Slide 1 - Welcome

Welcome to the United States Bankruptcy Court Eastern District of New York's lesson on Opening a Voluntary Chapter 13 Case and Paying the Filing Fee.

Slide 2 - Navigation Instructions

Slide 3 - Objective

Slide 4 – Form Changes

Slide 5 – ECF Main Menu

After successfully logging in to CM/ECF, select **Bankruptcy**.

Slide 6 - Bankruptcy Events

From the list of Bankruptcy Events, select **Open Voluntary Case**.

Slide 7 - Open Voluntary Bankruptcy Case

The initial screen in the process of opening a new bankruptcy case displays. Office assignment is generally based on the Chapter 13 Debtor's county of residence. The **Office** field defaults to **Brooklyn**. For this lesson, select the drop down arrow to change the Office to **Central Islip**.

Slide 8 - Open Voluntary Bankruptcy Case (Cont'd)

The **Case type** field defaults to **bk** for bankruptcy and cannot be changed. The **Date filed** field is hard coded and cannot be changed. In order to select the Chapter for filing, you would select the drop down arrow next to **Chapter** and select **13**, for a Chapter 13 case. The **Joint Petition** field defaults to **n** for no. When filing a case involving Joint Debtors, you must select the drop down arrow and change the option to **y** for yes. In this lesson we do not have Joint Debtors, so you would leave the field at **n** for no. The **Deficiencies** field defaults to **n** for no and should not be changed. The Clerk's Office mails a Notice of Deficiency when required documents are not filed with the Petition. It is the responsibility of the filer to satisfy the deficient document pursuant to LBR 1002-(1) c. Select **Next** to continue.

Slide 9 - Search for a Debtor

The **Search for a debtor** screen appears. This screen is used to search for an existing debtor record within the Court's CM/ECF database. A search for prior filings should be conducted to avoid creating duplicate profiles in the electronic database. You have the option to search by Social Security Number or Individual Taxpayer Identification Number, or by using the name fields. Here, we will search by debtor's name. We have already entered the debtor's first and last name, so we will now select **Search**.

Slide 10 - Search for a Debtor (Cont'd)

When the search results displays **No person found**, as they do here, select **Create new party** to add Debtor's profile. When the Debtor is listed in the CM/ECF system, the name appears in the Party Search results. Select the name if it is identical to the name on the petition. In this case, select **Create new party**.

Slide 11 - Debtor Information
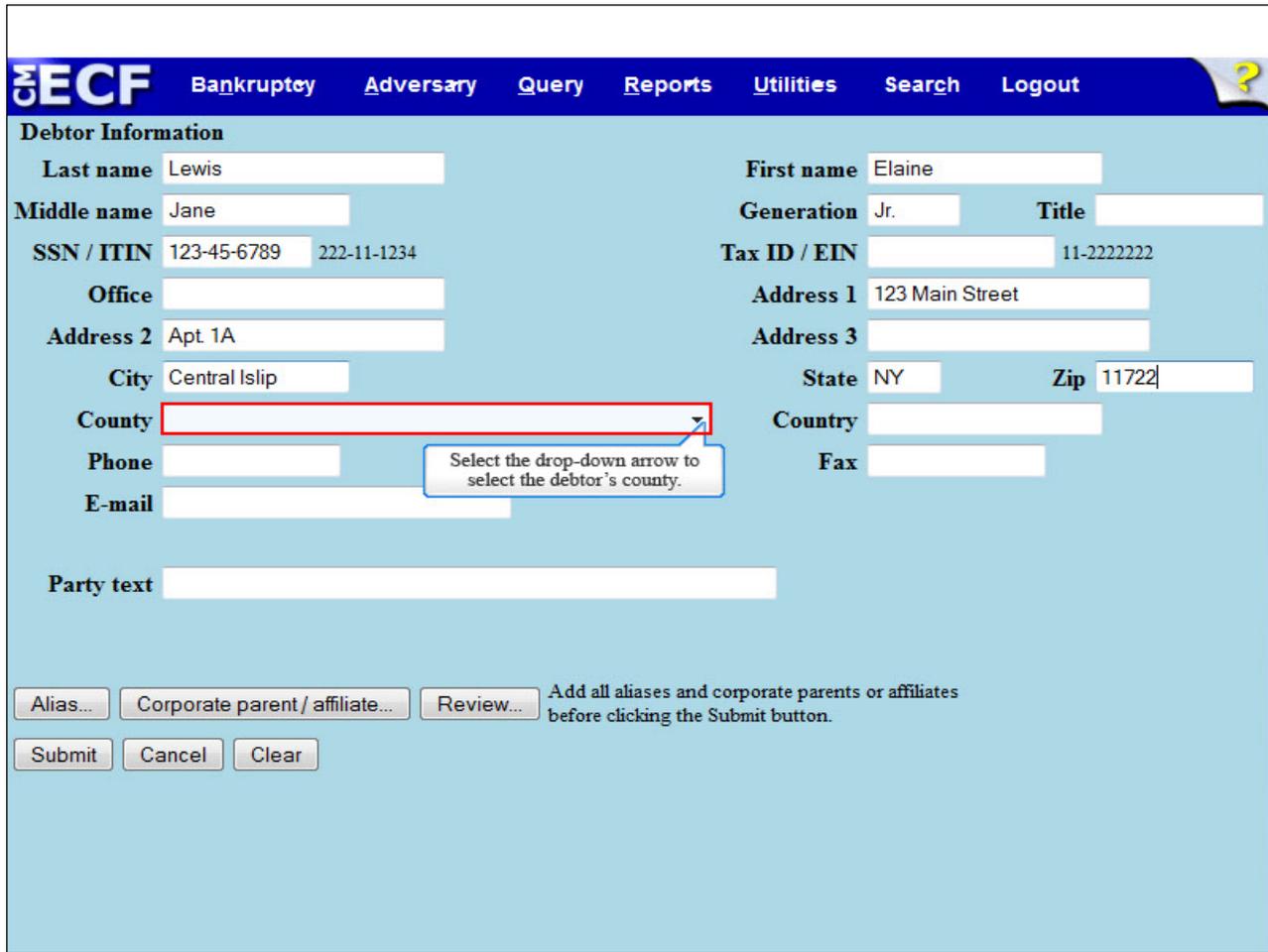
The information used on the previous Search for debtor screen populates the **Debtor Information** screen to create a party of record in the CM/ECF database. You would now proceed to enter the necessary information such as the debtor's **Middle name**, **Generation**, **Title**, and mailing address. The **Generation** field is used to enter generation suffixes such as Jr. or Sr., while **Title** is used for suffixes such as M.D. The Debtor's complete Social Security number should be typed in the format shown in the example next to the field. The **Office** field must remain blank. We entered the debtor's mailing address to include number and street, as well as apartment number. Use the **Address 3** field if needed. Keep in mind that the address entered in the Debtor Information screen will be the address used for noticing.

The **County** field, which contains the debtor's county of record, is a required field. Select the drop-down arrow to view a list of options, and scroll down until you see the debtor's county.

TIP: The Social Security number will be redacted on the docket so that only the last four digits will be visible on the docket.

Slide 11-2 - Debtor Information (Cont'd)

In our example we selected **Suffolk County** as the county that corresponds with the debtor's address of Central Islip, NY.

Slide 11-3 - Debtor Information (Cont'd)

If the **Country** is NOT the USA, enter the name of the country. **Phone**, **fax**, and **e-mail** fields are not required for debtors. **Party text** should be used only to further identify the type of corporation, for example, "A New York Corporation" or "Guardian of the State." **Party text** may also be used for extra-long names. The **Alias** button should be used to add other names the debtor has used in the last eight years. The **Corporate Parent/affiliate** button relates to business cases. The **Review** button allows the filer to verify specific party types added to the case. The **Clear** button erases all information, except the Social Security number, from the **Debtor Information** screen. The **Cancel** button takes the filer back to the **Search for a debtor** screen. For now, let's assume that the debtor has an alias, which must be entered into the CM/ECF database. Select the **Alias** button to do so.

Slide 12 - Alias Information
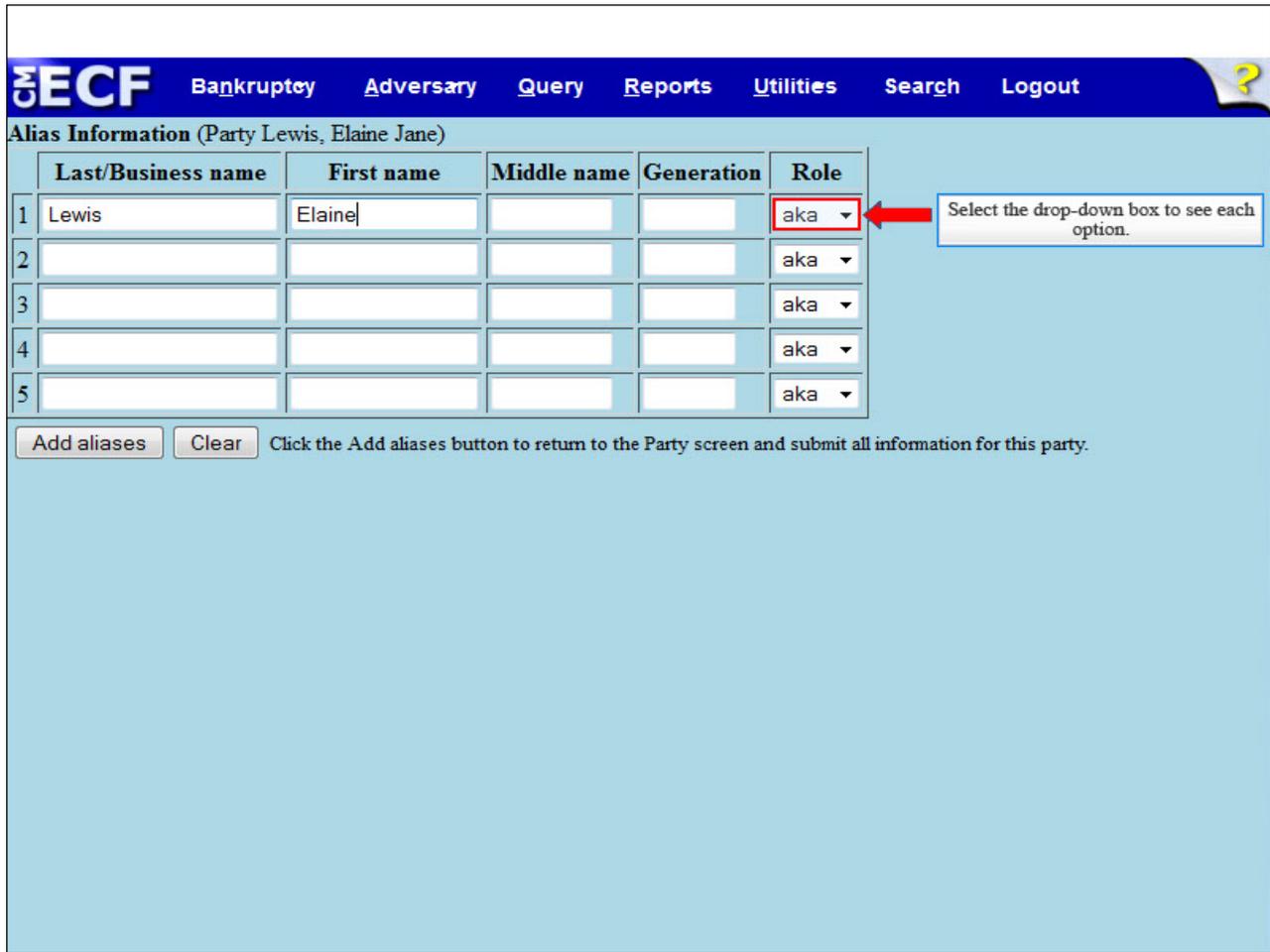
We've included the last and first name aliases for the debtor. The **Role** field defaults to **aka**. Select the drop down arrow to change the Role.

Slide 13 - Alias Information (Cont'd)

To the right of each acronym is its respective meaning. In this example, we will select **aka** for Also Known As.

Slide 14 - Alias Information (Cont'd)
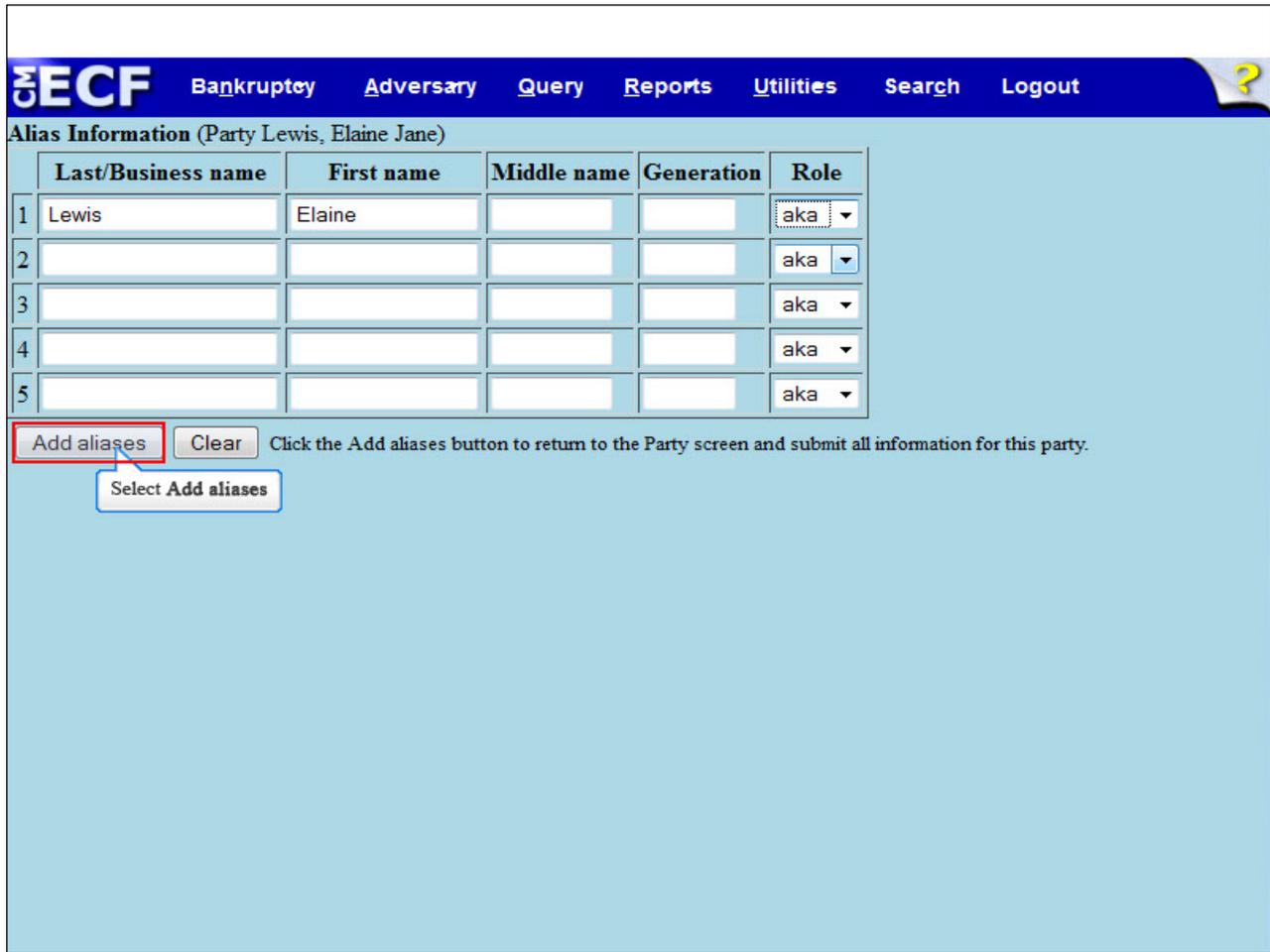
Select the **Add Aliases** button to save the alias record and return to the Debtor Information screen.

TIP: When entering more than five (5) aliases, select the Aliases button again from the Debtor Information screen, which will bring you back to the Alias Information screen to add the sixth or more names.

Slide 15 – Debtor Information (Cont'd)

Select the **Review** button to verify specific party types added to the case.

Slide 16 - Review Parties

This screen allows you to review three added party entries: **Attorneys**, **Aliases**, and **Corporate Parents / Affiliates**. For this lesson, notice that the alias Lewis, Elaine was added. Select **Return to Party Screen** to return to the **Debtor Information** screen.

Slide 17 - Debtor Information (Cont'd)

Review the information entered on the **Debtor Information** screen and select **Submit**.

Slide 18 - Debtor Information (Cont'd)

Select **OK** to continue.

Slide 19 - Statistical and Report Data Screen

This screen is known as the Statistical and Report Data (SARD) screen. The field for **Prior filing within last 8 years** defaults to **no**. The drop down arrow should be selected to change the option to **yes** if the debtor previously filed bankruptcy within the last 8 years. We selected **no** as our option.

Slide 20 - Statistical and Report Data Screen (Cont'd)

There are three payment options for **Fee status**. To the right of each option is additional information related to each respective option.

Select **Installment** to make partial payments within 120 days of the file date of the petition. An Application for Individuals to pay Filing Fees in Installments must be filed separately.

Select **Paid** if you are paying the filing fee in full.

Disregard **fee unpaid**.

For this lesson, select **Paid**.

Slide 21 - Statistical and Report Data Screen (Cont'd)

The options in the **Nature of debt** field are **business**, **consumer**, and **other**. When **consumer** is selected, the **Type of debtor** remains **Individual**, and no **Nature of business** selection should be made. In this lesson, select **consumer**.

The **Asset notice** field has three options: **No**, **Unknown**, and **Yes**, and the default entry in this field is controlled by the chapter you entered on the initial case opening screen. For a Chapter 13 case, the **Asset notice** field reads **Yes** and should not be changed.

The **Estimated number of creditors**, **Estimated assets**, and **Estimated liabilities** fields must be completed according to the information on the Petition.

The Statistical and Report Data screen is now complete. Select **Next** to continue.

Slide 22 - Browse for Petition File

On this screen, it is recommended that you select the radio button next to **Yes** prior to selecting **Browse…** if you know you will be uploading attachments to the main document, such as the Statement LR 1073-2(b) or the 2017 Pre-Petition Statement. Since there will be additional attachments in this lesson, select **Yes**.

Slide 23 - Browse for Petition File (Cont'd)

Select **Browse…** to upload the complete petition with schedules, statements and list of creditors in portable document, or .pdf, format.

TIP: Unless you are filing a deficient (skeleton or bare bones) Petition, upload all Schedules, Statements and List of Creditors as one file. Do not upload these pages individually.

Slide 24 - Browse for Petition File (Cont'd)
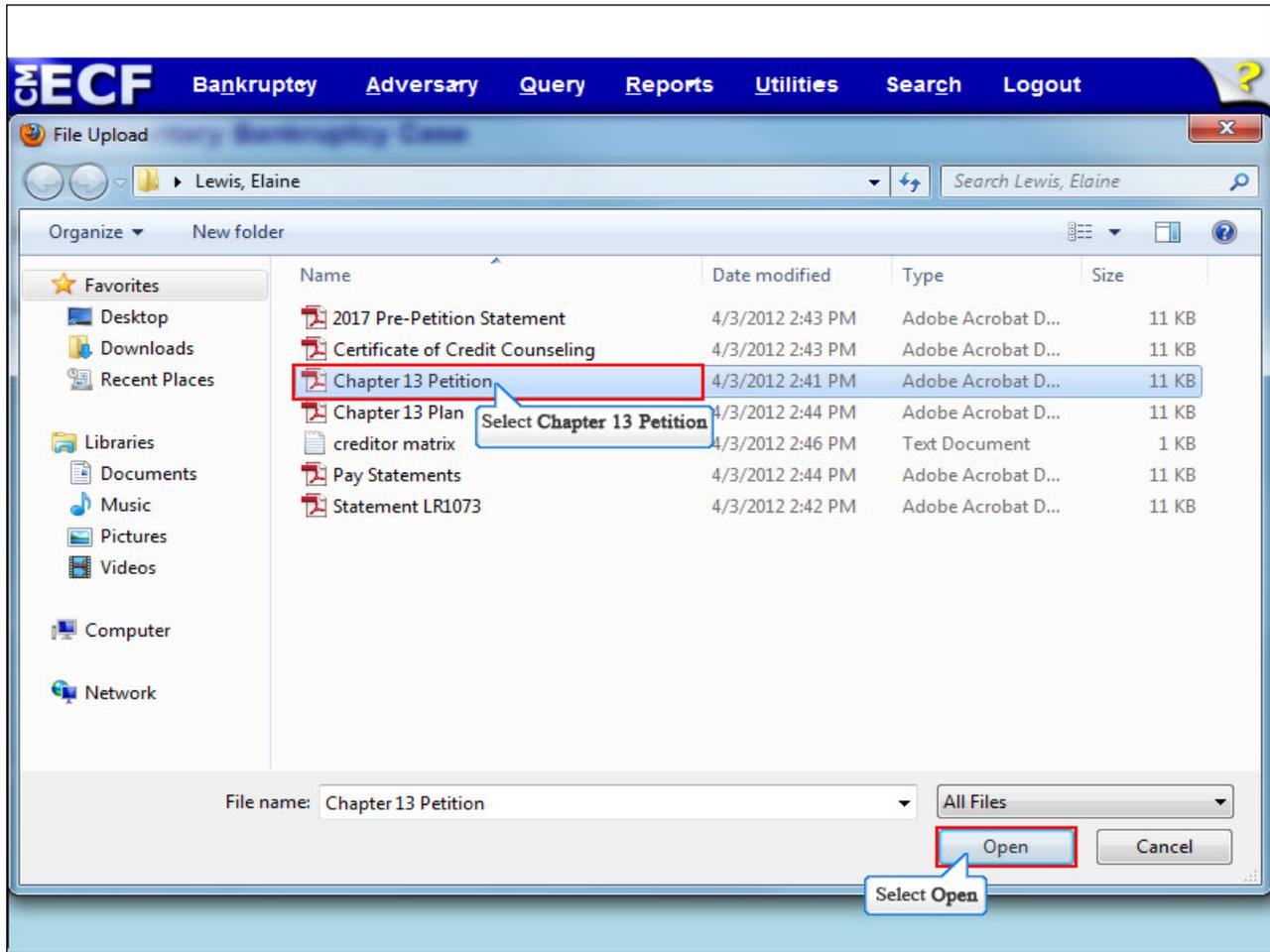
The **File Upload** box appears.

Select the **Chapter 13 Petition**. It is highly recommended that you first right click to open and view the file before uploading to confirm that it is the correct document.

Select **Open** to upload the Chapter 13 Petition.

Slide 25 - Browse for Petition File (Cont'd)

The complete filename displays in the **Filename** field. Select **Next** to continue.

TIP: Attachments to the Petition are forms such as the Statement Pursuant to Local Rule 1073-2(b) and the Pre-Petition Statement 2017-1.

Slide 26 - Additional Attachments

Select **Browse…** to upload the Statement Pursuant to Local Rule 1073-2(b) as an attachment to the Petition.

Slide 27 - Additional Attachments (Cont'd)

Select the **Statement LR1073** .pdf attachment from the list of documents.

TIP: Right click to open and view the file that is being attached to confirm that it is the correct document being uploaded.

Slide 28 - Additional Attachments (Cont'd)

Select **Open** to upload the document.

Slide 29 - Additional Attachments (Cont'd)

Select the drop down arrow under **Category** to select a category for your attachment.

Slide 29-2 - Additional Attachments (Cont'd)

A list of categories appears. If the category for your attachment is not listed, you can enter a brief description in the **Description** field. Select **1073b Statement** from the category list.

Slide 29-3 - Additional Attachments (Cont'd)

Select **Add to List** to add the attachment to the Add to List box.

Slide 29-4 - Additional Attachments (Cont'd)

The Statement Pursuant to Local Rule 1073-2(b) has been added to the list box as an attachment.

If you have more attachments, repeat the procedure that was just demonstrated on adding additional attachments. When the list of file names is complete, select **Next**.

TIP: Local Rule forms can be docketed separately as a single docket entry.

Slide 30 - Pro Bono?

Is this case being filed ProBono? In this example, it is not, so we selected **No**.

Slide 31 - Pro Bono? (Cont'd)

Select **Next** to continue.

Slide 32 - Summary of Assets and Liabilities and Certain Statistical Information

The **Summary of Assets and Liabilities and Certain Statistical Information** page appears. Select **Continue** to see how the white text boxes are to be completed.

Slide 33 - Summary of Assets and Liabilities and Certain Statistical Information

Filers are required to input totals from Schedules **A/B, D, E/F, I, J, Current Monthly Income**, and the **Total Unsecured Claims Amount** from Official Form 106Sum. Do not leave a field blank unless the Schedule is not included in the initial filing. If there is a Schedule that does not apply to the Debtor, enter $0.00. We have entered the information required in these fields. Select **Next** to continue.

Slide 34 - U.S. Trustee Information

This screen is used to collect data used by the Office of the United States Trustee. It requires information from Schedules C, I, and J. Enter the information according to the debtor's schedules, and select **Next** to continue.
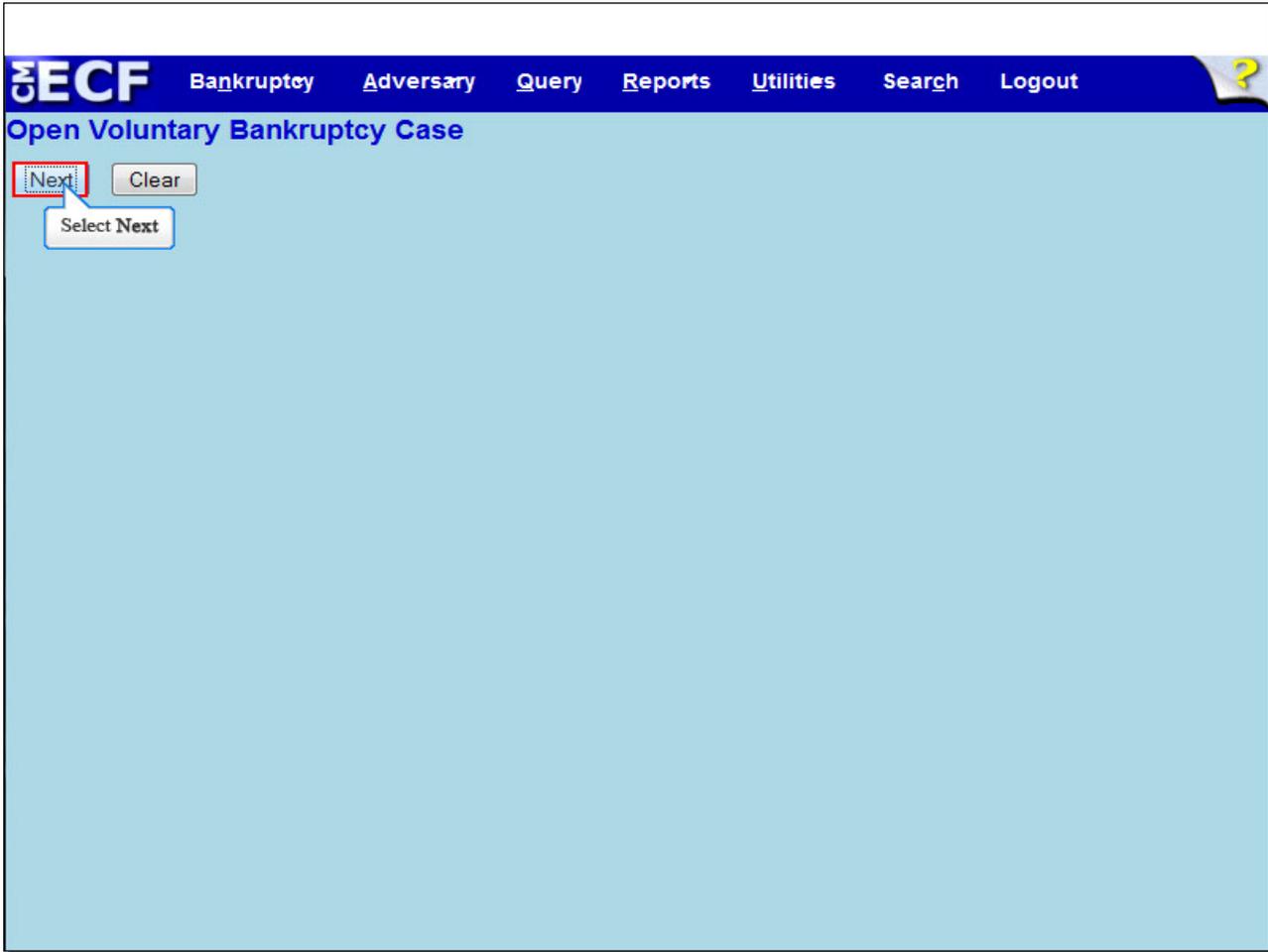
Slide 35 - Gov't Proof of Claim

This screen automatically generates a due date for Government Proofs of Claim. Do NOT blank out or change this date.

This screen also reminds you that upon completion of this event, you must also docket the Certificate of Credit Counseling as a separate event.

The fee displayed is for a Chapter 13 filing and should not be changed. The current Fee for a Chapter 13 Case is $310.00 and may be subject to changes by Judicial Conference in the future. For subsequent changes in fees see Fee Schedule.
Select **Next** to continue.

Slide 36 – Select Next to Continue

Select **Next** to continue.

Slide 37 - Final Docket Text

Review the Final **Docket Text** before submitting. By selecting **Next**, the filer commits the transaction and will have no further opportunity to modify the submission.

Have you redacted? This question refers to the filer's uploaded documents and not the data entries. This is a final reminder to comply with the Redaction Requirements (Fed. R. Bankr. P. 9037). The Electronic Case Filing system does not redact the content of any document uploaded by the filer.

Select **Next** to continue.

Slide 38 - Summary of Current Charges

The **Summary of current charges** appears with the **Notice of Electronic Filing** in the background. If the **Summary of current charges** did not appear, go to the ECF menu bar and select **Utilities**, then select **Internet Payment Due** to make a payment. If you have more filings that require a fee, it is recommended that you select **Continue Filing**. For this lesson, select **Pay Now**.

TIP: If you select Continue Filing, the Notice of Electronic Filing will appear once you have filed the Petition and selected Continue Filing. If you select Pay Now, you will not be able to see the Notice of Electronic Filing on ECF, but will still receive it via E-mail.

Slide 39 - Internet Payments Due

On the **Internet Payments Due** screen, the outstanding fee is displayed, along with a check box for the fee.

You can **Select all** to pay the fee, or place a check in the box next to the desired fee. For this lesson, we will place a check in the box to pay the fee incurred.

Slide 40 - Internet Payments Due (Cont'd)

Select **Next** to continue.

Slide 41 – Pay Now

Select **Pay Now** to open a panel that allows payment.

Slide 42 - Debit Option

Filers paying filing fees over the Internet now have the option of paying fees either by credit card or by **Bank Account Debit**. The first option presented is having fees debited directly from your bank account through an Automated Clearing House debit.

If you were paying by the bank account debit option, you would enter the required information and select **Continue with ACH Payment**. However, in this lesson, you will instead be paying by credit card. Select the **Plastic Card** option.

Slide 43 - Credit Card Option

This second payment option is for those using a credit card. To make a payment with a credit card, you will be required to enter your credit card information, which we have already entered on this screen. Once you have entered the required information, select **Continue with Plastic Card Payment**.

Slide 44 – Authorize Payment

Review the Payment summary for accuracy. Select **Edit this information** to make corrections. If you wish to cancel the transaction, select **Return to your originating application**. To receive confirmation upon completion of this transaction, you will have to provide an email address. Place a check in the box to authorize the charge to the credit card, and select **Submit Payment** to submit your transaction.

Slide 45 – Processed Payment
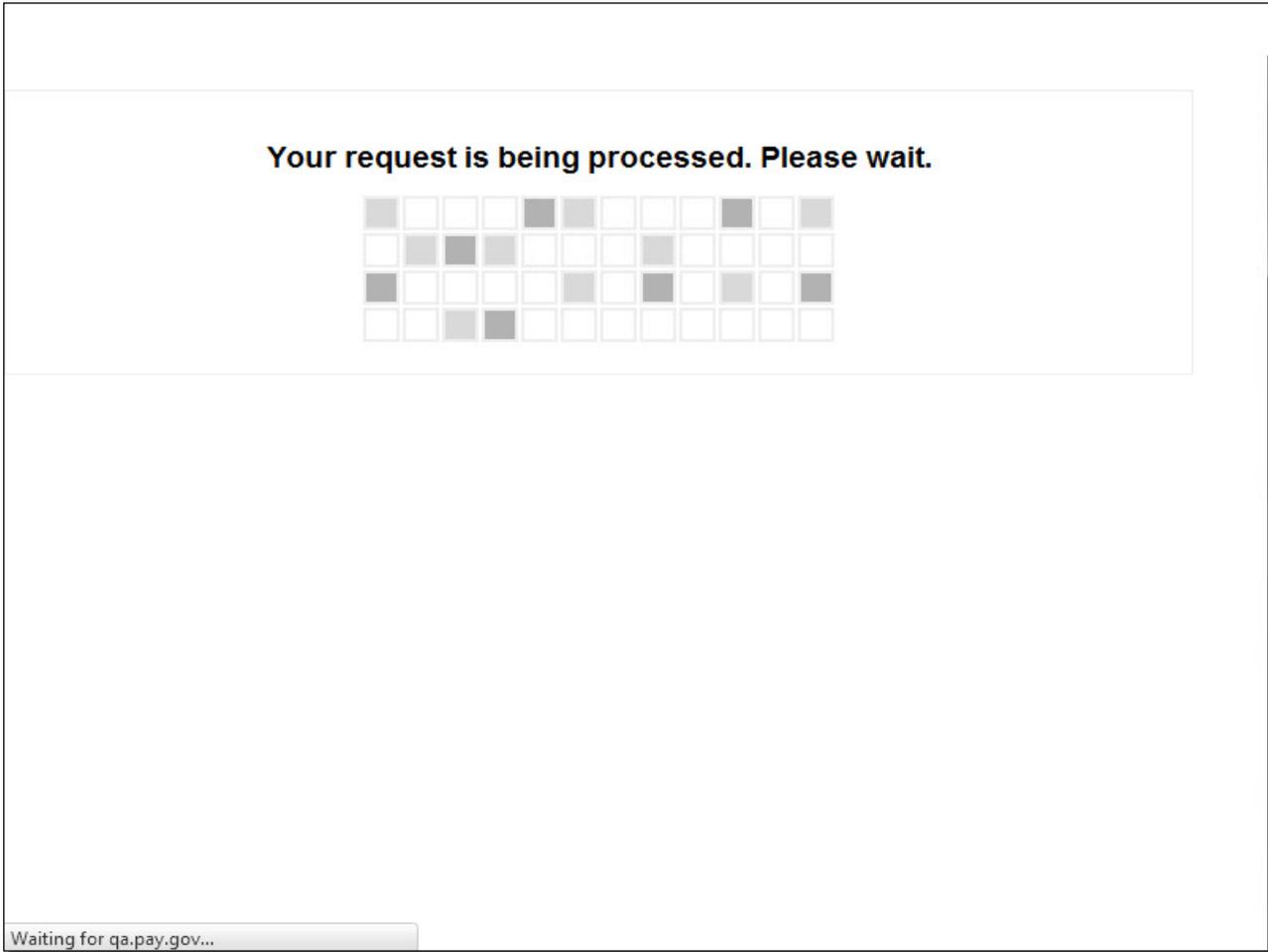
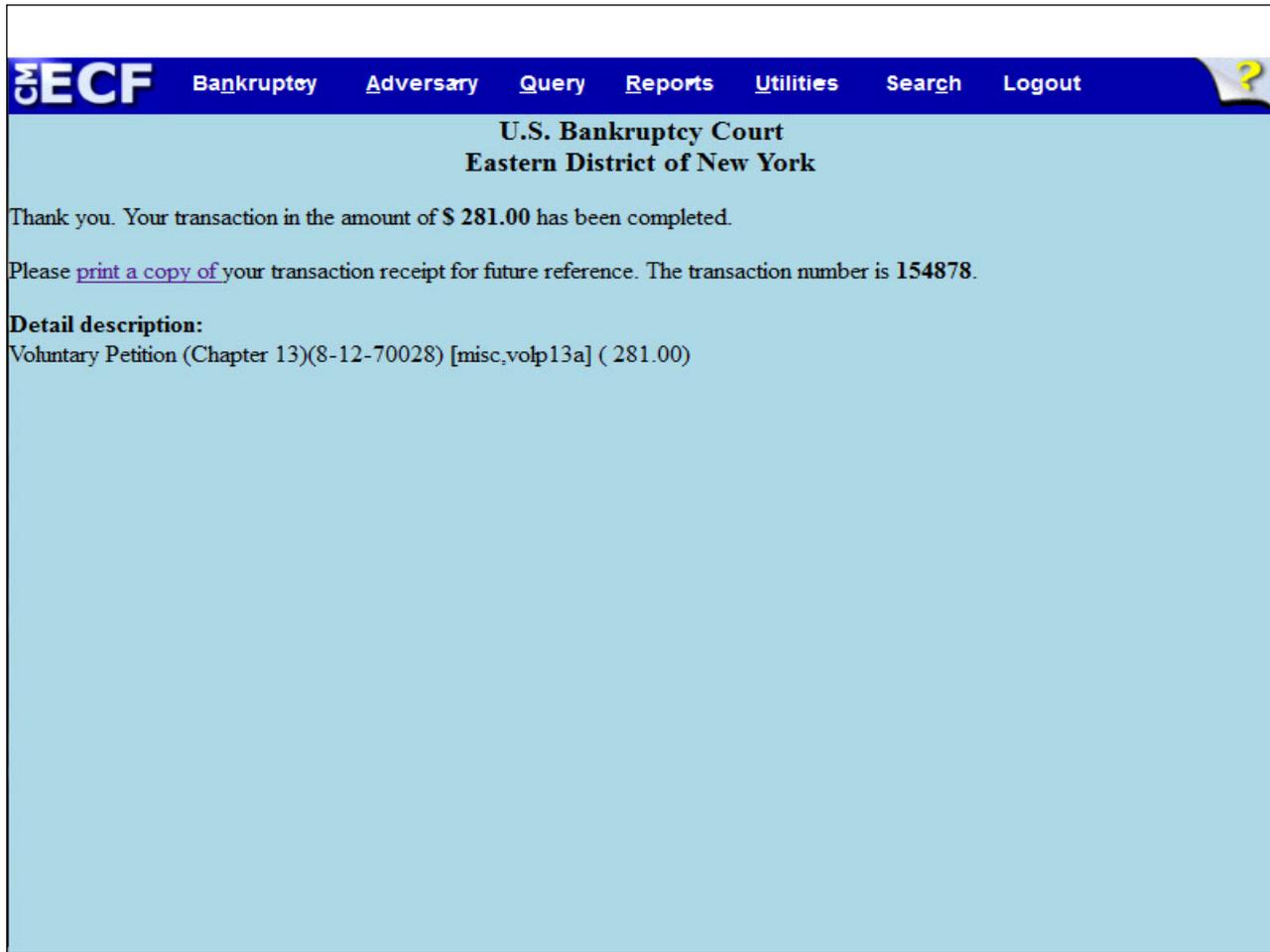While the request is being processed, please wait. Navigating away from this page may lead to incomplete data being transmitted and pages being loaded incorrectly.
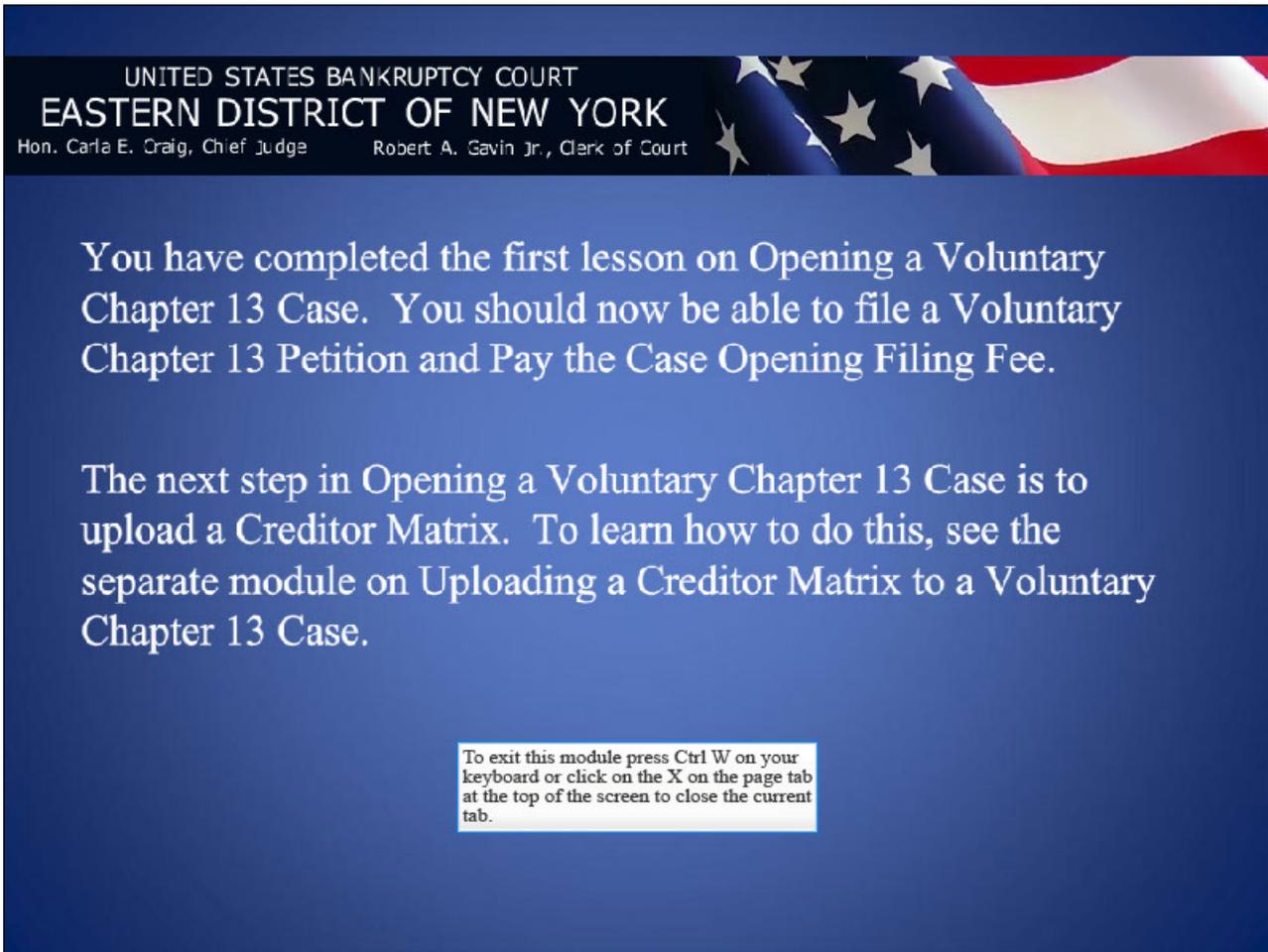
Slide 46 - Receipt

This receipt provides the amount paid, a transaction number for your records, and a detailed description of the documents filed that incurred a fee. You may print a copy of your transaction receipt for future reference.

TIP: Because you selected **Pay Now** rather than **Continue Filing**, the **Notice of Electronic Filing**, which evidences the filing of the Chapter 13 Petition, will not appear after the filing. You will instead receive it via e-mail.

Slide 47 - Summary