How to Open an Adversary Case

STEP	ACTION
1	Click or Hover on **Adversary** from the blue menu bar in CM/ECF.
2	Select **Open AP Case** from the list of Adversary Events.
3	Leave complaint at "y" default and click [Next]. Case type and date filed are hard coded, these options cannot be changed. *Note*: *If filing a Notice of Removal, select "n" and see separate instructions.*
4	Type in the lead (bankruptcy) case number, leave the association type at the default "ap" and click [Next].
5	Verify the divisional office, judge and bankruptcy case number and click [Next].
6	"Are you the lead attorney", leave at the "yes" default and click [Next]. *Note*: *If you select "No" your name will not appear on the summons.*
7	The "Search for Plaintiff(s) and Defendant(s) if no exact match add parties as stated on the complaint" screen displays, click [Next].

STEP	ACTION
8	Search for the plaintiff exactly how they appear on the complaint.

> **Part 1**:

Type in the search criteria for the plaintiff and click [Search].   You can search by Social Security Number, Tax Identification Number, Last Name, or Business Name. The First name and Middle Name are selections that can further define the search. The entire business name is stored in the Last/Business Name field. The field size is 200 characters.

Search Hints:

- Enter one field of data for each search.
- This search is NOT case sensitive.
- Include punctuation. (Garcia-Carrera, O'Brien)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered, at least two characters for last name.
- The asterisk (*) should not be used at the end of search strings.
- The asterisk (*) may be used before or within search strings. (*son, Gr*y)
- The asterisk (*) should not be used by itself. It will search ALL records in the database and use unnecessary system resources.

> **Part 2**:

If party search results…	Then…
Finds an exact match	• Click on name and verify information in the pop-up window. *Note*: *Name and address must match exactly to what is listed on the complaint for the plaintiff.* • If the information matches exactly click [Select name from list]. • Proceed to next step.
No exact match or No results found	Click [Create new party]. See separate instructions.

STEP	ACTION
9	The plaintiff information screen displays. Once completed click [Submit].

Fields lined in green	If you clicked [Select name from list] on the previous screen, that party and address will populate the appropriate fields. **The only field you need to select is the Role in Bankruptcy Case drop down**. *Note: If you selected [Create a new party] from the previous search results screen, see separate instructions on how to "Create New Party during Adversary Case Opening (Plaintiff/Defendant)."*
Fields lined in blue	Use these fields if applicable.

Address 2 & 3	Type information in if you cannot complete the address of the party in the "Address 1" field.
County	If known, select the correct county from the drop down list. Otherwise, leave blank.
Party text	If you type text here (i.e. a Michigan Company), it will display on the docket next to the party's name italicized. (Example: J&J Inc., *a Michigan Company*)

Shaded out fields	Leave these fields blank.

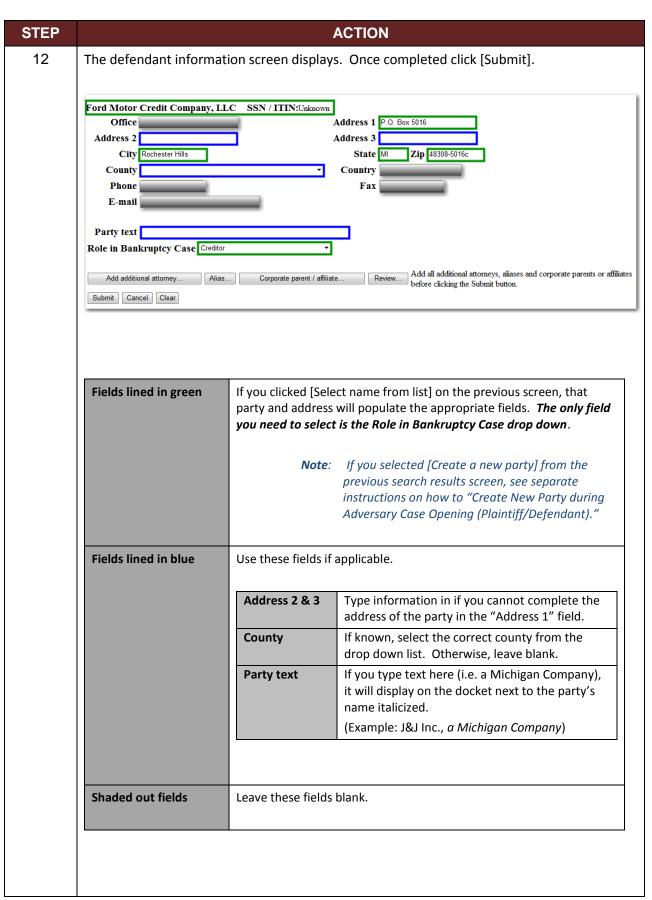| STEP	ACTION
	<table><tr><td>[Add additional attorney…]</td><td>To add additional attorney listed on the complaint (see separate instructions).</td></tr><tr><td>[Alias]</td><td>To add any alias listed on the complaint (see separate instructions).</td></tr><tr><td>[Corporate parent /affiliate…]</td><td>Our Court is not using this feature at this time.</td></tr><tr><td>[Review]</td><td>Review case information entered thus far.</td></tr></table>
10	The search for plaintiff screen displays. <table><tr><th>If…</th><th>Then…</th></tr><tr><td>No other plaintiffs listed on the complaint.</td><td>Click [End plaintiff selection].</td></tr><tr><td>Another plaintiff is listed on the complaint.</td><td>Repeat steps 8 and 9.</td></tr></table>

STEP	ACTION
11	Search for the defendant exactly how they appear on the complaint. ➢ **Part 1**: Type in the search criteria for the defendant and click [Search]. You can search by Social Security Number, Tax Identification Number, Last Name, or Business Name. The First name and Middle Name are selections that can further define the search. The entire business name is stored in the Last/Business Name field. The field size is 200 characters. **Search Hints**: • Enter one field of data for each search. • This search is NOT case sensitive. • Include punctuation. (Garcia-Carrera, O'Brien) • Try alternate search clues if your first search is not successful. • Partial names can be entered, at least two characters for last name. • The asterisk (*) should not be used at the end of search strings. • The asterisk (*) may be used before or within search strings. (*son, Gr*y) • The asterisk (*) should not be used by itself. It will search ALL records in the database and use unnecessary system resources. ➢ **Part 2**:

If party search results…	Then…
Finds an exact match	• Click on name and verify information in the pop-up window. *Note*: *Name and address must match exactly to what is listed on the complaint for the defendant.* • If the information matches exactly click [Select name from list]. • Proceed to next step.
No exact match or No results found	Click [Create new party]. See separate instructions.

STEP	ACTION
12	The defendant information screen displays. Once completed click [Submit].

Fields lined in green	If you clicked [Select name from list] on the previous screen, that party and address will populate the appropriate fields. ***The only field you need to select is the Role in Bankruptcy Case drop down***. *Note*: *If you selected [Create a new party] from the previous search results screen, see separate instructions on how to "Create New Party during Adversary Case Opening (Plaintiff/Defendant)."*
Fields lined in blue	Use these fields if applicable.

	Address 2 & 3	Type information in if you cannot complete the address of the party in the "Address 1" field.
	County	If known, select the correct county from the drop down list. Otherwise, leave blank.
	Party text	If you type text here (i.e. a Michigan Company), it will display on the docket next to the party's name italicized. (Example: J&J Inc., *a Michigan Company*)

Shaded out fields	Leave these fields blank.

STEP	ACTION

[Alias]	To add any alias listed on the complaint (see separate instructions).
[Corporate parent /affiliate…]	Our Court is not using this feature at this time.
[Review]	Review case information entered thus far.

STEP	ACTION
13	The search for defendant screen displays.

If…	Then…
No other defendants listed on the complaint.	Click [End plaintiff selection].
Another defendant is listed on the complaint.	Repeat steps 11 and 12.

STEP	ACTION
14	Select the statistical information; and click [Next].

Party Code	*U.S. is a Plaintiff, Defendant, or not a party*
Rule 23 (Class Action)	*No or Yes*
Jury Demand	*Both, Defendant, None, or Plaintiff*
Demand (in thousands)	**If applicable:** *Type in the amount*. **If Demanding $5,000.00, Type 5** **If Demanding $9,995.00, Type 10 (rounded up)** **If demanding $152,005.00, Type 152 (rounded down)**
State Law	*No, Unknown, or Yes*
Primary Nature of Suit	*Select applicable nature from drop down menu.*
Second Nature of Suit	*If applicable, select nature from drop down menu.*
Third Nature of Suit	*If applicable, select nature from drop down menu.*
Fourth Nature of Suit	*If applicable, select nature from drop down menu.*
Fifth Nature of Suit	*If applicable, select nature from drop down menu.*

STEP	ACTION
15	Select "yes" or "no" if the fee is deferred or exempt.

IF THE PLAINTIFF IS…	THEN…
• A Trustee • The Debtor in Possession • The United States • The Debtor • Child Support Creditor or its Representative • A Debtor filing a proceeding to strip the lien	Select "yes" from the drop down list, click [Next] and proceed to next step.
None of the above	Select "no" from the drop down list, click [Next] and skip to step 17.

STEP	ACTION
16	If you selected "yes" in previous step, select the applicable radio button (Deferred or Exempt) and click [Next].
17	Associate the pdf, add attachments if necessary, and click [Next]. See separate instructions for browsing for pdfs and adding attachments.
18	

IF FILING FEE IS…	THEN…
Not Deferred or Not Exempt	Filing fee displays, click [Next].
Deferred	Type "Deferred" in the receipt # field and click [Next].
Exempt	Type "Exempt" in the receipt # field and click [Next].

STEP	ACTION
19	Modify docket text screen displays. If applicable, add text in the box provided and click [Next]. *Note*: *It is not mandatory to modify text. There is no spell check and whatever is typed in the field will display out italicized on the docket.*
20	Final text screen displays. Verify text and click [Next]. The document is officially filed once you click [Next]. *Note*: *Before you click [Next], if you notice an error, you will need to either go back to the screen where the information was entered incorrectly or start the docketing process over.*
21	If the fee is not deferred or exempt, the summary of current charges window displays. <table><tr><td>**Click [Pay Now]**</td><td>To type in your credit card information and make the payment.</td></tr><tr><td>**Click [Continue Filing]**</td><td>To continue filing other cases and make one lump payment for all charges. *Note: You have 48 hours to make your payments.*</td></tr></table>

STEP	ACTION
22	Transaction completed. Three NEFs (Notice of Electronic Filings) display. Scroll down to review each one.

1st NEF	Displays new adversary case number and document number one, the complaint. An entry is also added to the lead case docket in regards to this adversary.
2nd NEF	The summons for the adversary case is created. There are two options to print the summons: click the document number hyperlink "2", log into PACER and print the summons or when you receive the NEF "Summons Issued (auto)" click the document hyperlink "2" (one free look) and print summons. *Note*: *Refer to the instructions on how to file the summons service executed.* *Note*: *If the time elapses on the summons, refer to the instructions on how to re-issue a summons.*
3rd NEF	This NEF pulls docket text and makes case associations behind the scenes. This NEF also provides a docket entry on the lead bankruptcy case with a hyperlink to the adversary case.