



UNITED STATES BANKRUPTCY COURT DISTRICT OF MONTANA

CM/ECF TRAINING GUIDE For Debtor Attorneys

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Open Voluntary Bankruptcy Case

Filing Requirements:

1. Voluntary Petition (National Form B 101)
2. Your Statement About Your Social Security Numbers, (National Form B 121)
3. A typed mailing matrix. If the matrix is not included, it is due 48 hours from the filing of the voluntary petition.
4. Filing fee, an Application for Individuals to Pay the Filing Fee in Installments (National Form B 103A), or an Application to have the Chapter 7 Filing Fee Waived (National Form B 103B).
5. Optional documents that are due 14 days from the date the petition was filed, if not filed at case opening. The Statement of Intent is listed below, but it is an exception to the 14-day deadline. It is usually filed with the schedules, but if not, it is due within 30 days after the filing of a bankruptcy petition or by the date set for the 341 meeting of creditors, whichever is earlier. (This is just for Chapter 7 cases.)
 - Certificate of Credit Counseling – Credit counseling needs to be completed within 180 days before filing a bankruptcy petition.
 - Schedules A-J (National Forms B 106A/B – B 106J-2), a Summary of Schedules (National Form B 106 Summary) and Statement of Financial Affairs (National Form B 107)
 - Statement of Intent (National Form B 108)
 - Employee Income Records
 - Means Test (National Form B 122A-2)
 - Domestic Support Obligation (Local Form Mont. LBF 30)
 - Declaration 521(c) (Local Form Mont. LBF 37)
6. Plans will need to be filed in Chapter 11, 12 and 13 cases.
 - Chapter 13 Plan (Local Form Mont. LBF 19) - Due 14 days from the date of filing of the petition.
 - Chapter 11 Plan (National Form B 425A) and Disclosure Statement (National Form B 425B) - Due within 120 days from the filing of the petition.
 - Chapter 12 Plan (Local Form Mont. LBF 14) - Due within 90 days after the filing of the petition.

To Open a Voluntary Bankruptcy Case:

1. The party information should be in all CAPS.
2. Select **[Bankruptcy > Open Voluntary BK case]**.
3. Select the Office, Chapter, whether it is a Joint Petition, and all appropriate Deficiencies.
4. Search for a debtor by entering a social security number. Always create new party, even if the debtor has filed previously. The debtor information should match the information on the petition.
5. Enter aliases if there are any and/or any business names and click **[Submit]**. A message will appear that says "Warning: The Tax ID/EIN is blank." Click **[OK]**.
6. The information needed for the next screen can be found in part 6 of the voluntary petition. Chapter 7 cases are always opened as no asset cases. Chapter 11, 12, and 13 cases are always opened as asset cases.
7. The Summary of Assets and Liabilities and Certain Statistical Information can be found on the Summary of Schedules. If schedules are not filed with the voluntary petition, bypass this screen.
8. The information on the next screen does not have to be completed, so it can be bypassed. A warning message will pop up. Click **[OK]**.

9. If there were deficiencies marked in step 2, mark the check boxes for any deficiencies on the form. Do not mark each individual schedule if the schedules have not been filed. Choose Schedules-Summary.
10. Browse to select the voluntary petition pdf file.
11. The social security form should be filed immediately after the voluntary petition as a separate docket event. Select **[Sealed Social Security Form B121]** from the **[Other]** event list.
12. Insert the incomplete filings due date if deficiencies were marked.
13. In Chapter 7 cases, a choice will have to be made as to whether there is presumption of abuse. This information is found on the Chapter 7 means test in the upper right-hand corner.
14. There will be a message stating, "Do not enter a receipt number in the field on the next screen."
15. At the receipt screen, do not enter anything in the receipt field.
16. Verify/modify the final docket text; once correct, click **[Next]** to submit your document(s).

Opening an Adversary Proceeding (Complaint)

Filing Requirements:

1. Complaint
2. Adversary Cover Sheet
3. Summons
4. Filing fee.

To Open an Adversary Proceeding:

1. All of the party information should be in all CAPS. Put Caps Lock on when opening a new adversary proceeding.
2. Select **[Adversary > Open an AP case]**.
3. Select the office location, which needs be the same office location as the main case. The case type is ap. Choose "y" for Complaint and click **[Next]**.
4. Search for the plaintiff. If the party is in the party search results, click on **[Select Name from List]**. If the party is not listed, click on **[Create New Party]**. The Role in Bankruptcy Case cannot be blank. There may be warnings that a field is blank. If not applicable click **[Ok]**.
5. Enter aliases if there are any and click **[Submit]**.
6. If there are any, search for additional plaintiff(s). If there are no additional plaintiffs, click **[End Plaintiff Selection]**.
7. Next, search for a defendant. If the party is in the party search results, click on **[Select Name from List]**. If the party is not listed, select **[Create New Party]**. The Role in Bankruptcy Case cannot be blank. Do not enter the defendant's attorney. The defendant's attorney (if they have one) will be added to the proceeding when they file an answer to the complaint. There may be warnings that a field is blank, if not applicable click **[OK]**.
8. If there are any, search for additional defendant(s). If there are no additional defendants, click **[End Defendant Selection]**.
9. The information to complete the next screen can be found on the cover sheet. Enter the appropriate information and click **[Next]**.
10. Enter the lead (bankruptcy) case number. Leave Adversary as the Association type and click **[Next]**.
11. The next screen will display a message with who the case is assigned to and the division. If the division or lead bankruptcy case number are not correct, the filing process will have to be restarted to correct the error.
12. Browse to attach the complaint pdf and any attachments. The cover sheet should be the first

attachment and the summons should be the second attachment.

13. The next screen is the fee screen, which cannot be edited. Click **[Next]**.
14. Verify/modify the final docket text. Once correct, click **[Next]** to submit your document(s).
15. At the Notice of Electronic Filing screen, the adversary number will appear, and the main case number will display below. No adversary proceeding pleadings including complaints should be filed in the main case.

Motion to Continue/Reschedule Hearing

Filing Requirements:

1. Motion to continue/reschedule hearing
2. Proof of service
3. Proposed order

To File a Motion to Continue/Reschedule Hearing:

1. Select **[Bankruptcy > Bankruptcy Motions/Applications]**.
2. Enter the case number (e.g, xx-xxxx).
3. Select **[Motion for Continue/Reschedule Hearing]**.
4. Attorneys will bypass the joint filing with other attorney(s) screen.
5. Select the party filer.
6. Browse to select the motion pdf file.
7. At the select the appropriate event(s) to which your event relates screen, mark all that apply. For example, for a motion to continue hearing on a motion to modify stay, select both the motion to modify stay and the objection to that motion. For a motion to continue hearings on plan confirmation, select the most current plan and any objections thereto.
8. In the white show text box enter the matter for hearing.
9. Verify/modify the final docket text; once correct, click **[Next]** to submit your document(s).

Motion to Extend Time to File Schedules and Other Required Documents

Filing Requirements:

1. Motion to Extend Time to File Schedules and Other Required Documents
2. Proof of Service on interested parties

To File a Motion to Extend Time:

1. Select **[Bankruptcy > Bankruptcy Motions/Applications]**.
2. Enter the case number (e.g, xx-xxxx).
3. Select **[Extend Deadline to File Schedules]**.
4. Attorneys will bypass the joint filing with other attorney(s) screen.
5. Select the party filer.
6. Browse to select the motion pdf file.
7. Verify/modify the final docket text; once correct, click **[Next]** to submit your document(s).

Motion to Modify Plan (After Confirmation)

Filing Requirements:

1. Motion to Modify Plan (after confirmation) including a 21-day objection notice
2. Proof of Service

To File a Motion to Modify Plan:

1. Select [**Bankruptcy > Bankruptcy Motions/Applications**].
2. Enter the case number (e.g. xx-xxxx).
3. Select [**Motion to Modify Plan - all chapters (modified after confirmation)**].
4. Attorneys will bypass the joint filing with other attorney(s) screen.
5. Select the party.
6. Browse for the motion pdf file. ****The proposed modified plan should be filed separately in the docket immediately following the filing of the motion.****
7. Mark the box "Refer to existing event(s)?" No filed dates or document numbers are needed. The objection due date is hard coded for outside users. Click [**Next**].
8. In the refer to existing event(s) screen, select the most recent plan. Leave the automatically calculated 14-day objection deadline.
9. Verify/modify the final docket text; once correct, click [**Next**] to submit your document(s).
10. File the amended plan and link it to the Motion to Modify Plan.

Motion to Redact (Fee Per Case)

If a party files a pleading/document with personal identifiers, that party must file a Motion to Redact. After the order granting the motion to redact is docketed, the party will then file a redacted version of the pleading/document. A motion to redact can be filed in a closed case without reopening the case.

Filing Requirements:

1. Motion to Redact
2. Proof of Service
3. Proposed Order
4. Fee. If a filer wants to redact information from more than one document in a case, only one motion and one fee are due.

To File a Motion to Redact (Fee Per Case):

1. Select [**Bankruptcy > Motions/Applications**].
2. Enter the case number (e.g, xx-xxxx).
3. Select [**Motion to Redact (Fee Per Case)**].
4. Attorneys will bypass the joint filing with other attorney(s) screen.
5. Select the party filer. If the party is not listed, click on Add/Create New Party. The Attorney/Party Association screen will appear for outside users. Check the box to create an association.
6. Browse to select the motion pdf file.
7. On the fee screen, outside users will not type anything in the receipt field. It must be left blank in order to pay via pay.gov.
8. Select the appropriate event(s) to which your event relates (the document(s) to be redacted). Mark all that apply.
9. Verify/modify the final docket text; once correct, click [**Next**] to submit your document(s).

Motion to Redact – Claims (Fee Per Case)

Filing Requirements:

1. Motion to Redact - Claims. After the order granting the motion to redact is docketed, the party will then file a redacted version of the proof of claim.
2. Proof of Service
3. Proposed Order
4. Fee. If a filer wants to redact information from more than one document in a case, only one motion and one fee are due.

To File a Motion to Redact – Claims (Fee Per Case):

1. Select **[Bankruptcy> Claim Actions]**.
2. Enter the case number (e.g, xx-xxxxx).
3. Select **[Motion to Redact - Claims (Fee Per Case)]**.
4. Attorneys will bypass the joint filing with other attorney(s) screen.
5. Select the party filer. If the party is not listed, click on Add/Create New Party. The Attorney/Party Association screen will appear for outside users. Check the box to create association.
6. Browse to select the motion pdf file.
7. Select the claim from the list and click **[Next]**.
8. Enter the name of the claimant.
10. On the fee screen, outside users will not type anything in the receipt field. It must be left blank in order to pay via pay.gov.
9. Verify/modify the final docket text; once correct, click **[Next]** to submit your document(s).

Multi-Part Motions

Multi-part motions are motions that consist of more than one request for relief. It is important to file multi- part motions correctly as the court is required to collect statistical information.

Filing Requirements:

1. Motion
2. Proof of service
3. Proposed order

To File Multi-Part Motions:

1. Two examples of a multi-part motion include:
 - o Motion to Modify Stay or, in the Alternative, Motion for Adequate Protection including a 14-day objection notice;
 - o Motion to Dismiss Case or, in the Alternative, Motion to Convert including a 14-day objection notice.
2. Select **[Bankruptcy > Motions/Applications]**.
3. Enter the case number (e.g, xx-xxxxx).
4. Each motion must be filed using a separate event for each part of the motion. For the first example, select **[Motion to Modify Stay (Fee Paid)]**.
5. Attorneys will bypass the joint filing with other attorney(s) screen.
6. Select the party filer. If the party is not listed, click on Add/Create New Party. The Attorney/Party Association screen may appear. If your party selection was correct, check the

box to create an association.

7. Browse to select the motion pdf file.
8. Enter the objection due date if it is not automatically calculated.
9. Outside users do not type anything in the receipt field. It must be left blank in order to pay via pay.gov.
10. Verify/modify the final docket text; once correct, click **[Next]** to submit your document(s).
11. The filer will then docket the second motion of the pleading (in example 1) following the above steps, however this time the filer will select **[Motion for Adequate Protection]** at step 3.

Notice of Amendment

Filing Requirements:

1. Notice of Amendment
2. Amended petition, schedule or statement
3. Proof of Service
4. Fee if applicable

To File a Notice of Amendment:

1. Select **[Bankruptcy> Notices]**.
2. Enter the case number (e.g, xx-xxxx).
3. Select **[Notice of Amendment (Fee Paid) or Notice of Amendment (No Fee Required) or Notice of Amendment to Petition]**.
4. Attorneys will bypass the joint filing with other attorney(s) screen.
5. Select the debtor(s).
6. Browse to select the notice pdf file. The notice of amendment and amended document(s) can be one document or the notice of amendment can be the main document with the amended documents included as attachments.
7. Type what is being amended in the white show text box. Click **[Next]**.
8. Verify/modify the final docket text; once correct, click **[Next]** to submit your document(s).

Objection/Response to a Motion

To File an Objection or Response to a Motion:

1. Select **[Bankruptcy> Answer/Response]**.
2. Reference an Existing Motion/Application.
3. Enter the case number (e.g, xx-xxxx).
4. Select **[Objection/Response to Motion to Modify Stay (Hearing Required) or Reply/Response to Motion (Hearing Required)]**.
5. Attorneys will bypass the joint filing with other attorney(s) screen.
6. Select the Party.
7. Browse to select the objection/response pdf file.
8. Select the appropriate event(s) to which your event relates and click **[Next]**.
9. Complete the Hearing Date, Hearing Time and Location. Do not select any of the 341 locations, make sure to check the divisional hearing location. The hearing information must be on the pleading.
10. Verify/modify the final docket text; once correct, click **[Next]** to submit your document(s).

Tips and Tricks

Adding Additional Attachments:

1. After attaching a main document, mark the radio button Yes to add attachments.
2. Browse for the appropriate pdf file.
3. Select a Category and/or description and click **[Add to List]**. Click **[Next]**.
4. The attachment will appear in the attachment list. If there are additional attachments to add, repeat the steps above.
5. Once all of the attachments have been added, click **[Next]**.

Proposed Orders

Proposed orders are to be emailed to the court at pal@mtb.uscourts.gov in Word format. The subject line of the email should have the Debtor(s) last name, case number, and docket number.

Montana Local Bankruptcy Rule 9013-1(j) has a list of exceptions to the proposed order requirement.

(j) Proposed Order. A separate original, proposed order shall be submitted with the motion, except in the case of motions for summary judgment; dismissal for abuse under 11 U.S.C. § 707(b); voluntary dismissal of a Chapter 13 case; employment of professionals; reaffirmation of debt; trustee compensation and expenses; enlargement of time to file schedules or statements of financial affairs; entry of discharge; plan modifications; professional fee applications; or in such other instances where the Court does not require a formal order. If the moving party is unsure about the appropriate form of proposed order to submit to the Court, an order in compliance with Mont. LBF 34 will be acceptable. If the attorney submits a proposed order for any of the filings listed above, still save the proposed order to the applicable folder.

Search Function:

The search function is a simple way to check if there is a menu or an event that matches the pleading being filed.

1. Click **[Search]** on the main menu bar at the top of the screen.
2. A text box pops up in the upper right-hand corner.
3. Type in key word(s) to be searched and click the **[Search Icon]** or click **[Enter]**.
4. All events that include the key word(s) will be listed and organized by the event category in which the event can be found. Clicking on the event in the search list will allow for immediate docketing of the event without having to go to the event menu.