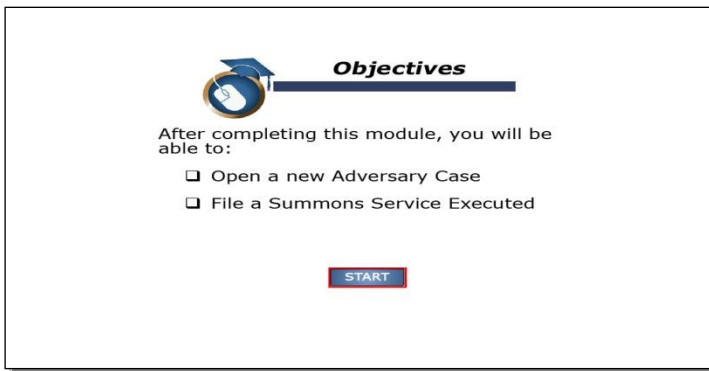




Slide 1

Notes: Welcome to the training module on Filing a New Adversary Case.



Slide 2

Notes: After completing this module, you will be able to open a new Adversary case and file a Summons Service Executed. When you are ready to begin, click START.



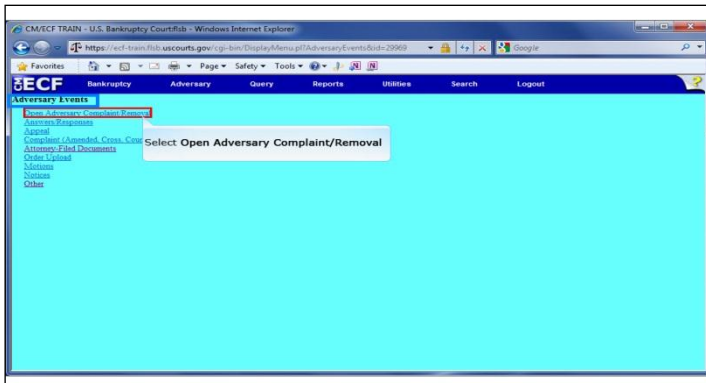
Slide 3

Notes: We will begin with opening an Adversary Proceeding which involves entering the necessary information regarding the plaintiff(s) and defendant(s) and basic statistical data. Additionally, an association is established with the lead bankruptcy case and the initial adversary docket entry.



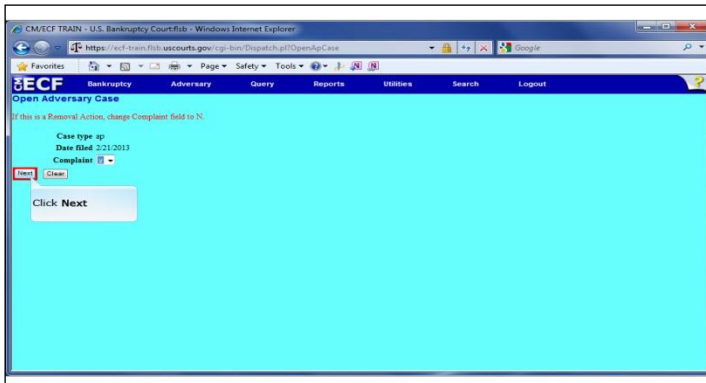
Slide 4

Notes: For this tutorial, the Complaint is being filed by the plaintiff Samuel Cooper against the Debtors in the bankruptcy case. From the Main Menu bar, click Adversary to start the process.



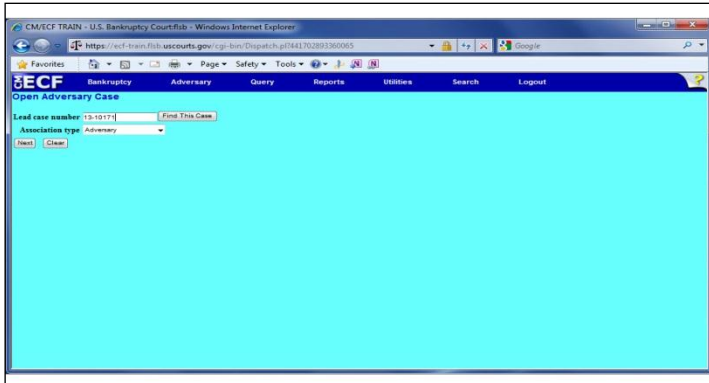
Slide 5

Notes: The Adversary Events list will appear. Select Open Adversary Complaint/Removal from the list.



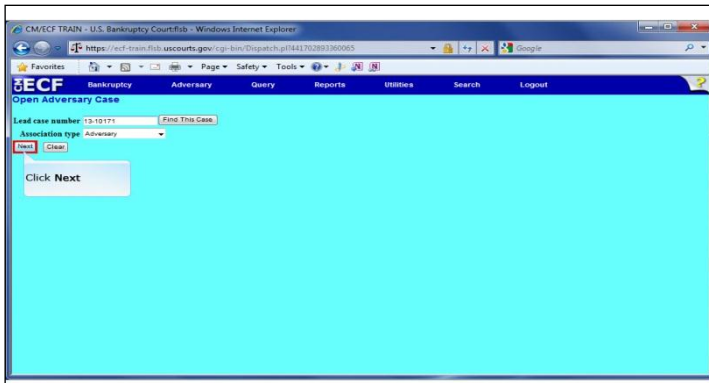
Slide 6

Notes: The Open Adversary Case screen will appear. The case defaults to the type ap, for Adversary Proceeding, and current date. The Complaint filed signifies the lead event for this proceeding which defaults to Yes. Accept the default of Yes and click Next to continue.



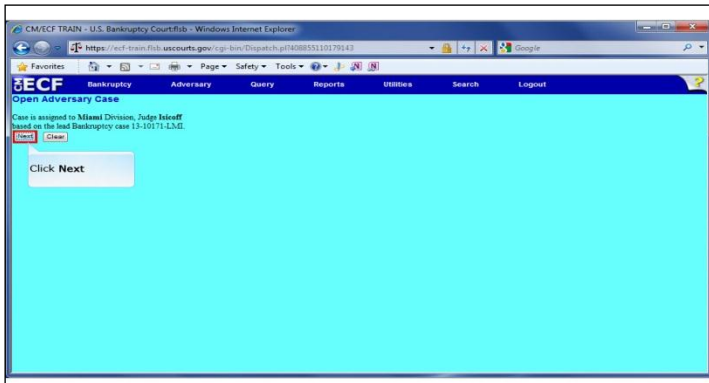
Slide 7

Notes: The Lead Case Number screen will appear. An association between the complaint and the related bankruptcy case is created during the filing of an Adversary Proceeding. Enter the lead case number.



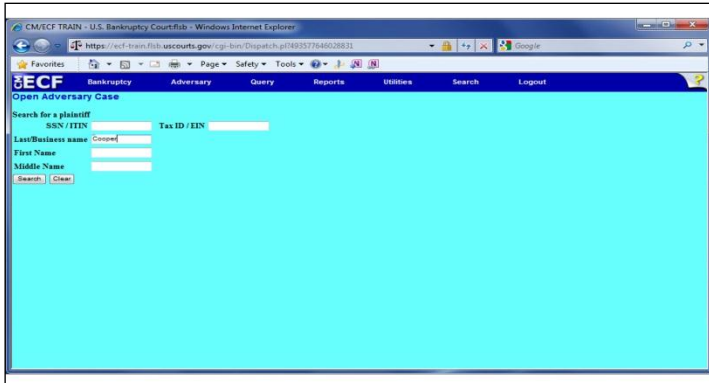
Slide 8

Notes: Accept the default Association type of Adversary and click Next to continue.



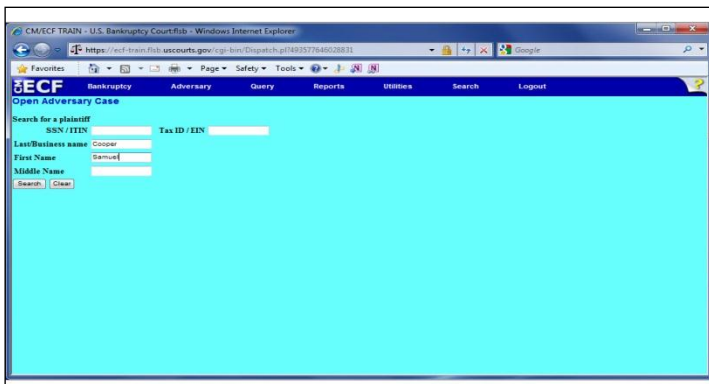
Slide 9

Notes: The Lead Case search results screen displays. Adversary proceedings arising in or related to an existing bankruptcy case will be assigned to the same divisional venue and judge. Confirm the Lead Case number, Division, and Judge. Click Next to continue.



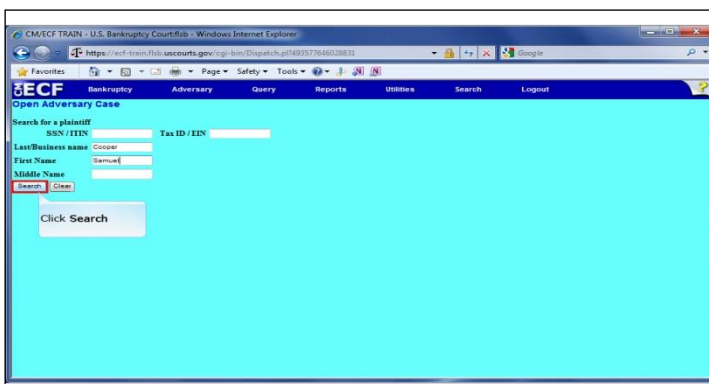
Slide 10

Notes: The Search for Plaintiff screen will appear. Search the CM/ECF database using various fields to narrow down your search. Parties must be searched in the court's database to avoid duplicity of party filers. Samuel Cooper is the plaintiff in this adversary case. The plaintiff's name should always be entered exactly as it appears on the adversary complaint. The next couple of screens provide a demonstration of adding a plaintiff to the case. Just follow the mouse on the screen. Enter the following to search for the plaintiff: Click in the Last/Business name field, type Cooper, and press Tab on your keyboard.



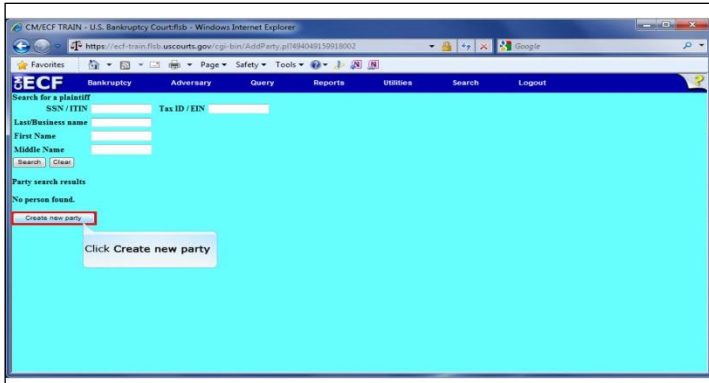
Slide 11

Notes: In First Name field, type Samuel.



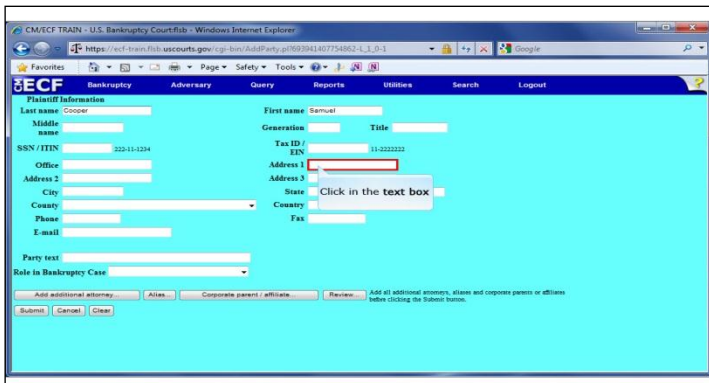
Slide 12

Notes: A middle name did not appear on the complaint so we will leave Middle Name blank. Click Search.



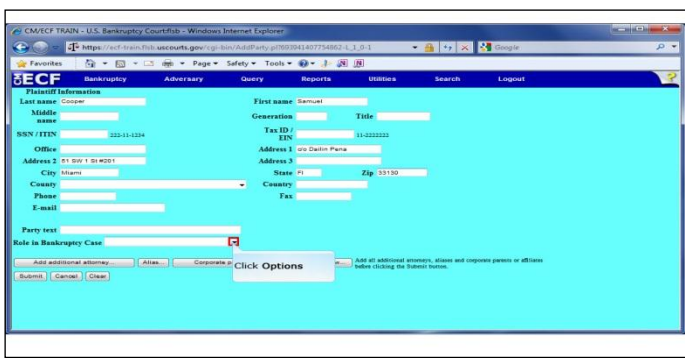
Slide 13

Notes: The Search for Plaintiff screen will appear again with any possible matches viewable below the Party Search Results. The system did not find the party with the search criteria entered. Click on the Create new party button to add the plaintiff's information to the party database.



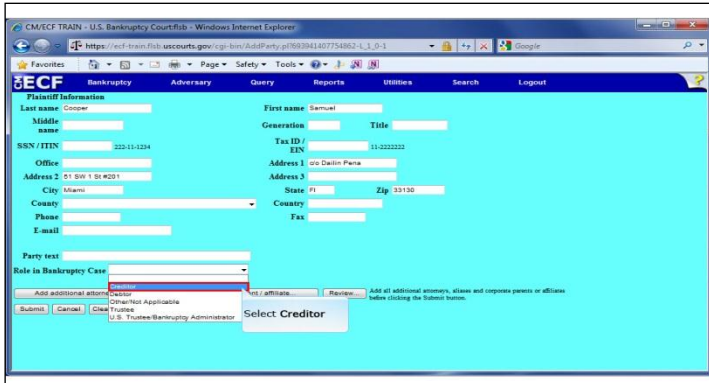
Slide 14

Notes: The Plaintiff Information screen will appear. For this tutorial, the plaintiff's information has been entered for you.



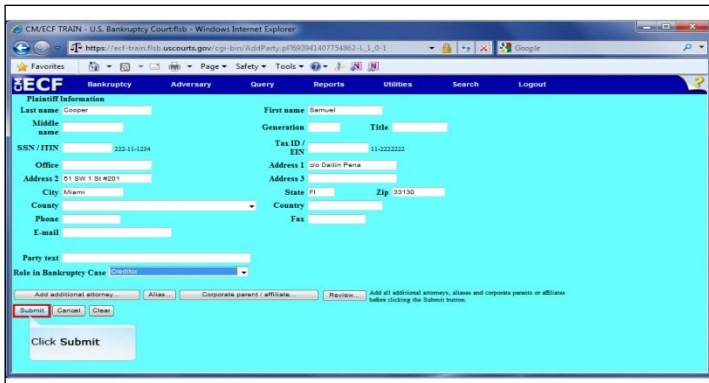
Slide 15

Notes: Refer to the court's Style Guide to ensure that all entered data is consistent with the court's requirements. For example: Address 1 should show c/o attorney name. In Address 2, include the firm's address including apt/suite/room #s, as shown here. Before continuing, by Role in Bankruptcy Case, click the Options button to assign the role type to your party.



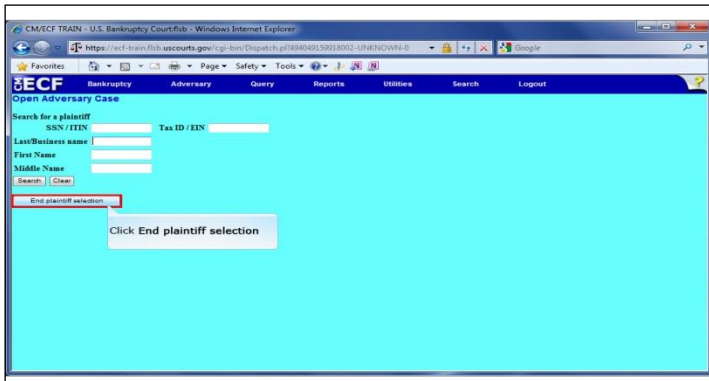
Slide 16

Notes: Select Creditor from the list.



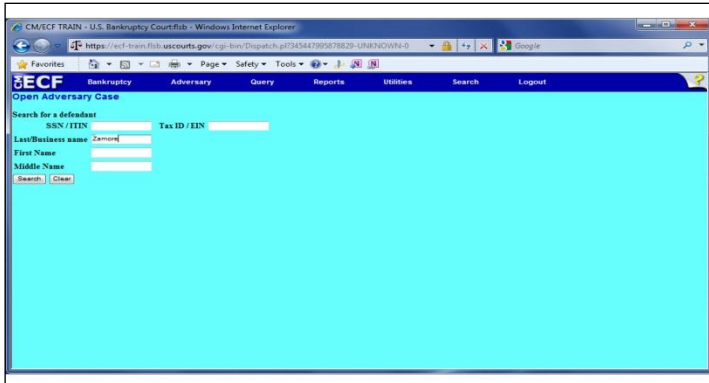
Slide 17

Notes: No additional attorneys, alias, or corporate/parent affiliations need to be added at this time. Verify the information for accuracy and click Submit.



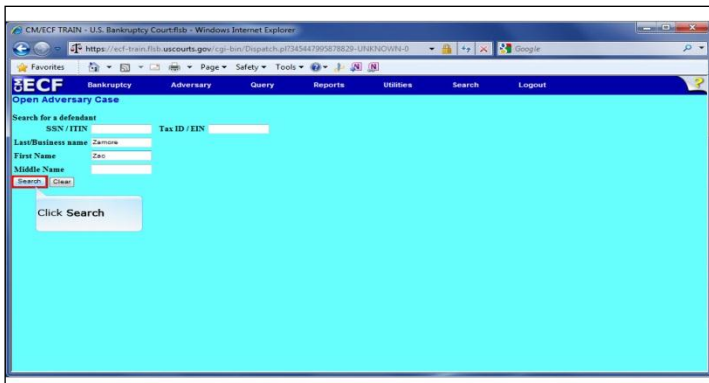
Slide 18

Notes: The Search for Plaintiff screen will appear again. There is no other plaintiff to add. Click on End Plaintiff Selection to proceed to add Defendant(s) or other interested parties. This concludes the demonstration for adding a plaintiff.



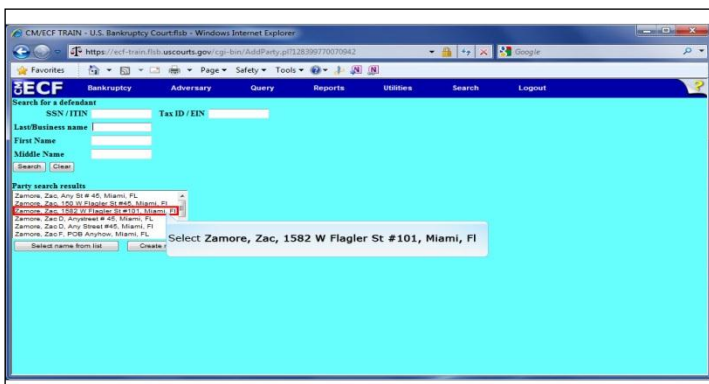
Slide 19

Notes: The Search for Defendant screen will appear. Like the plaintiff, each defendant must be added separately. When adding the defendant, do not associate an attorney for the defendant. Select the defendant(s) listed in the adversary complaint, in this case, the debtor and joint debtor from the lead case. For the purpose of this tutorial, the information has been entered for you.



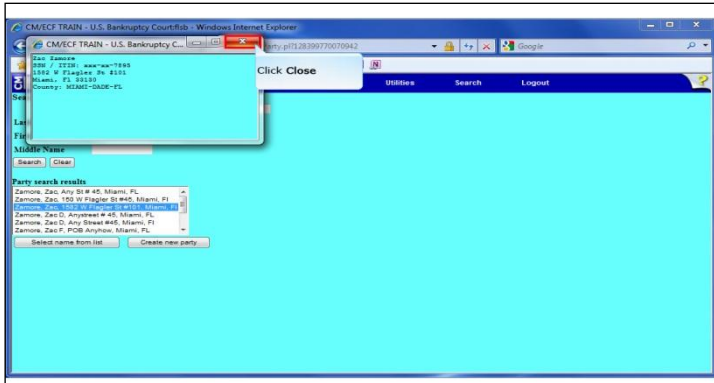
Slide 20

Notes: A middle name did not appear on the complaint so we will leave Middle Name blank. Click Search.



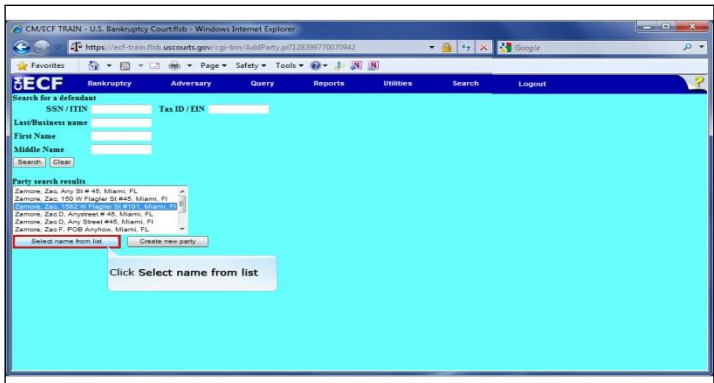
Slide 21

Notes: Any matching results will display in the Party search results text box. Select the third party record from the list to confirm a potential match.



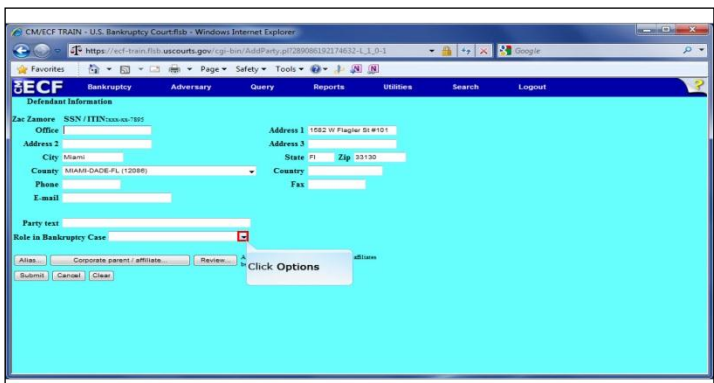
Slide 22

Notes: A dialog box will appear containing the name, address, and redacted SSN for the defendant. Once you have compared your information with that of the complaint click the Close button to exit.



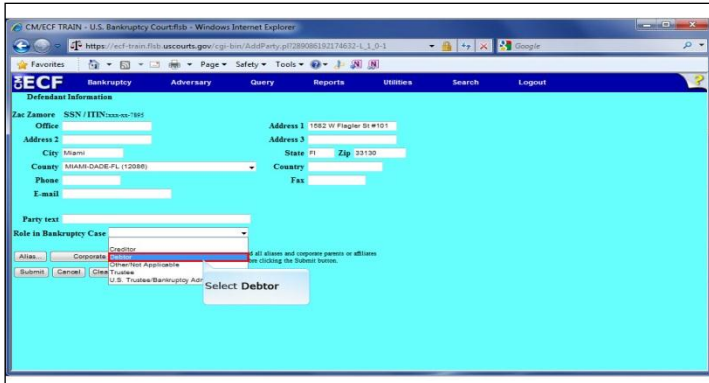
Slide 23

Notes: For this tutorial, the court's database yielded an exact match for our defendant so we will click on Select name from list.



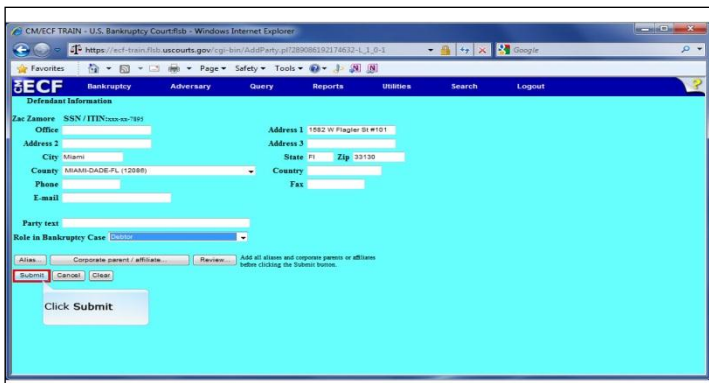
Slide 24

Notes: Before continuing, you must select the defendant's role in the related bankruptcy case. By Role in Bankruptcy Case, click the Options button to assign the role type to your party.



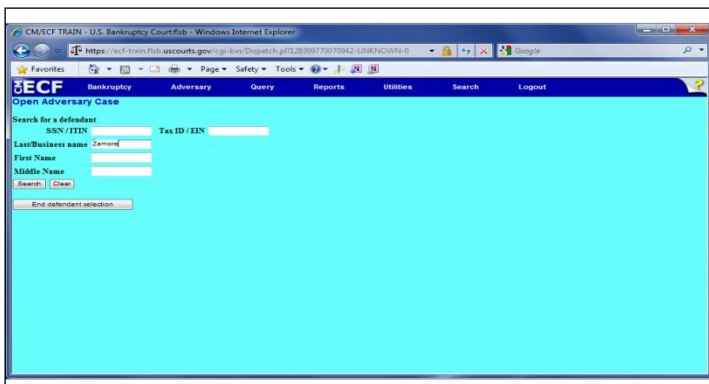
Slide 25

Notes: Select Debtor from the list.



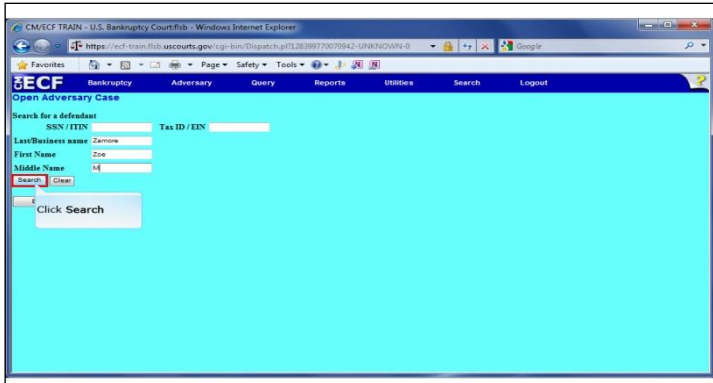
Slide 26

Notes: The attorney for defendant(s) is entered when the answer to the complaint is filed. Verify the information for accuracy and click Submit.



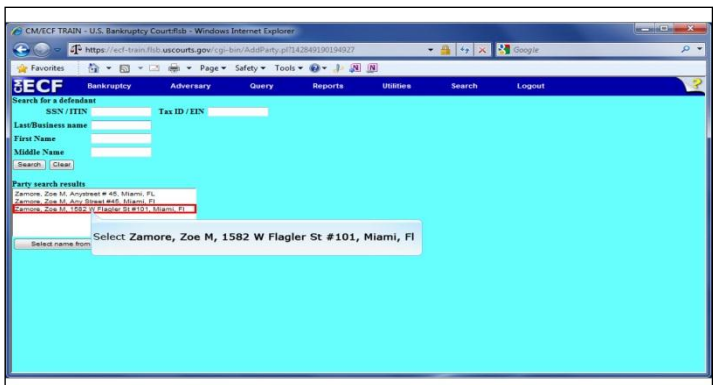
Slide 27

Notes: The Search for Defendant screen will appear again. Search for the joint debtor's information as we did the debtor's. For this tutorial, the information has been entered for you.



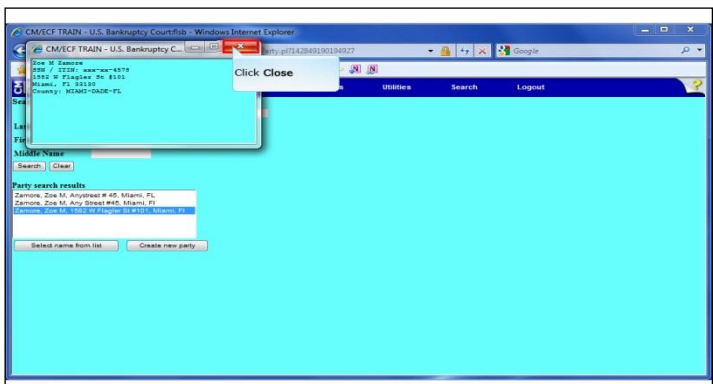
Slide 28

Notes: Click Search.



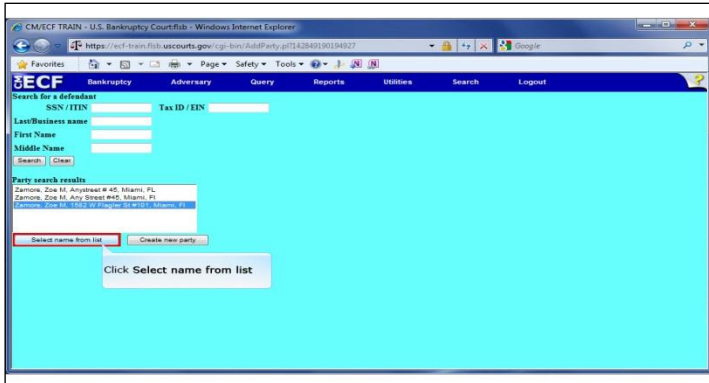
Slide 29

Notes: From the Party search results, select the third party record from the list to confirm a potential match.



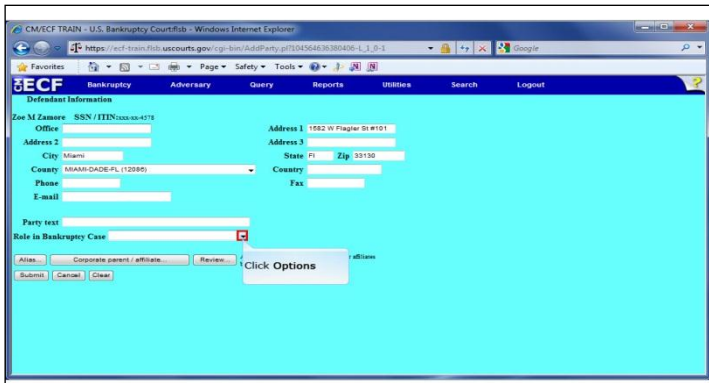
Slide 30

Notes: Once you have compared your information click the Close button.



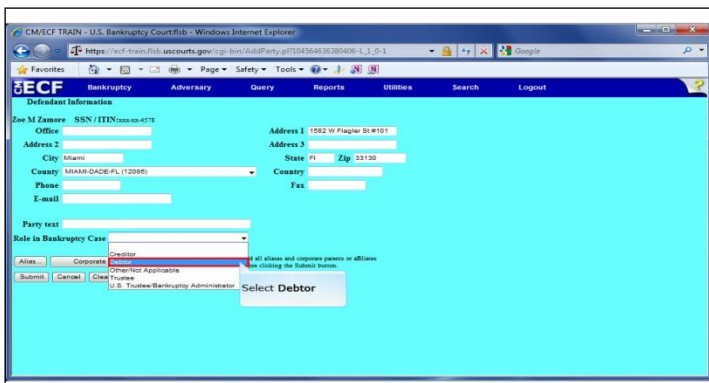
Slide 31

Notes: For this tutorial, the court's database yielded an exact match for our defendant so we will click on the Select name from list button.



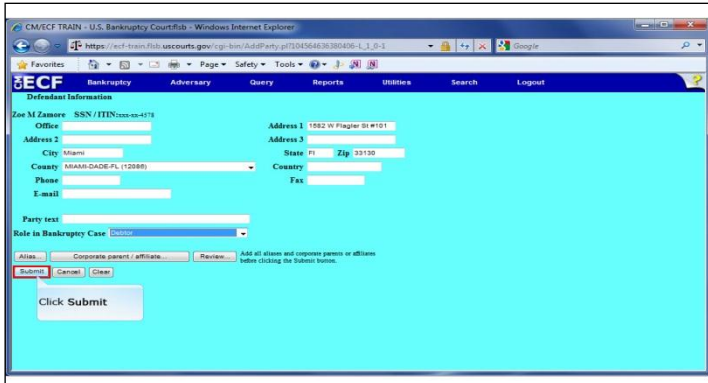
Slide 32

Notes: Before continuing, you must select the defendant's role in the related bankruptcy case. By Role in Bankruptcy Case, click the Options button.



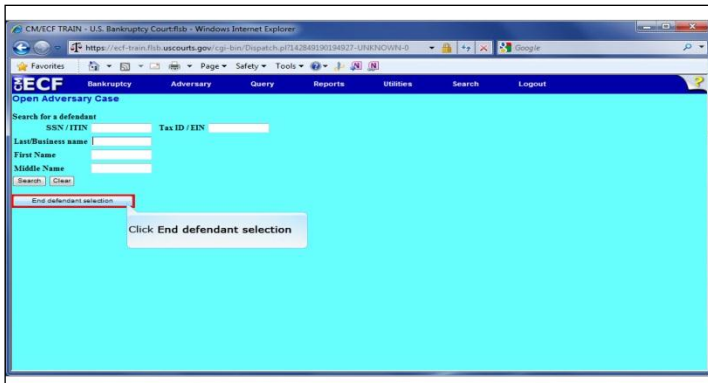
Slide 33

Notes: Select Debtor from the list.



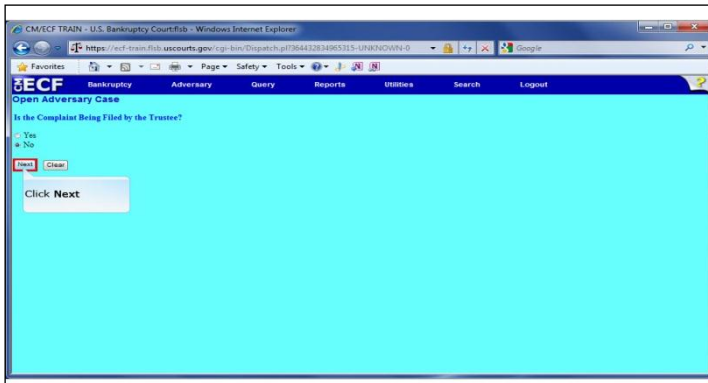
Slide 34

Notes: Verify the information for accuracy and click Submit.



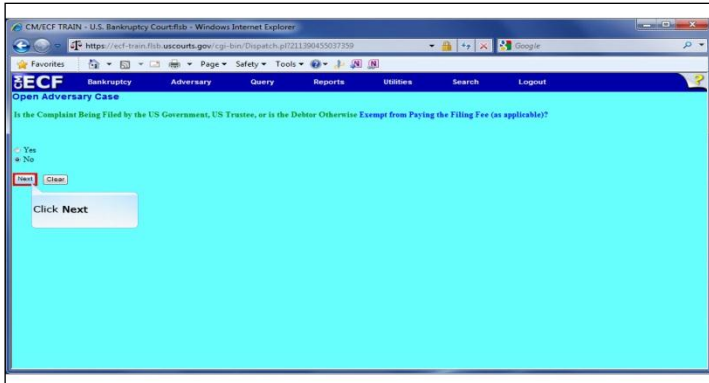
Slide 35

Notes: The Search for Defendant screen will appear again. There are no additional defendants. Click End Defendants Selection to begin with the statistical information for the case.



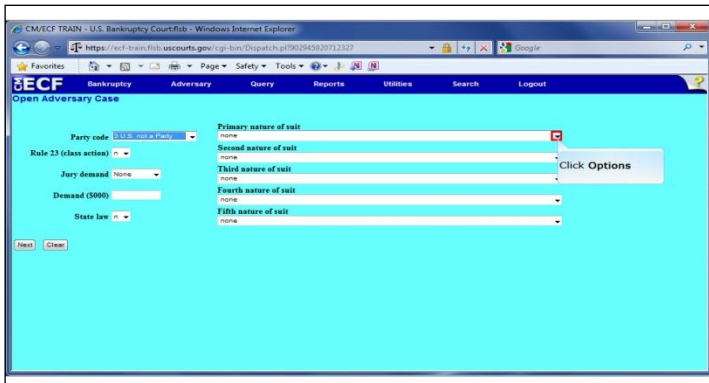
Slide 36

Notes: At the upcoming information screens, answer the prompts. The complaint is not being filed by the Trustee so we will accept the default of No and click Next to continue.



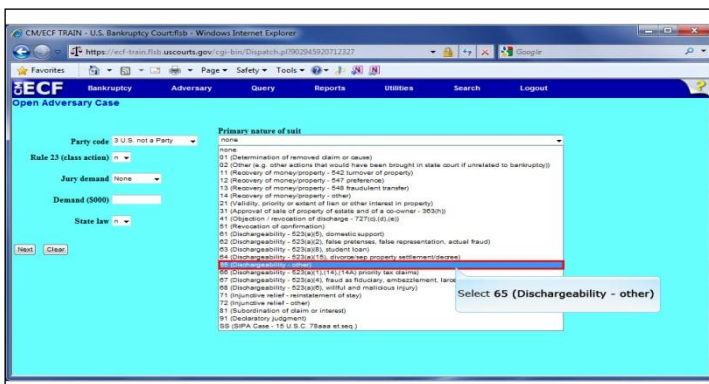
Slide 37

Notes: We do not meet the criteria outlined by the questions on screen so we will accept the default of No and click Next to continue.



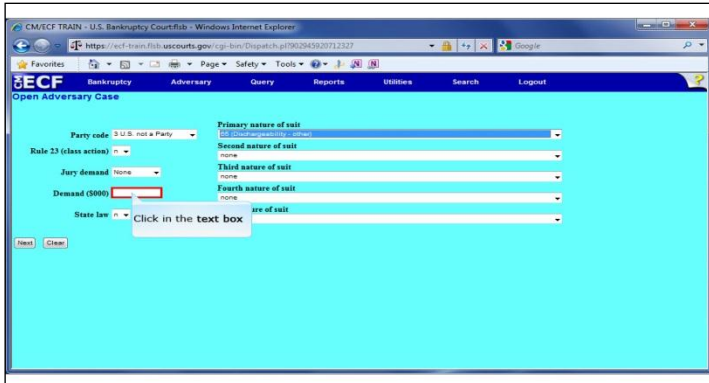
Slide 38

Notes: The Adversary Statistical Data screen will appear. The selections made in this screen are governed by the complaint. Accept the defaults on the left hand side for Party code, Rule 23(class action), Jury demand, and State law. In the Nature of Suit fields on the right, click on the Options arrow to select the Primary Nature of Suit.



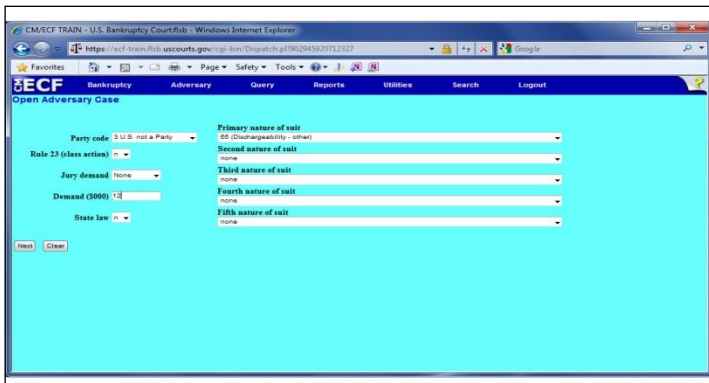
Slide 39

Notes: From the listing, select 65 Dischargeability – other.



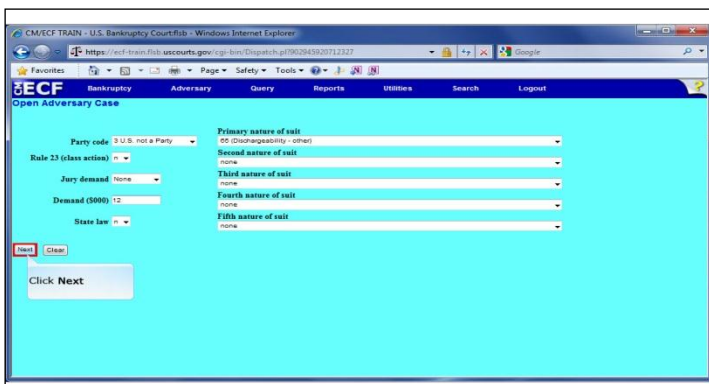
Slide 40

Notes: Select up to four additional natures of suit, if applicable. For this tutorial, there is no additional nature of suit in the complaint so we will leave the default of none for the other natures of suit. The complaint contains a dollar demand of \$12,000. Enter the amount for Demand to the nearest thousand. Dollar signs or decimal places are not necessary. Since the demand is for \$12,000, click in the Demand Text box,



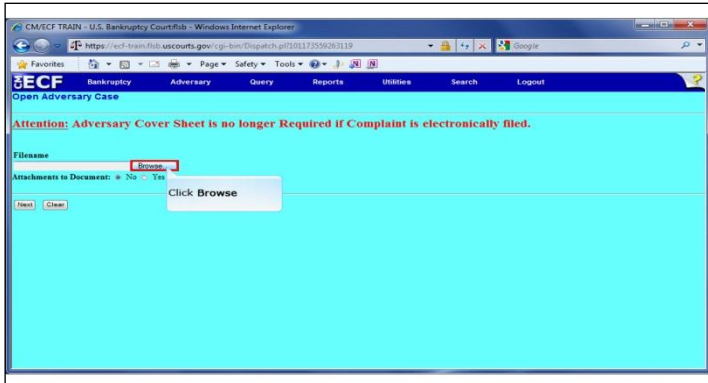
Slide 41

Notes: type 12, and press Enter.



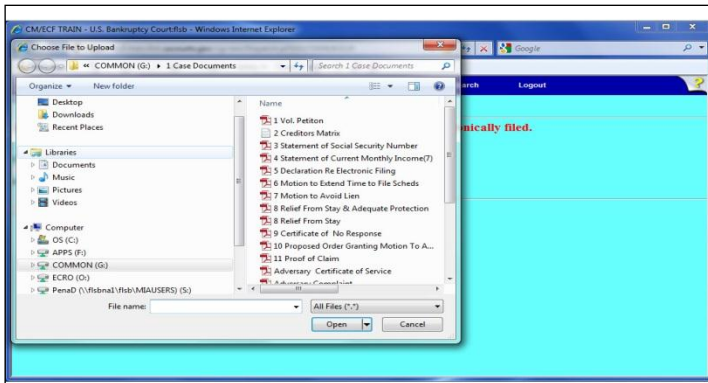
Slide 42

Notes: Verify the information and click Next to continue.



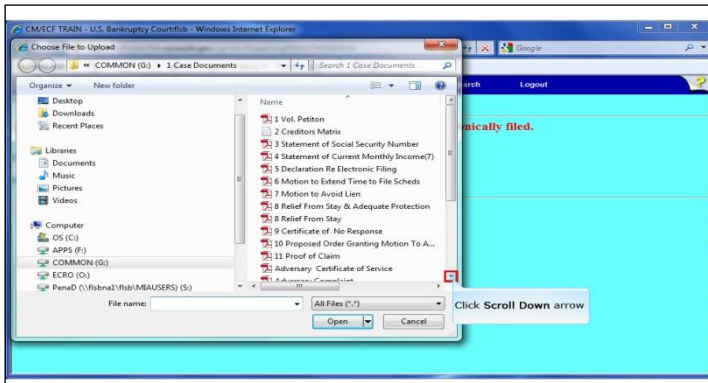
Slide 43

Notes: The PDF Selection screen will appear. When using CM/ECF, the Adversary Cover Sheet is no longer required. Click the Browse button to locate the PDF file.



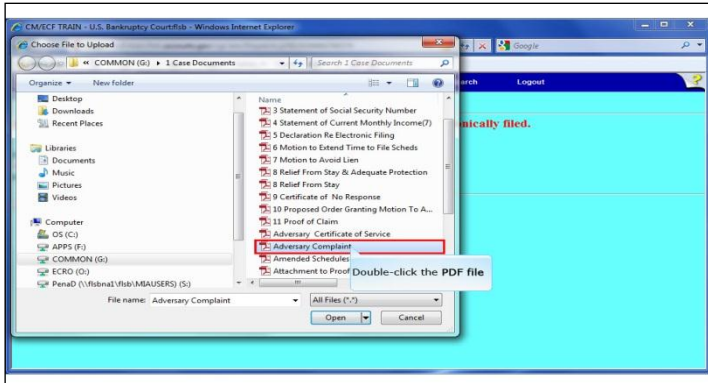
Slide 44

Notes: The Choose File to Upload dialog box will appear. Navigate to the directory where the saved file is located.



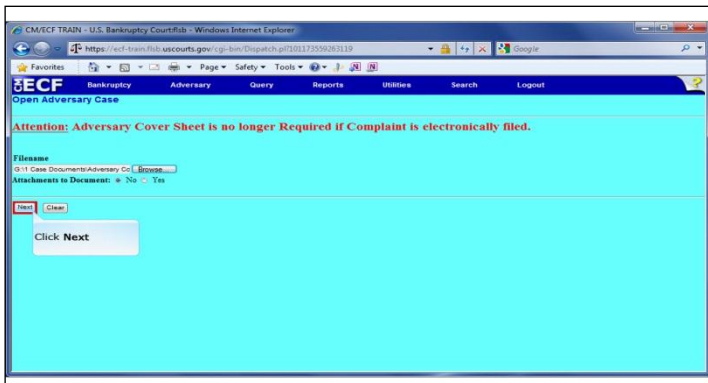
Slide 45

Notes: Click on the Scroll Down arrow to locate the file.



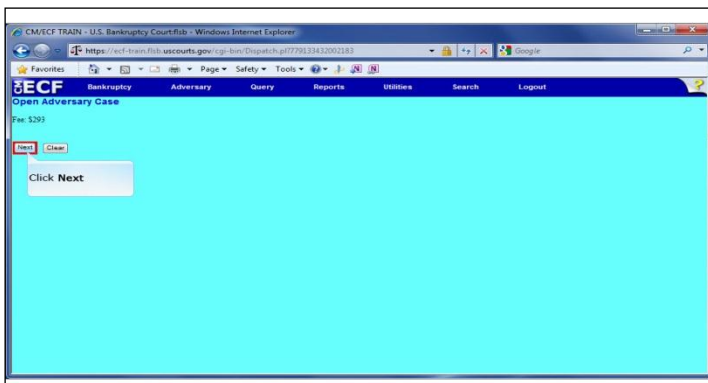
Slide 46

Notes: The complaint should be uploaded as one PDF with bookmarks. Before uploading, verify the correct PDF file is selected and has the correct information, signatures, and has been redacted. For this tutorial, we will not simulate reviewing the document. Double-click the PDF file.



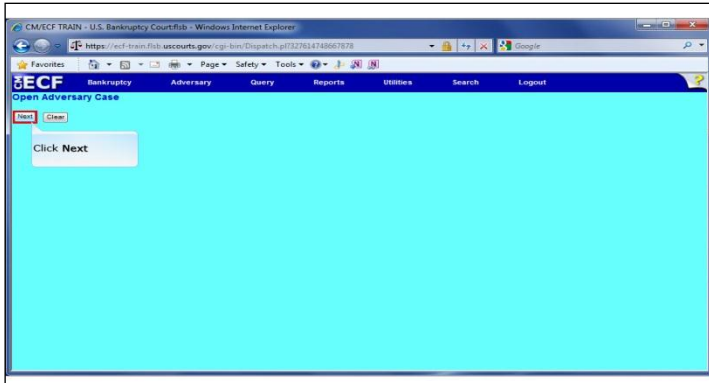
Slide 47

Notes: The PDF Selection screen will appear again with the file path populated. Click Next to continue.



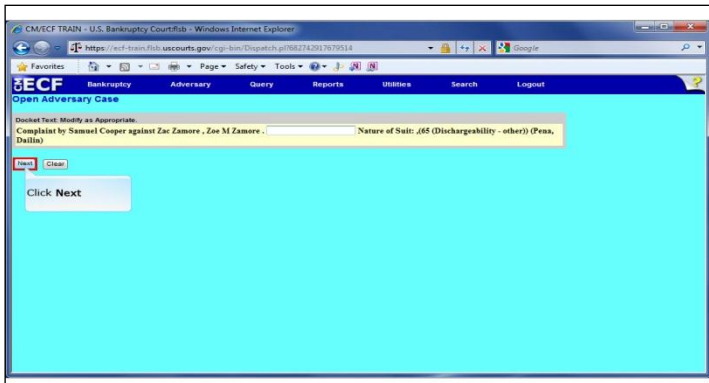
Slide 48

Notes: The Fee screen will appear. This screen confirms the statutory fee that will be charged. Click Next to continue.



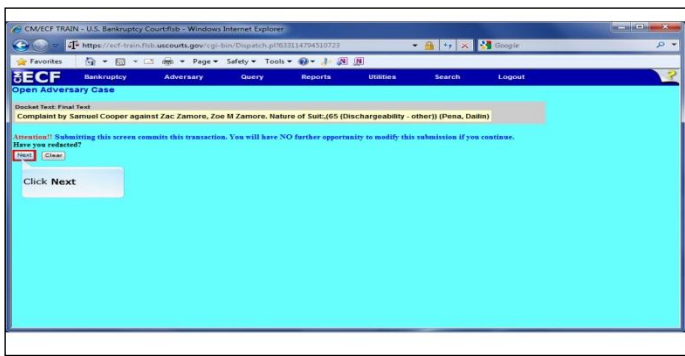
Slide 49

Notes: At the default screen, click Next to continue.



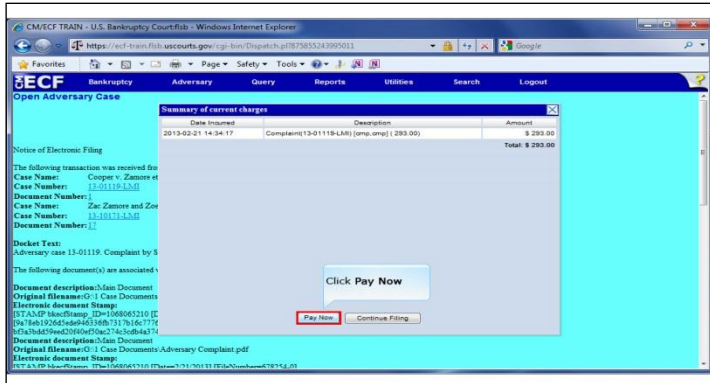
Slide 50

Notes: The Modify Docket Text screen will appear. Verify the information is correct and click Next to continue.



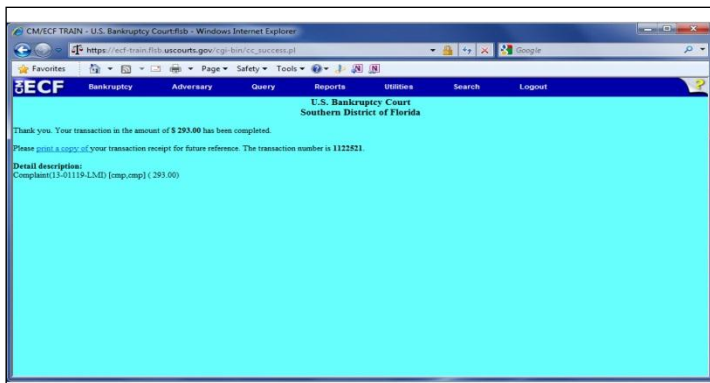
Slide 51

Notes: The Final Docket Text screen will appear. Click Next to commit this transaction.



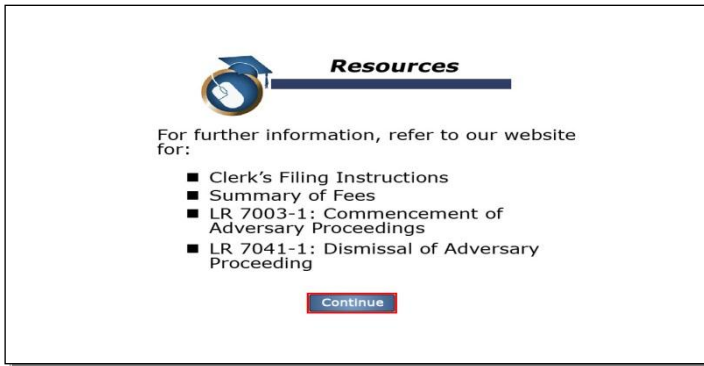
Slide 52

Notes: The NEF screen will appear along with the Summary of Current Charges dialog box. The NEF screen provides various links to key information, such as the case number that has been assigned to the adversary proceeding. You will need this case number when completing additional transactions. It also contains a link to the related bankruptcy case. Electronic filers associated with the lead bankruptcy case receive an email notification that the Adversary Proceeding has been filed. Clicking on any of the links on this page will require a PACER login and published fees will apply. For the Summary of Current Charges, refer to the Paying Filing Fees lesson, in a later module, for the steps. Although we will not demonstrate paying current charges in this lesson, select Pay Now.



Slide 53

Notes: The Pay Confirmation screen displays the adversary case number for reference and a payment transaction number as receipt. The clerk will issue the Summons and Notice of Pretrial and the Order Setting Filing and Disclosure Requirements.



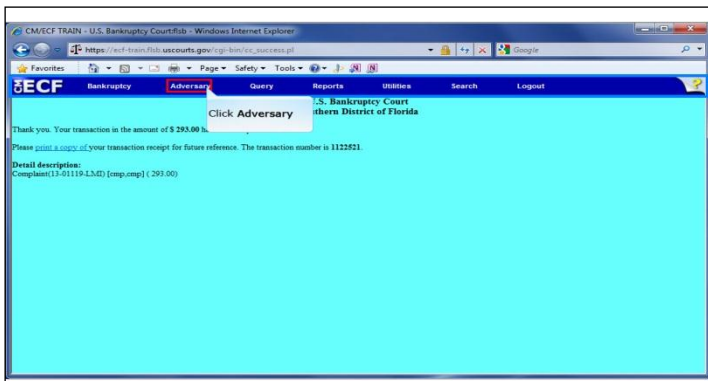
Slide 54

Notes: For further information, take a moment to review the listed resources available on our website. When you are ready, click Continue to begin the next lesson.



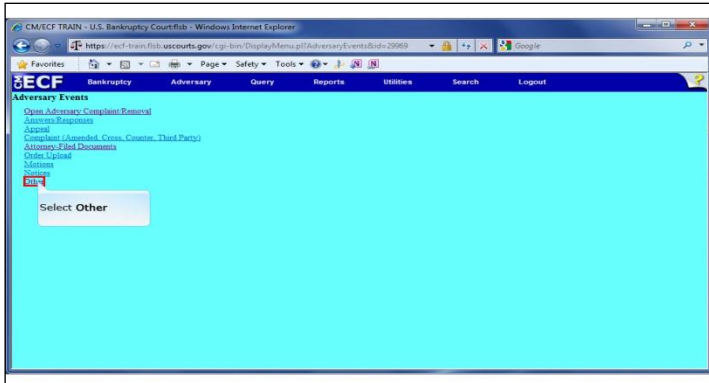
Slide 55

-Notes: Welcome to the lesson on Filing a Summons Service Executed. The clerk will enter the pre-trial order and summons in an adversary proceeding. The plaintiff must serve the order together with the summons and complaint on each defendant. After service upon each party, the plaintiff must file a certification of service by using the event Summons Service Executed or, if not served, the event Summons Service Unexecuted.



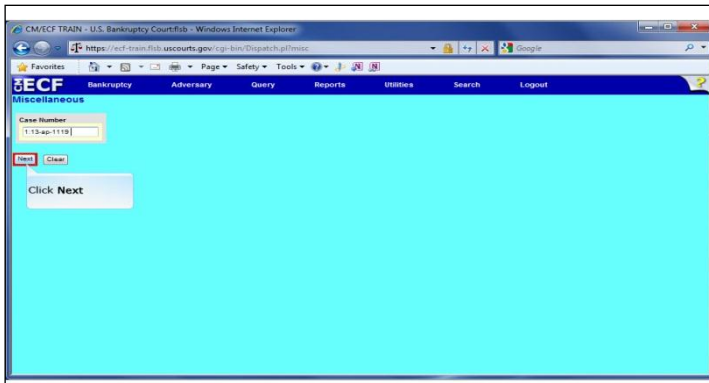
Slide 56

Notes: From the Main Menu bar, click Adversary.



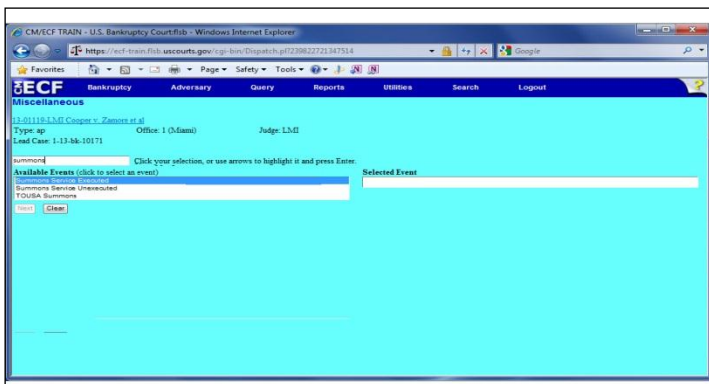
Slide 57

Notes: The Adversary Events screen will appear. Click Other to begin the process.



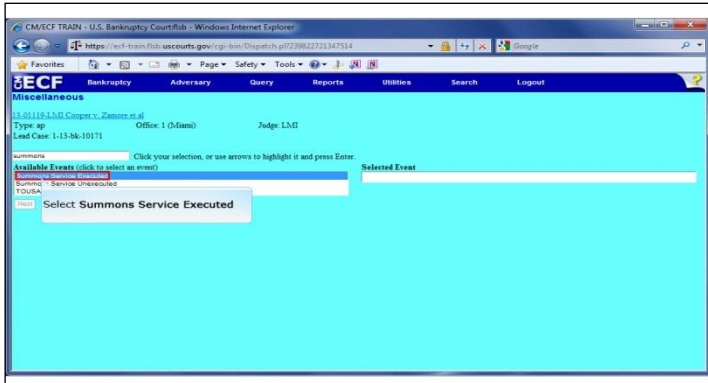
Slide 58

Notes: The Case Number screen will appear. Verify the case number and click Next.



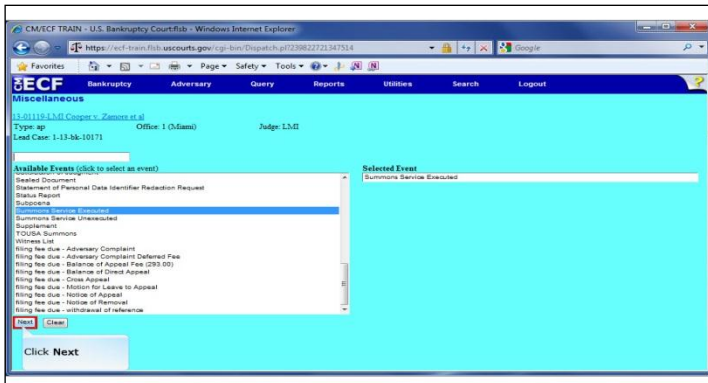
Slide 59

Notes: The Available Events screen will appear. Click in the text box and type "summons" to narrow down your search.



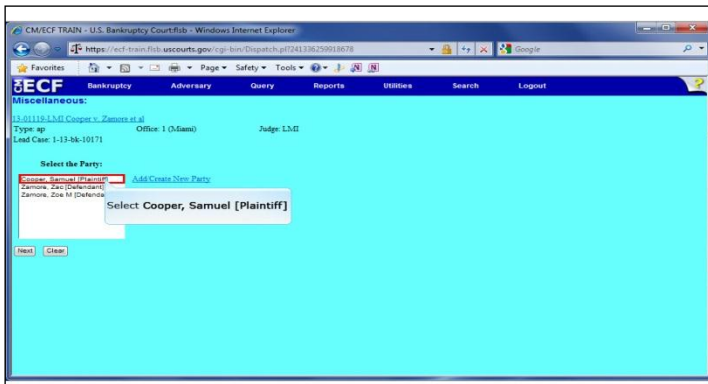
Slide 60

Notes: Select Summons Service Executed from the list since all the defendants have been notified as required.



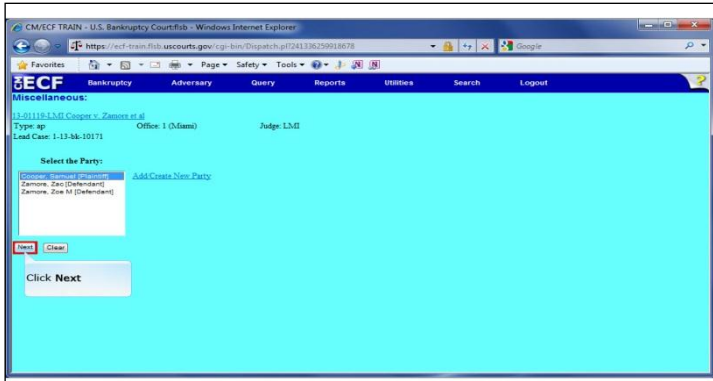
Slide 61

Notes: Confirm the selection appears in the Selected Events field and click Next to continue.



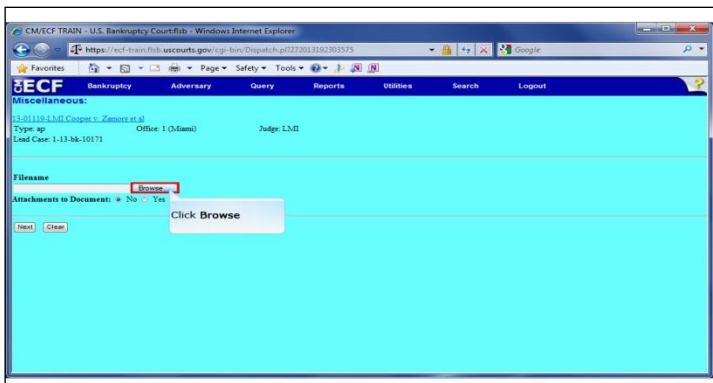
Slide 62

Notes: The Select the Party screen will appear. For the purpose of this tutorial, it is an exact match. Select the plaintiff from the list.



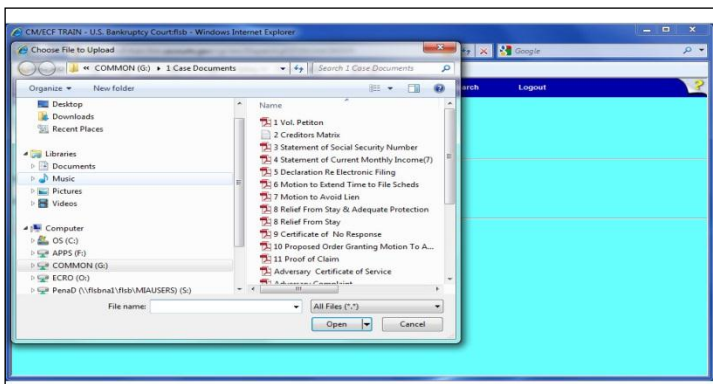
Slide 63

Notes: Once highlighted, click Next to continue.



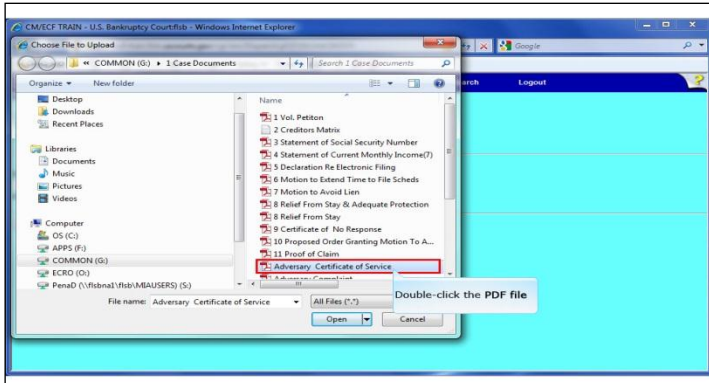
Slide 64

Notes: The PDF Selection screen will appear. Click the Browse button to locate the PDF file.



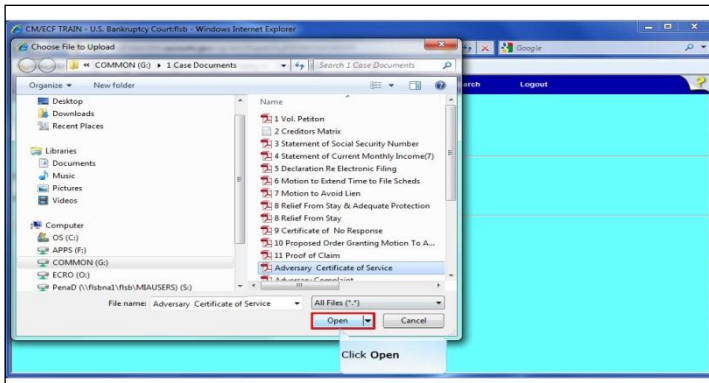
Slide 65

Notes: The Choose File to Upload dialog box will appear. Navigate to the directory where the saved file is located.



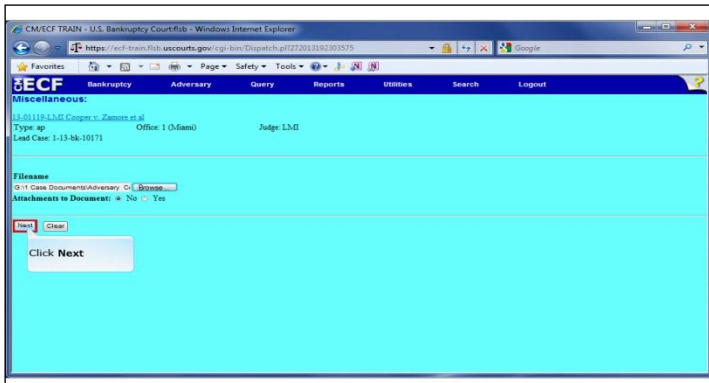
Slide 66

Notes: Before uploading, verify the correct PDF file is selected and has been redacted. For this tutorial, we will not simulate reviewing the document. Double-click the PDF file.



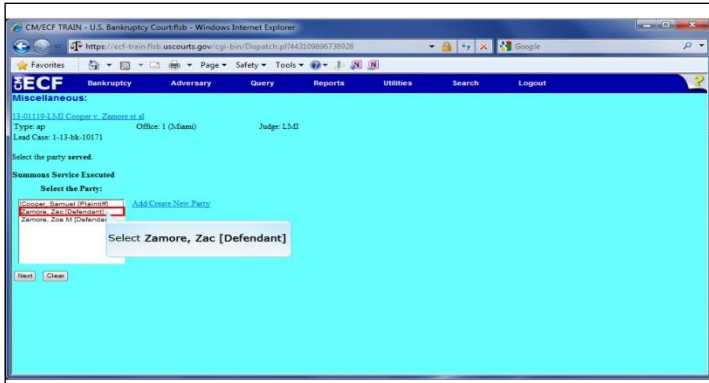
Slide 67

Notes: Click Open to associate the file with the case.



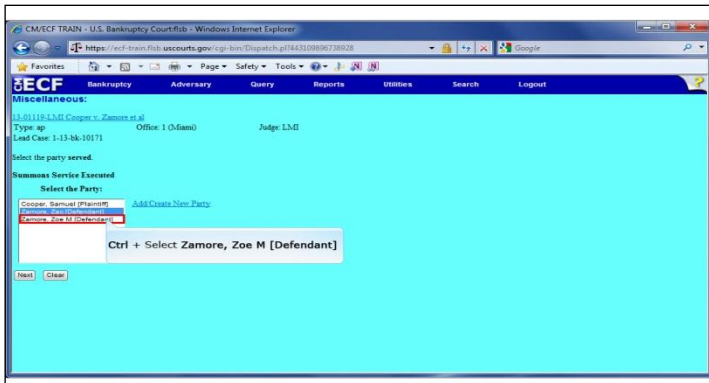
Slide 68

Notes: The PDF Selection screen will appear again with the file path populated. Click Next to continue.



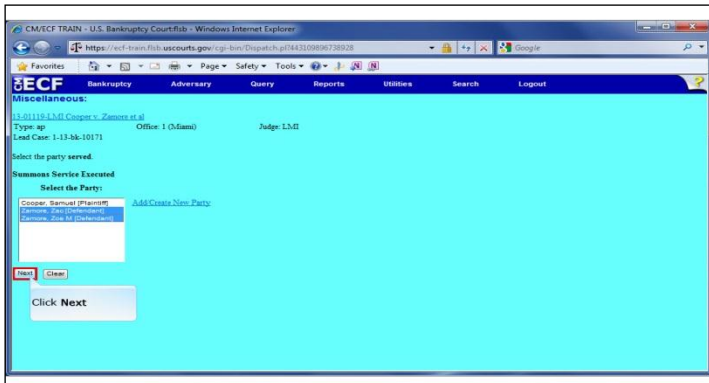
Slide 69

Notes: The Select the Party Served screen will appear. Select the defendants that were served. For the purpose of this tutorial, they are an exact match. Start by selecting the first Defendant.



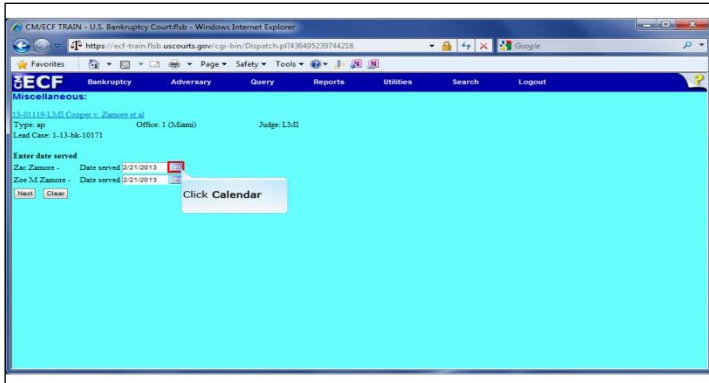
Slide 70

Notes: Then, while holding down the CTRL key on your keyboard, select the second Defendant.



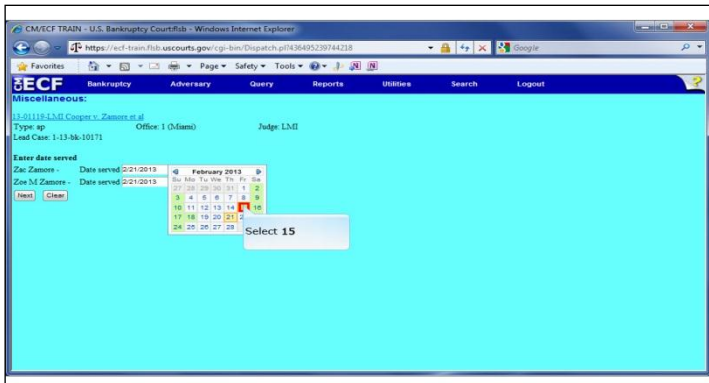
Slide 71

Notes: Once both are highlighted, click Next.



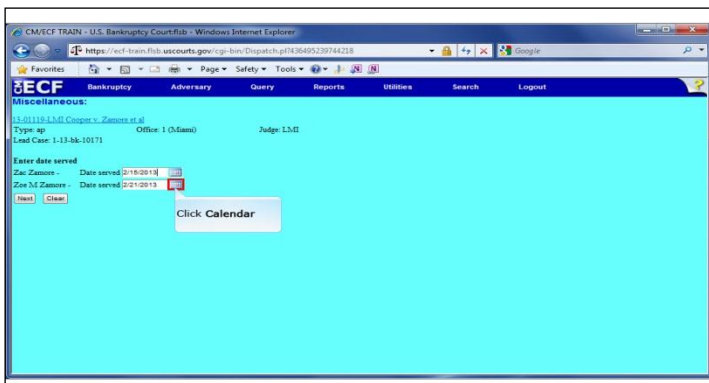
Slide 72

Notes: The Service Date screen will appear. The date served, defaults to the current date. Enter the actual date the summons was served on each defendant. Click on the calendar icon for the first defendant.



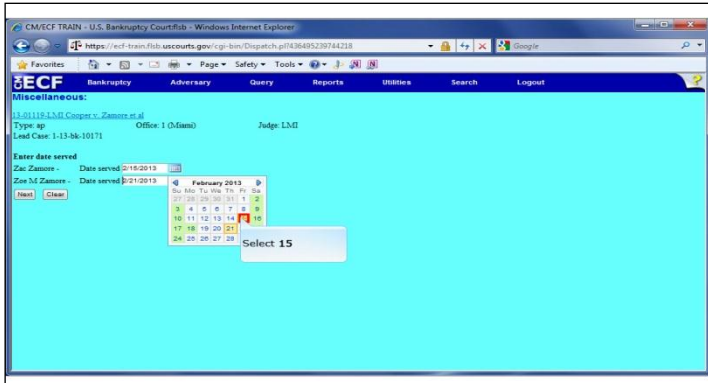
Slide 73

Notes: Select February 15 as the date the first defendant was served. This date must match the date contained in the in the PDF file.



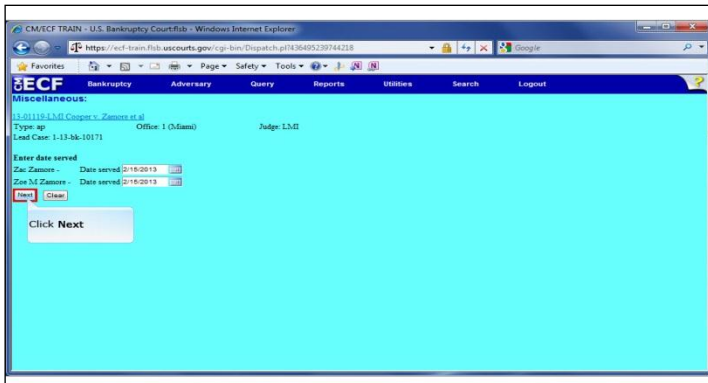
Slide 74

Notes: Click on the calendar icon for the second defendant.



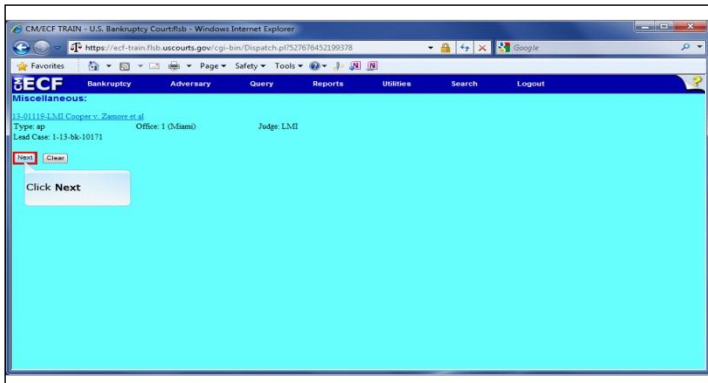
Slide 75

Notes: Select February 15 as the date the second defendant was served. This date must match the date contained in the PDF file.



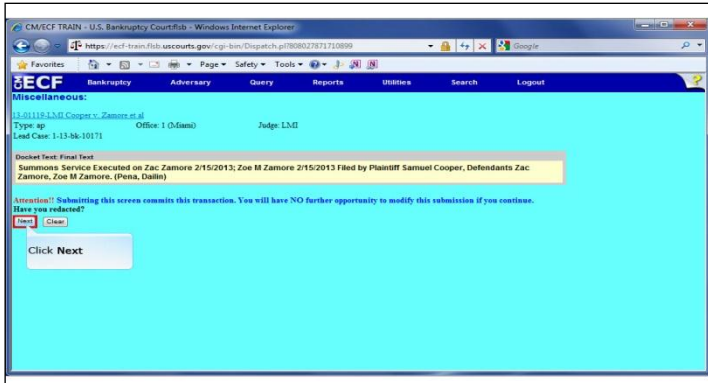
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Notes: Verify both dates are correct. If a correction is needed, click Clear and start over. Otherwise, click Next to continue.



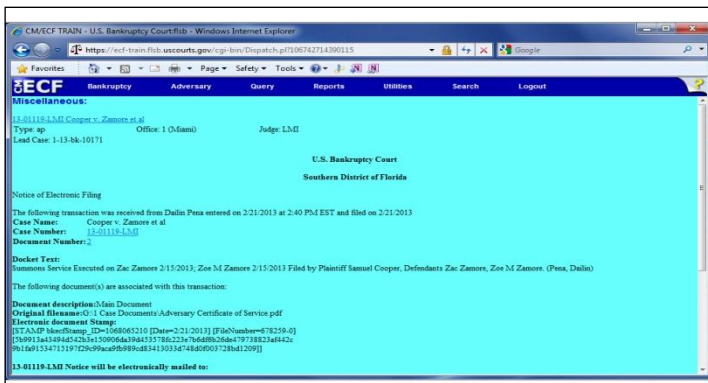
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Notes: At the default screen click Next.



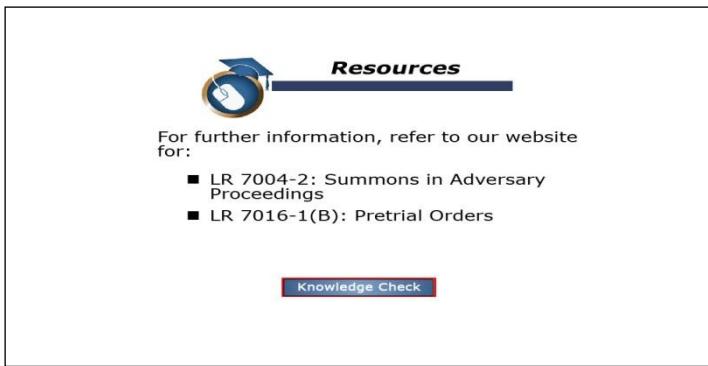
Slide 78

Notes: The Final Docket Text screen will appear. Click Next to commit this transaction.



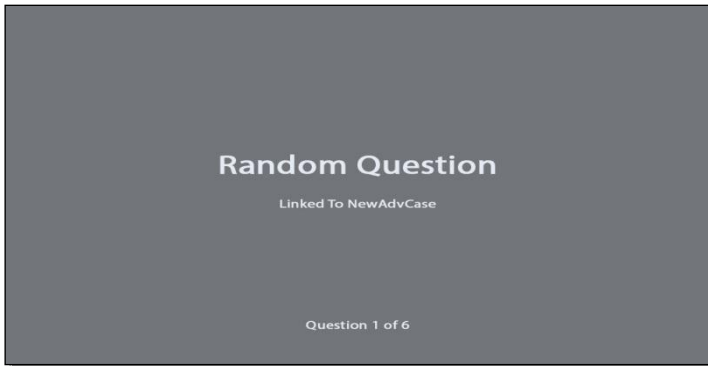
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Notes: The NEF screen will appear. Clicking on any of the links on this page will require a PACER login and published fees will apply.



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Notes: For further information, take a moment to review the listed resources available on our website. When you are ready, click Knowledge Check to continue.



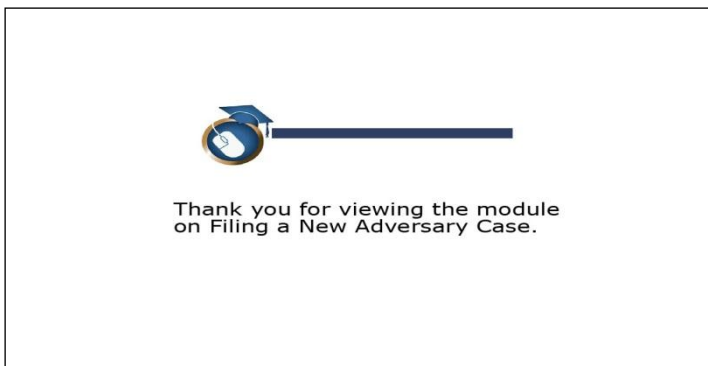
Slide 81 - 87

Notices: Knowledge Check



Slide 88


Notes: Now that you have reviewed this learning module, you will be able to open a new Adversary case and file a certification of service by using the event Summons Service Executed. Once the new adversary case is open, the next module guides you through the more commonly filed pleadings. Click EXIT when you are finished.



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Notes: Enter slide note

Question 1

| | |
|---|-----------------|
|  Knowledge Check | Question 1 of 6 |
| <p>In an adversary proceeding, the association with the lead bankruptcy will be established when the complaint is filed.</p> <p><input type="radio"/> A) True <input type="radio"/> B) False</p> | |


Notes:

Question 2

| | |
|---|-----------------|
|  Knowledge Check | Question 2 of 6 |
| <p>You can select up to ____ natures of suit for the complaint.</p> <p><input type="radio"/> A) 2 <input type="radio"/> B) 3 <input type="radio"/> C) 4 <input type="radio"/> D) 5</p> | |

Notes:

Question 3

| | |
|--|-----------------|
|  Knowledge Check | Question 3 of 6 |
| <p>The name of the plaintiff(s) and defendant(s) must be entered exactly as it appears on the complaint and searched in the court's database to find the exact match.</p> <p><input type="radio"/> A) True <input type="radio"/> B) False</p> | |

Notes:

| Knowledge Check | | Question 4 of 6 |
|--|---|-----------------|
| Identify the sequence of filing an adversary proceeding: (Click the Options arrow for number one and select the first task from the list. Repeat for the remaining tasks.) | | |
| 1) | <input type="text" value="--Select--"/> | |
| 2) | <input type="text" value="--Select--"/> | |
| 3) | <input type="text" value="--Select--"/> | |
| 4) | <input type="text" value="--Select--"/> | |
| 5) | <input type="text" value="--Select--"/> | |

Question 4

Options:

- a Certificate of Service (using the event Summons Service Executed or Summons Service Unexecuted) is filed by the plaintiff
- plaintiff serves the order with the summons and complaint upon all defendants
- summons and pre-trial order are issued by the clerk’s office
- an answer is filed by the defendant(s)
- open the adversary proceeding

Notes:

| Knowledge Check | | Question 5 of 6 |
|--|--|-----------------|
| An attorney for the defendant is not added at the adversary case opening because the association will be established when the answer to the complaint is filed. | | |
| <input type="radio"/> A) True | | |
| <input type="radio"/> B) False | | |

Question 5

Notes:



Knowledge Check

Question 6 of 6

Question 6

Adversary proceedings arising from an existing bankruptcy case shall be assigned:

- A) the same divisional venue and judge
- B) the same divisional venue and new judge
- C) randomly
- D) none of the above

Notes: