

ECF Procedural Guide to Open an Adversary Proceeding

1. Click **Adversary**.
2. Select **Open an AP Case**.
3. For 'Complaint' select "Y". If filing a Notice of Removal select "N".

Open Adversary Case

Case type ap
 Date filed 4/22/2011
 Complaint **y** ▼

Next Clear

4. Click the **Next** button to continue.
5. Within the 'Lead Case Number' field input the bankruptcy (bk) case number. Leave the 'Association Type' filed as **Adversary**.
6. If the bankruptcy case number exists in more than one office a list will populate. Select the radio button next to the applicable case and click **Next**.

Open Adversary Case

0:05-bk-3 Hide Case List

Lead case number 0:05-bk-3 JOHNNY YUMA
 2:05-bk-3 FLORIE DELL
 4:05-bk-3 CLOSING TEST (closed)

Association type Adversary ▼

Next Clear

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7. The following screen will list the office and the judge the adversary case will be assigned to, based on the office and judge of the bankruptcy case.
8. Click the **Next** button to continue.
9. Within the 'Search for a plaintiff' screen, using all CAPS, enter the name of the plaintiff. The search can be narrowed down by including a first name.

10. Within the 'Party Search Results' window select the applicable party if listed. A pop up window with their information will appear. If the party information matches your party information exactly, click the **Select Name from List** button. If the party is not listed click the **Create New Party** button. When adding a new party the address is optional.

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Plaintiff Information

Last name: GRADY First name: ANTHONY

Middle name: DESMOND Generation: Title:

SSN / ITIN: 222-11-1234 Tax ID / EIN: 11-2222222

Office: Address 1: 123 ELM ST.

Address 2: Address 3:

City: PHOENIX State: AZ Zip: 85003

County: Country:

Phone: Fax:

E-mail:

Party text:

Role in Bankruptcy Case: Creditor *Add additional attorneys here*

Click here to review information before you submit.

Add additional attorney... Add... Corporate parent / affiliate... Review... *Add all additional attorneys, aliases and corporate parents or affiliates before clicking the Submit button.*

Submit Cancel Clear

“Create New Party”

11. Select appropriate ‘Role in Bankruptcy Case.’
12. Add additional attorneys for party if applicable. Do not add yourself as an attorney. You will be automatically added.
13. Once all plaintiffs are added select the **End Plaintiff Selection** button.

Search for a plaintiff

SSN / ITIN: Tax ID / EIN:

Last/Business name:

First Name:

Middle Name:

Search Clear

End plaintiff selection ←

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14. ECF will now prompt to add defendants to the case. Follow the same basic steps as adding a plaintiff to add or create a new defendant.

NOTE: If you are adding an address for the defendant, enter the address upon which the summons and complaint will be served. If the defendant is the debtor, the defendant must be served at the address stated on the petition or if an address update was filed with the court, at that address. Fed. R. Bankr. P. 7004(b)(9). Counter or cross claimants and/or third party plaintiffs or defendants in a Notice of Removal may not be added.

15. Click the “**Next**” button when the ‘Open Adversary Case’ window appears.
 16. Leave the ‘Party code’ drop down option to the default “**U.S. not a Party in the case**” unless the U.S. is a Party in the case.
 17. From the ‘Primary Nature of Suit’ drop down menu select the appropriate nature of suit. Four additional natures of suits may be selected.

Open Adversary Case

Party code	Primary nature of suit
U.S. not a Party in the case	62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)
Rule 23 (class action)	Second nature of suit
None	none
Jury demand	Third nature of suit
None	none
Demand (S000)	Fourth nature of suit
	none
State law	Fifth nature of suit
	none

Next Clear

NOTE: If the complaint includes a count objecting to the discharge under Section 727, be sure to select 41. If your complaint is only objecting to the discharge of the debt under Section 523, do not select a nature of suit that includes a Section 727 objection to discharge. An action under Section 523 does not hold up the debtor’s discharge.

18. Click the “**Next**” button to continue.

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19. ECF will now prompt to upload the complaint.

20. Carefully read the options and choose the correct description of the filer. Then click the “**Next**” button to continue.

21. The next screen will show the appropriate fee.

Click “**Next**” and then “**Next**” again.

22. ECF will display the following information screen:

Click “**Next**”

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23. The final screen commits the transaction.

Open Adversary Case

Docket Text: Final Text

Complaint (350.00 fee) against CHRISTA SHAWN MARK filed by ALBERT A JAMES Nature of Suit: 01 (Determination of removed claim or cause) . (Root, Krystal)

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

Have you redacted?

24. Click the “**Next**” button to continue.

25. The ‘Notice of Electronic Filing’ will populate. The notice includes the Adversary case number assigned.

26. Issuance of the Summons - To have the clerk’s office prepare and issue the summons, you must enter a **Request for Issuance of Summons**, which is located under the Complaint & Summons category on the Adversary Events Menu. No document is needed for this filing. The summons will then be generated and issued by the clerk’s office during the next business day. If you prefer, you may prepare and submit a summons on paper for issuance by the clerk’s office.

27. If a Notice of Removal was filed, a status hearing will need to be set. To obtain a date for the status hearing, please refer to the judges’ procedures link on the court’s website at www.azb.uscourts.gov