

ADVERSARY CASE OPENING
RULE 7001

To open an adversary proceeding begin by selecting **Adversary** from the CM/ECF toolbar, then select **Open an AP/MP case**. Before opening an adversary proceeding, you should have all your documents ready. The main document will be the complaint. You will have at least two attachments, the cover sheet and the summons.

WHEN WORKING IN MONTANA CM/ECF PLEASE MAKE SURE YOU ARE IN ALL CAPS

STEP 1 The **Open Adversary Case** screen is displayed.



Open Adversary Case

Office

Case type

Date filed 12/16/2015

Complaint

- ◆ Office: will always default to Butte.
- ◆ Date Filed: will always default to current date.
- ◆ Case Type: select “ap.”
- ◆ Complaint: select “y” for a complaint, “n” for a Notice of Removal
- ◆ Select Next to continue (selecting Clear will reset defaults).

STEP 2 The **Search for Plaintiff** screen is displayed.

Open Adversary Case

Search for a plaintiff

SSN / ITIN

Tax ID / EIN

Last/Business name

First Name

Middle Name

Search

Clear

In this step you will be adding the parties to this adversary proceeding (plaintiffs and defendants). The attorney for the plaintiff is always added; the attorney for the defendant is never added. The defendant's attorney will be added when he/she files an answer to the complaint.

Begin by searching for the plaintiff. You can search by social security number or Last/Business name. It is case sensitive when searching by Last/Business name. Please be in all caps.

Search for a plaintiff

SSN / ITIN

Tax ID / EIN

Last/Business name

First Name

Middle Name

Search

Clear

Party search results

No person found.

Create new party

- ◆ If the party's name appears in Party search results window, highlight the name and click the Select name from list button and proceed to Step 3.
- ◆ If the party's name does not appear in the Party search results window or you see a No person found response, proceed to Step 4.

STEP 3 The Party Information screen is displayed.

Plaintiff Information

Last name	<input type="text" value="CORNERSTONE"/>	First name	<input type="text" value="SALLY"/>
Middle name	<input type="text"/>	Generation	<input type="text"/>
		Title	<input type="text"/>
SSN/ITIN	<input type="text"/> 999-99-9999	Tax Id/EIN	<input type="text"/> 12-1234567
Office	<input type="text"/>	Address 1	<input type="text"/>
Address 2	<input type="text"/>	Address 3	<input type="text"/>
City	<input type="text"/>	State	<input type="text"/>
		Zip	<input type="text"/>
County	<input type="text" value=""/>	Country	<input type="text"/>
Phone	<input type="text"/>	Fax	<input type="text"/>
E-mail	<input type="text"/>		
Party text	<input type="text"/>		
Role in Bankruptcy Case	<input type="text" value="Creditor"/>		

Add all additional attorneys, aliases and corporate parents or affiliates before clicking the Submit button.

Change the Role menu to reflect the role of your party. Creditor, Debtor, Other, Trustee or US Trustee.

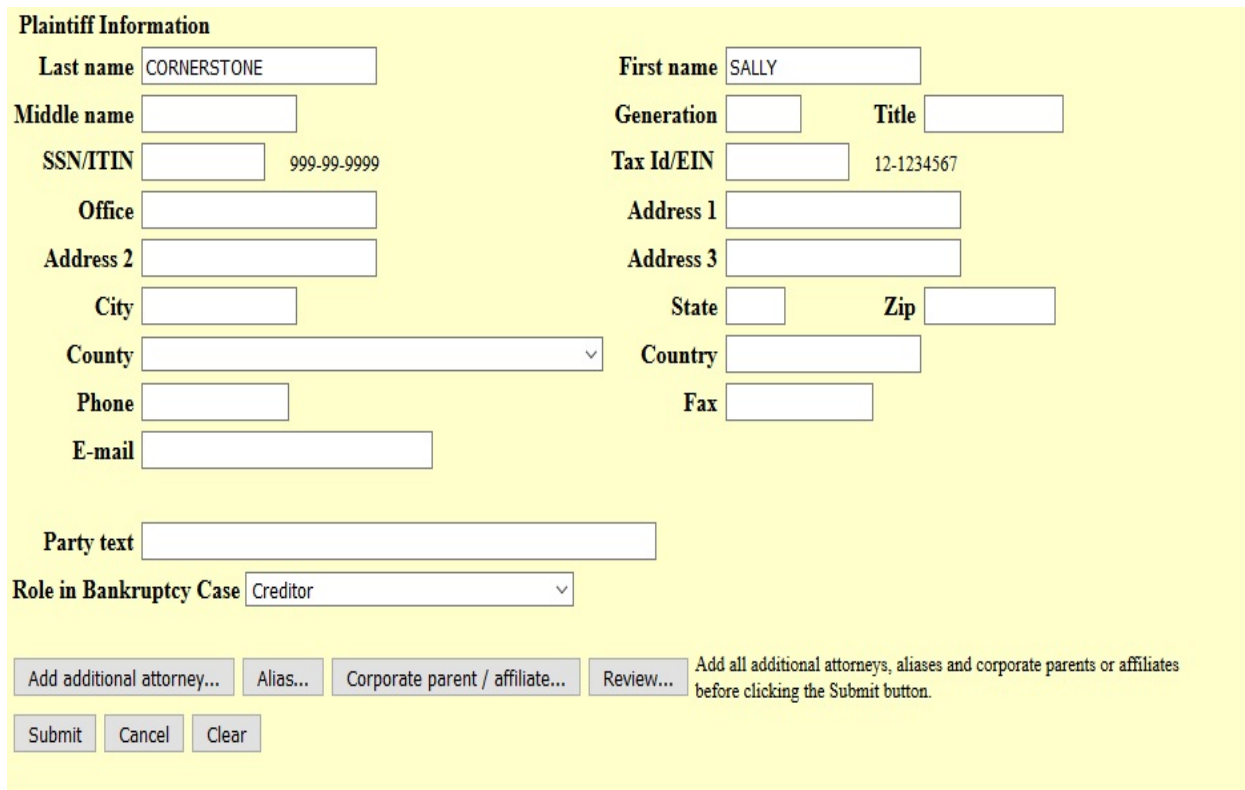
It is the preference of the Clerk's office that the remaining fields in this menu are blank. Note: if there is text after the party's name (i.e. "a Montana Corporation," "as Trustee," etc.) that you wish to be displayed in the docket header for this adversary proceeding, you may type it in the Party Text field.

If the party has an alias, select Alias. The Create Alias screen will appear to allow for the inclusion of one or more aliases for the party. For more detailed instructions on adding aliases, see the Open A Case section of the manual.

As the plaintiff's attorney, you will add yourself at this screen by clicking on Add additional attorney. Proceed to Step 5.

STEP 4 If your party does not appear in the pick list or you receive a **No person found** message, you will need to add the party to the database. Select **Create new party**.

STEP 5 The **Party Information** screen will be displayed.



Plaintiff Information

Last name First name

Middle name Generation Title

SSN/ITIN Tax Id/EIN

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail


Party text

Role in Bankruptcy Case

Add all additional attorneys, aliases and corporate parents or affiliates before clicking the Submit button.

- Change the Role menu to reflect the role of your party. Creditor, Debtor, Other, Trustee or US Trustee.
- It is the preference of the Clerk's office that the remaining fields in this menu are blank. Note: if there is text after the party's name (i.e. "a Montana Corporation," "as Trustee," etc.) that you wish to be displayed in the docket header for this adversary proceeding, you may type it in the Party Text field.
- If the party has an alias, select Alias. The Create Alias screen will appear to allow for the inclusion of one or more aliases for the party. For more detailed instructions on adding aliases, see the Open A Case section of the manual.

As the plaintiff's attorney, you will add yourself at this screen by clicking on Add additional attorney.



Search for an attorney

Bar Id

Last name

- Search for the party's attorney by typing in up to 10 letters of the attorney's last name in the **Last name** field - the search is case sensitive. Note: do not search for an attorney by **Bar Id**. Select **Search**.
- The **Attorney search results** are displayed. If the attorney's name appears in the **Attorney search results** window, proceed to **Step 7**.

STEP 6 If the attorney's name is not listed, or "No Person Found" appears, select **Create New Attorney**.

- . Enter name and address of attorney for the party.
- . Select **Add Attorney**
- . The **Party Information** screen appears. Select **Submit** if you do not have another attorney to add for this party. If you have another attorney to add for this party, select **Attorney** and repeat **Step 5**.

STEP 7 A successful attorney search will display the **Attorney search results** screen with the attorney's name listed.

Search for an attorney

Bar Id

Last name

Attorney search results

SMITH, CHARLES A, III, ONE NORTH LAST CHANCE GULCH, HELENA, MT ^
SMITH, GREG, 104 2ND ST S SUITE 101, GREAT FALLS, MT
SMITH, LEONARD D, 4 MERIDIAN COURT, KALISPELL, MT
SMITH, MARTIN S, PO BOX 2558, BILLINGS, MT
SMITH, MONICA L, MONTANA DEPARTMENT OF REVENUE, HELENA, MT v

- Select the attorney's name from the results.
- Click on Select name from list.

STEP 8 The **Attorney Information** screen is displayed.

Attorney Information (Party CORNERSTONE, SALLY)

Last name

First name

Middle name

Generation

Title

Bar Id

Office

Address 1

Address 2

Address 3

City

State

Zip

Country

Phone

Fax

E-mail

Lead attorney

Click the Add attorney or Cancel attorney button to return to the Party screen and add other attorneys, add aliases, or submit all information for this party.

- If needed, you may change the contact information. Any changes made to the attorney’s contact information will apply only to this adversary proceeding. If you determine that this is not the correct attorney, select **Cancel Attorney** and return to the last instruction of **Step 4**.
- **Lead attorney** – select “yes” if this is the lead (or only) attorney for this party.
- Select **Add Attorney**.

STEP 9 The **Party Information** screen is displayed again.

Plaintiff Information

Last name <input type="text" value="CORNERSTONE"/>	First name <input type="text" value="SALLY"/>
Middle name <input type="text"/>	Generation <input type="text"/> Title <input type="text"/>
SSN/ITIN <input type="text" value="999-99-9999"/>	Tax Id/EIN <input type="text" value="12-1234567"/>
Office <input type="text"/>	Address 1 <input type="text"/>
Address 2 <input type="text"/>	Address 3 <input type="text"/>
City <input type="text"/>	State <input type="text"/> Zip <input type="text"/>
County <input type="text"/>	Country <input type="text"/>
Phone <input type="text"/>	Fax <input type="text"/>
E-mail <input type="text"/>	
Party text <input type="text"/>	
Role in Bankruptcy Case <input type="text" value="Creditor"/>	

Add all additional attorneys, aliases and corporate parents or affiliates before clicking the Submit button.

- Verify information. Selecting the **Review** button allows you to view all aliases and attorneys you have added for this party.
- Select **Submit**. This will add the plaintiff to this adversary proceeding.

STEP 10 The Search for a plaintiff screen appears again.

The screenshot shows a web form titled "Open Adversary Case" with a yellow background. Under the heading "Search for a plaintiff", there are four input fields: "SSN / ITIN", "Tax ID / EIN", "Last/Business name", "First Name", and "Middle Name". Below these fields are two buttons: "Search" and "Clear". At the bottom of the form is a button labeled "End plaintiff selection".

- Refer back to Step 2 to add remaining plaintiffs.
- When all plaintiffs have been added, select End Party Selection.

Step 11. Search for a defendant screen appears.

The screenshot shows a web form titled "Open Adversary Case" with a yellow background. Under the heading "Search for a defendant", there are four input fields: "SSN / ITIN", "Tax ID / EIN", "Last/Business name", "First Name", and "Middle Name". Below these fields are two buttons: "Search" and "Clear".

- Refer back to Step 2 to add Defendants.

***Reminder—the attorney for the Defendant is never added at the time of the adversary proceeding opening. The Defendant’s attorney will add himself/herself

when filing an answer to the complaint.***

STEP 12 The Adversary Statistical Information screen is displayed.

Open Adversary Case

Party code	3 U.S. not a Party	Primary nature of suit	61 (Dischargeability - 523(a)(5), domestic support)
Rule 23 (class action)	n	Second nature of suit	none
Jury demand	None	Third nature of suit	none
Demand (\$000)		Fourth nature of suit	none
State law	n	Fifth nature of suit	none

Next Clear

The statistical information is found on your cover sheet. The cover sheet will be an attachment to your complaint.

- Party Code: select the role of the United States in this adversary proceeding.
- Rule 23 (class action): select yes or no.
- Jury demand: select yes or no. Note: if selecting ‘yes,’ a motion requesting a jury trial must be filed.
- Demand (\$000): if this adversary complaint seeks monetary relief, enter the amount in thousands of dollars. For example, 5,000 should be entered as 5.
- State law: select yes, no or unknown.
- Primary nature of suit: Click on the drop down arrow and select the relief being sought.
- Do the same if you have 2-5 natures of suit.
- Select **Next**.

STEP 13 The **Add Associated Cases** screen is displayed.

Open Adversary Case

Add Associated Cases

Member case number

Lead case number

Association type ▾

- **Lead case number:** type in the case number of the main case in the format shown in the example.
- **Association type:** select ‘Adversary.’
- **Select Next.**

STEP 14 The **Select PDF Document** screen is displayed. In this step you will be attaching the complaint document file. Note: don’t forget the Adversary Proceeding Cover sheet and summons (available on our web page. Forms.).

Open Adversary Case

Filename

No file selected.

Attachments to Document: No Yes

Attachments to Document: select ‘yes’. You will be attaching the cover sheet, summons and any additional documents (exhibits and such).

STEP 15 Fee screen is displayed.



Open Adversary Case
Fee: \$350

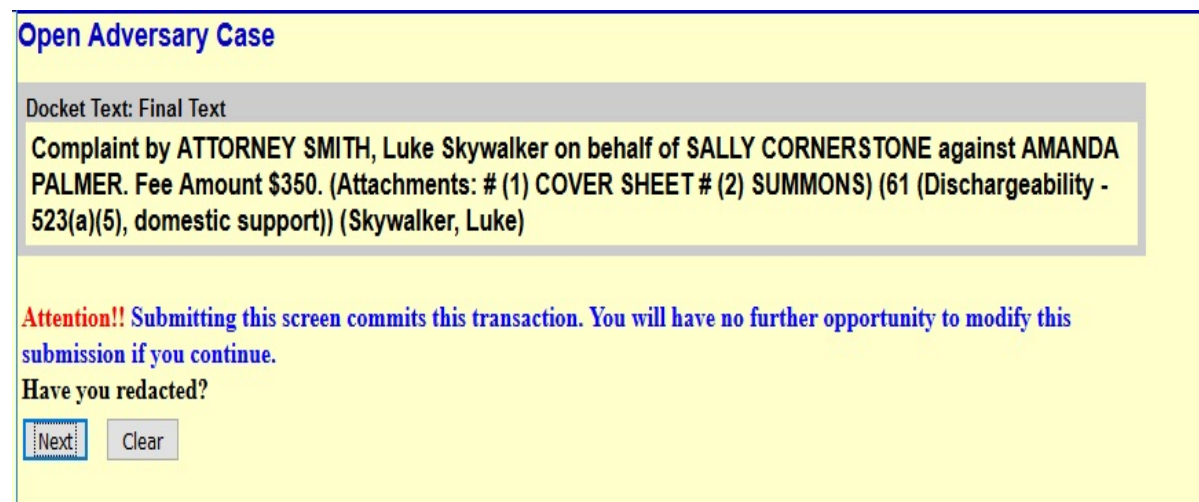
- Click Next.



Open Adversary Case

- Click Next.

Step 16. The Docket Text: Final Text screen is displayed.



Open Adversary Case

Docket Text: Final Text

Complaint by ATTORNEY SMITH, Luke Skywalker on behalf of SALLY CORNERSTONE against AMANDA PALMER. Fee Amount \$350. (Attachments: # (1) COVER SHEET # (2) SUMMONS) (61 (Dischargeability - 523(a)(5), domestic support)) (Skywalker, Luke)

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

Have you redacted?

- Verify the text docket entry. This is what will be displayed on the docket and is your final chance to correct any errors. Any text you added in the previous step will appear in italics.
- Select **Next** to submit filing or go back to correct any errors.

Receipt of Filing

Once entry is submitted after final approval, the **Notice of Electronic Filing** screen appears. This screen gives confirmation that the system has received the entry, and the entry now is an official court document. Scroll down to view entire receipt.

Open Adversary Case

U.S. Bankruptcy Court

U.S. Bankruptcy Court, District of Montana - Train

Notice of Electronic Filing

The following transaction was received from Skywalker, Luke entered on 12/16/2015 at 10:12 AM MTN and filed on 12/16/2015

Case Name: CORNERSTONE v. PALMER

Case Number: [15-00004](#)

Document Number: [1](#)

Case Name: SALLY ANN DEBTOR

Case Number: [15-20219](#)

Document Number: [4](#)

Docket Text:

Adversary case 15-00004. Complaint by ATTORNEY SMITH, Luke Skywalker on behalf of SALLY CORNERSTONE against AMANDA PALMER. Fee Amount \$350. (Attachments: # (1) COVER SHEET # (2) SUMMONS) (61 (Dischargeability - 523(a)(5), domestic support)) (Skywalker, Luke)

The following document(s) are associated with this transaction:

Document description: Main Document

Original filename: 01-20457--DD.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=986323682 [Date=12/16/2015] [FileNumber=13883-0]
[b0ff7ed11a30af9732f145a55cad6e040d9a61c5eed361a8f8c24266ccf45556e7a02
52cbc6cb563af4751842542ee59afa38d3a2123d737aa5179768a8aef98]]

Document description: COVER SHEET

Original filename: 01-40463 =dd.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=986323682 [Date=12/16/2015] [FileNumber=13883-1]
[1794359198414358f8823162cc57958bf3d88eed7268bb84ff1c062bc6781b10cb91d
b60cba5cc64a1227d1defe07062f7aad6b0e696a8cc32dbef4d68992ec0]]

Document description: SUMMONS

Original filename: 01-40463-ogma.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=986323682 [Date=12/16/2015] [FileNumber=13883-2]
[6782e90b1ef1fc63c53f929839cf1ae41a83bf4f5caa4bf329c8d876a807da47d74d

The **Notice of Electric Filing** appears each time you submit a filing to the court through the ECF

System. Each notice will include the following:

- . Who filed the document:
- . Date and Time:
- . Case Name:
- . Case Number:
- . Document Number:
- . Original filename (*pdf*):
- . Electronic document Stamp:

Print receipt

- . Click on **File** at top of Internet Explorer screen and select **Print , or**
- . Click on the Printer Icon at the top of the page.

[Note: It is highly suggested that copies of receipts be maintained for your records]