

Adversary Proceedings – Case Opening

(Procedure for U.S. Bankruptcy Court, Eastern District of Wisconsin as of 6/1/2015)

To open an adversary proceeding, go to the **Adversary** menu and select **Open an AP Case**.

The screenshot shows the ECF system interface with a dark blue header containing the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below the header, the page title is 'Adversary Events'. A list of links is displayed: Answers..., Appeal, Miscellaneous, Motions/Applications, Notices, Open an AP Case (highlighted with a red box), Order Upload, and Summons and 3rd Party Complaints.

Indicate whether you will be filing a **Complaint** (hint: it's a minimum filing requirement). The default is **Y(es)**. Click **Next**.

The screenshot shows the 'Open Adversary' form in the ECF system. The header is the same as the previous screenshot. The form content includes: 'Case type ap', 'Date filed 7/7/2014', and a dropdown menu for 'Complaint' with 'y' selected (highlighted with a red box). At the bottom, there are 'Next' and 'Clear' buttons.

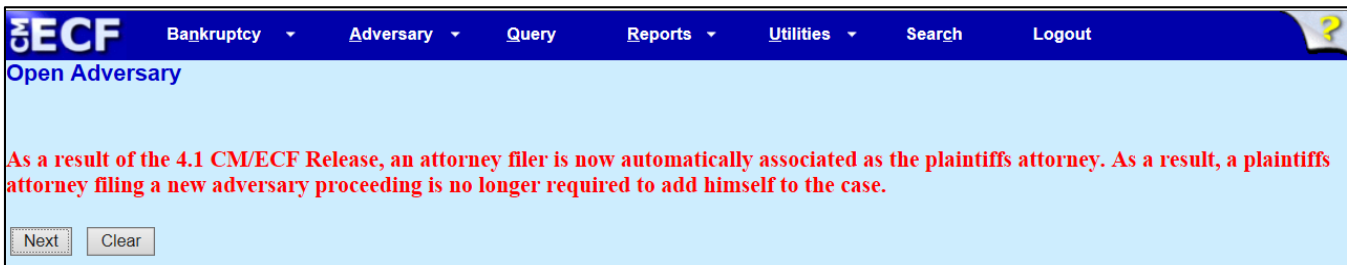
Enter the **Lead (Bankruptcy) Case Number**. The **Association type** should remain **Adversary**. Click **Next**.

The screenshot shows the 'Open Adversary' form with the following details: 'Lead case number' is 14-24000, with a 'Find This Case' button to its right; 'Association type' is set to 'Adversary' in a dropdown menu. 'Next' and 'Clear' buttons are at the bottom.

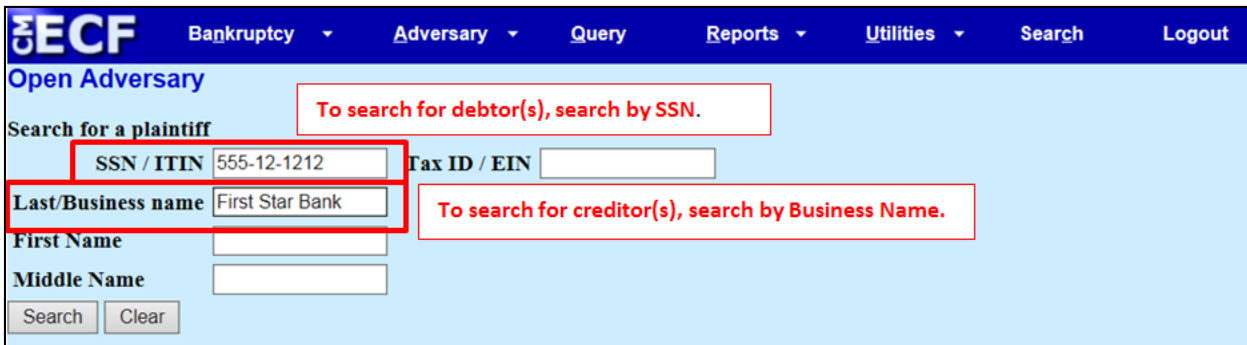
The next screen will list the debtor(s) and the Judge assigned to the main case. Click **Next**.

The screenshot shows the 'Open Adversary' form displaying case information: 'based on the lead Bankruptcy case 14-24000-pp, Michelle Wilder ., Judge Pepper' and 'based on the lead Bankruptcy case 14-24000-pp.'. 'Next' and 'Clear' buttons are at the bottom.

This screen serves as a reminder that as the attorney filing this case, you will automatically be associated as the attorney of record for the plaintiff(s). Click **Next**.



To add the plaintiff(s) to the case, you will search the CM/ECF database to see whether the party already exists. If the plaintiff(s) is/are the **debtor(s)**, search by using the **SSN** (social security number) field. This will yield a more accurate search result. If the plaintiff(s) is/are **creditors**, please search by using the **Last/Business name** field.



If your search yields results, **select the result with the name that exactly matches what appears on the documents you intend to file**. Please note, the address of the debtor(s) may be different if the debtor(s) filed a Notice of Change of Address since the time the main bankruptcy case was opened. The CM/ECF search result will list the original address. After selecting the debtor from the list, you may change the address on the party screen. (Hint: Review the docket to ensure the name(s) and address(s) for the debtor(s) match the caption of your complaint, and your data entry for this adversary proceeding).

While a debtor's SSN or name will always yield a result, when searching for a creditor, you may need to **Create New Party** if your search does not produce any search results.

Highlight the applicable name and click **Select Name from List**.

The screenshot shows the ECF search interface. At the top, there are navigation tabs: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below the tabs, there is a search section titled "Search for a plaintiff" with input fields for "SSN / ITIN" and "Tax ID / EIN". There are also fields for "Last/Business name", "First Name", and "Middle Name". Below these fields are "Search" and "Clear" buttons. Underneath is a "Party search results" section with a list of names and addresses. The first three results are: "Barry, Robert, 40 Chicago Street, #4, Milwaukee, WI", "Wilder, Michelle, 123 Main Street, Milwaukee, WI", and "Wilder, Michelle, 555 Main Street, Milwaukee, WI". The third result is highlighted in blue. Below the list are "Select name from list" and "Create new party" buttons.

If you selected a name from the search result, if needed, update the address. (If this is a debtor, did you check the main bankruptcy case to ensure he/she never filed a Notice of Change of Address)? Also, select a **Role in Bankruptcy Case** from the drop down menu. Click **Submit**.

The screenshot shows the ECF Plaintiff Information form. At the top, there are navigation tabs: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below the tabs, there is a "Plaintiff Information" section for "Michelle Renee Wilder" with "SSN / ITIN:xxxx-xx-1212". There are input fields for "Office", "Address 1" (555 Main Street), "Address 2", "Address 3", "City" (Milwaukee), "State" (WI), "Zip" (53210), "County" (MILWAUKEE-WI (55079)), "Country", "Phone", and "Fax". There is a red box around the "City" field and another red box around the "State" and "Zip" fields. Below the address fields is a "Party text" field and a "Role in Bankruptcy Case" dropdown menu. The dropdown menu is open, showing options: "Creditor", "Debtor", "Other/Not Applicable", "Trustee", and "U.S. Trustee/Bankruptcy Administrator". The "Debtor" option is selected. There is a red box around the "Role in Bankruptcy Case" dropdown. Below the dropdown menu is an "Add additional attorney..." field and a "Review..." button. There is a red box around the "Add additional attorney..." field. At the bottom, there are "Submit", "Cancel", and "Clear" buttons. A red box highlights the "Do NOT list phone numbers or email addresses on this screen." warning.

You will return to the original “search” screen. Search for your second plaintiff (and repeat the previously outlined steps **To Add a Plaintiff**).

The screenshot shows the 'Open Adversary' search interface. At the top is a navigation bar with 'ECF' logo and menu items: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below the navigation bar, the page title is 'Open Adversary'. The main section is titled 'Search for a plaintiff'. There are four input fields: 'SSN / ITIN' (containing '555-12-1212'), 'Tax ID / EIN', 'Last/Business name' (containing 'First Star Bank'), and 'First Name'. Below these are 'Middle Name' and 'Search'/'Clear' buttons. Two red callout boxes are present: one above the SSN field with the text 'To search for debtor(s), search by SSN.' and another to the right of the business name field with the text 'To search for creditor(s), search by Business Name.' The 'SSN / ITIN' and 'Last/Business name' fields are also highlighted with red boxes.

If not applicable (no additional plaintiffs to be added), click **End Plaintiff Selection**.

This screenshot shows the same 'Open Adversary' search interface as the previous one, but with the search fields empty. The 'End plaintiff selection' button at the bottom left is highlighted with a red box.

To add the defendant(s) to the case, you will search the CM/ECF database to see whether that party already exists. If the defendant(s) is/are the **debtor(s)**, search by using the **SSN** (social security number) field. This will yield a more accurate search result. If the defendant(s) is/are **creditor(s)**, please search by the **Last/Business name** field.

If your search yields results, select the result with the name that exactly matches what appears on the documents you intend to file. (Hint: please refer back to note on page 2).

If the search doesn't produce a search result, click **Create New Party**.

Enter the applicable information for the defendant. If you selected a name from the search result, update the applicable address information.

Select a **Role in Bankruptcy Case** from the drop down menu.

If this party is represented, click on **Attorney** to associate him/her to this defendant. (If the defendant is a debtor who is represented in the related bankruptcy case, associate that attorney in the adversary proceeding).

Defendant Information

Last name: First Star Bank
First name: *If applicable.*
Middle name:
SSN/ITIN: 999-99-9999
Tax Id/EIN: 12-1234567
Address 1: 1234 Main Street
Address 2:
Address 3:
City: Milwaukee
State: WI
Zip: 53210
County:
Country:
Phone:
Fax:
E-mail:
Party text:
Role in Bankruptcy Case:

- Creditor
- Debtor
- Other/Not Applicable
- Trustee
- U.S. Trustee/Bankruptcy Administrator

Attorney... Alias... C
Submit Cancel Clear
Add all attorneys, aliases and corporate parents or affiliates before clicking the Submit button.
Do NOT list phone numbers or email addresses on this screen.

If applicable, search for the attorney by his/her last name. Click **Next**.

Search for an attorney

Bar Id:
Last name: jones
Search Clear

Highlight the correct attorney from the results list and click **Select Name from List**. (Hint: Most attorneys should only have one CM/ECF account and it would be rare to have to **Create New Attorney**).

If you selected a name from the search result, the account information associated with the attorney will populate the applicable fields. **NEVER CHANGE ATTORNEY INFORMATION HERE!** (Attorney addresses/phone numbers/email addresses should be maintained by the account holder). Click **Add Attorney**.

You will return to the original party screen. Click **Submit**.

Search for your second defendant (repeat the **To add the Defendant** steps above until all defendants are added to the case). If not applicable, click **End Defendant Selection**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary

Search for a defendant

SSN / ITIN Tax ID / EIN

Last/Business name

First Name

Middle Name

Complete the following fields:

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary

3 U.S. not a Party

n

None

5

n

41 (Objection / revocation of discharge - 727(c),(d),(e))

none

none

none

none

Hint: If you have more than one nature of suit, and one is **Objection/Revocation of Discharge – 727 (c), (d), (e)**, please make sure to list this one first!

Hint: Although the Adversary Cover Sheet is not required, it's a document that addresses all of these fields. It's helpful to complete (and file) when someone else is opening the adversary proceeding for the attorney and the complaint doesn't specifically address/list the answers for the necessary fields. It's also helpful to the Clerk's office when we conduct quality assurance.

Browse and attach your PDF document(s). Click **Next**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary

Filename

O:\Common\Everyone\Staff Folders\AES

Attachments to Document: No Yes

If you represent the **debtor(s)**, type in the word **WAIVED** in the receipt field. Generally, this fee is not waived or deferred. (Please check Miscellaneous Fee Schedule if you are uncertain whether a fee applies). Click **Next**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary

LEAVE THE RECEIPT NUMBER **BLANK** IF YOU WILL BE PAYING VIA THE INTERNET!!
TYPE **DEFERRED** OR **WAIVED**, IF APPLICABLE.

Receipt #: Fee: \$350

Review the pre-docket text. Click **Next**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary

Docket Text: Modify as Appropriate.

Complaint by Michelle Renee Wilder (attorney Norah Jones) against First Star Bank . Receipt Number **WAIVED**, Fee Amount \$350 (41 (Objection / revocation of discharge - 727(c),(d),(e))) (Jones, Norah)

Review the final docket text. Click **Next**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary

Docket Text: Final Text

Complaint by Michelle Renee Wilder (attorney Norah Jones) against First Star Bank. Receipt Number **WAIVED**, Fee Amount \$350 (41 (Objection / revocation of discharge - 727(c),(d),(e)))(Jones, Norah)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Have you redacted?

Review the Notice of Electronic Filing and pay for the adversary proceeding (if applicable).

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary

**U.S. Bankruptcy Court
Eastern District of Wisconsin (TRAIN)**

Notice of Electronic Filing

The following transaction was received from Norah Jones entered on 7/7/2014 at 3:05 PM CDT and filed on 7/7/2014

Case Name: Wilder v. First Star Bank
Case Number: [14-02005-pp](#)
Document Number: [1](#)

Case Name: **Summary of current charges**

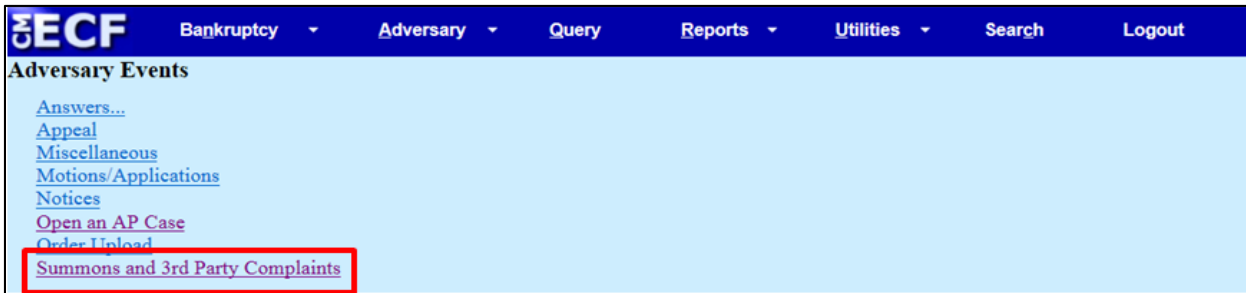
Date Incurred	Description	Amount
2013-04-29 14:13:20	Notice of Transfer of Claim(13-24000-pp) [claims,ntctrclm] (25.00)	\$ 25.00
2013-04-30 10:18:59	Notice of Transfer of Claim(13-24000-pp) [claims,ntctrclm] (25.00)	\$ 25.00
2013-05-21 14:58:34	Motion to Abandon(13-24000-pp) [motion,mabn] (176.00)	\$ 176.00
2013-05-21 15:31:52	Complaint(13-02021-pp) [cmp,cmp] (293.00)	\$ 293.00
2013-05-23 15:00:39	Voluntary Petition (Chapter 7)(13-20138) [misc,volp7a] (306.00)	\$ 306.00
2013-05-30 11:11:57	Voluntary Petition (Chapter 7)(13-20139) [misc,volp7a] (306.00)	\$ 306.00
2013-05-30 11:42:22	Amended Schedules (Fee Required)(13-20139-mdm) [misc,amdsch] (30.00)	\$ 30.00
2013-06-21 13:05:39	Motion to Abandon(13-24000-pp) [motion,mabn] (176.00)	\$ 176.00
2013-06-21 15:51:40	Motion to Abandon(13-24000-pp) [motion,mabn] (176.00)	\$ 176.00
2013-06-24 12:15:41	Motion to Abandon(13-24000-pp) [motion,mabn] (176.00)	\$ 176.00

Amount \$350 (41)

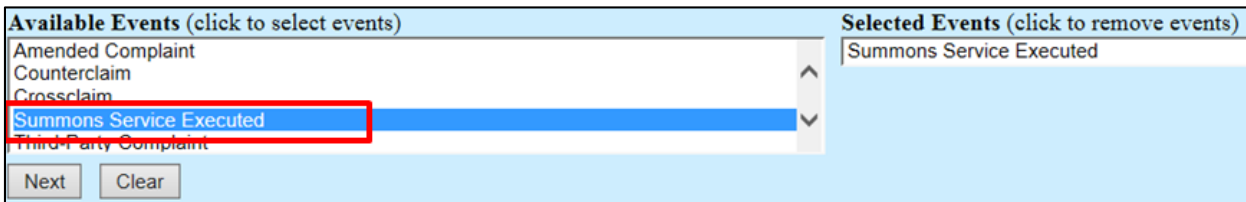
Norah Jones or michelle_hawley@web.uscourts.gov

Upon the filing of the Complaint, the Court will issue an electronic Summons and docket it in the adversary proceeding. You will receive a copy of the Summons through the Notice of Electronic Filing you receive by email. Print the Summons and serve it appropriately with the Complaint. Remember, electronic notification does not constitute proper service of the Summons and Complaint.

This "Summons Issued" docket entry will include text to note the plaintiff's obligation to make service. To confirm service of the Summons and Complaint upon the defendant(s), file the Certificate of Service (back side/page 2 of the summons issued document). Go to the **Adversary** menu and select **Summons and 3rd Party Complaints**.



Then select **Summons Service Executed** from the available events.



Browse and attach your document. Click **Next**.



Highlight the names of the party(ies) served. (If you want to select more than one, hold your Ctrl key down and then click the desired parties). Click **Next**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Summons and 3rd Party Complaint :

[14-02005-pp Wilder v. First Star Bank](#)
Type: ap Office: 2 (Milwaukee) Judge: pp
Lead Case: 2-14-bk-24000

Select the party served.

Summons Service Executed

Select the Party:

First Star Bank, [Defendant]	Add/Create New Party
Wilder, Michelle Renee [Plaintiff]	

Next Clear

Enter the date the defendant(s) were served. Click **Next**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Summons and 3rd Party Complaint :

[14-02005-pp Wilder v. First Star Bank](#)
Type: ap Office: 2 (Milwaukee) Judge: pp
Lead Case: 2-14-bk-24000

Enter date served:

First Star Bank - Date served

Next Clear

Review the pre-docket text. Click **Next**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Summons and 3rd Party Complaint :

[14-02005-pp Wilder v. First Star Bank](#)
Type: ap Office: 2 (Milwaukee) Judge: pp
Lead Case: 2-14-bk-24000

Docket Text: Modify as Appropriate.

Summons Service Executed on First Star Bank 7/7/2014 (Jones, Norah)

Next Clear

Review the final docket text. Click **Next**.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout
Summons and 3rd Party Complaint :
14-02005-pp Wilder v. First Star Bank
Type: ap Office: 2 (Milwaukee) Judge: pp
Lead Case: 2-14-bk-24000
Docket Text: Final Text
Summons Service Executed on First Star Bank 7/7/2014 (Jones, Norah)
Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.
Have you redacted?
<input type="button" value="Next"/> <input type="button" value="Clear"/>

Review the Notice of Electronic Filing.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout
Summons and 3rd Party Complaint :
14-02005-pp Wilder v. First Star Bank
Type: ap Office: 2 (Milwaukee) Judge: pp
Lead Case: 2-14-bk-24000
U.S. Bankruptcy Court
Eastern District of Wisconsin(TRAIN)
Notice of Electronic Filing
The following transaction was received from Jones, Norah entered on 7/7/2014 at 3:27 PM CDT and filed on 7/7/2014
Case Name: Wilder v. First Star Bank
Case Number: 14-02005-pp
Document Number: 2
Docket Text:
Summons Service Executed on First Star Bank 7/7/2014 (Jones, Norah)
The following document(s) are associated with this transaction:
Document description: Main Document
Original filename: O:\Common\Everyone\Staff Folders\AES-YMR\MRH\Attorney Training\Example Documents\test.pdf
Electronic document Stamp:
[STAMP bkecfStamp_ID=993660899 [Date=7/7/2014] [FileNumber=136111-0] [493c1fae504f7f7f55a42bb810218efa1afcc14084350bbcf975abfc30bd65d0bf44f80a881b75b4b13a7b4d70484eef37bab1cb760f1481ebc9173a1bb5abc4]]
14-02005-pp Notice will be electronically mailed to: