear on both Ch 7 and Ch 11, and some items below appear only in one chapter (such as small business for Ch. 11).
- **Fee status** – defaults to Paid.
 - [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).
 - **Nature of debt** – click on down arrow; select **consumer** or **business**.
 - **Type of debtor** – select appropriate option.
 - **Nature of business** – select appropriate option. Click **Next**.
- STEP 20.** **Select the pdf document** screen displays, along with the amount of the appropriate filing **Fee**.
- Click **Browse** to select the Involuntary Petition. Preview the document to confirm it is the correct document; then, attach it.
 - Click **Next**. Click **Next** again.
- STEP 21.** **Docket Text: Final Text** screen displays. Confirm the docket text is correct.
- Click **Next**.
- STEP 22.** 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 23.** Upload the creditors, if there are any, using the event **Bankruptcy - Creditor Maintenance - Upload List of Creditors File**. *See separate procedure for more details, if necessary.*

STEP 24. File other documents, as applicable, associated with the Petition, such as:

- If any petitioning creditor is a non-government corporation, file the Corporate Ownership Statement. The event is: **Bankruptcy - Miscellaneous - Corporate Ownership Statement**.

STEP 25. The court will assign the Judge.

STEP 26. See note below for more information.

NOTE: The court will issue an Involuntary Summons, along with a Memorandum, to the petitioning creditor filing the case, which must be served upon the alleged debtor within 7 days. Immediately after service, the executed Certificate of Service, together with a copy of the Summons and the fully completed Memorandum, must be filed with the court. The alleged debtor has 21 days to file an Answer (or Motion).

If no Answer is filed, generally, an Order for Relief is entered by the court, and the case will proceed in a similar manner as a Voluntary case. After entry of the Order for Relief, the debtor has 7 days to submit the creditor mailing list and 14 days to file Schedules, etc.

If an Answer is filed, depending on the contents of the Answer, a hearing will be set to determine what happens with the case.

Finally, if the Certificate of Service of the Involuntary Summons is not properly filed with the court, the Involuntary case may be dismissed.