
How To Open A Bankruptcy Case (and File A Petition)

This Section will guide you through the process of opening a bankruptcy case and filing a petition. ***Users must have the petition prepared and in PDF format before trying to open a case. ECF will not permit you to open a case without a PDF document to upload. (This document must be the petition.)***

Rules to Remember:

1. Unless filing a skeleton, include all of the schedules with the summary page, the statement of financial affairs and the statement of intention if applicable and the Disclosures of Compensation together as the same document. **Do not upload these pages individually.**
2. A Declaration Re: Electronic Filing must be filed as either an attachment to the petition or separately as an individual PDF Document.
3. A matrix is uploaded as a .txt document and is treated separately in this manual.
4. The following documents are always filed as separate documents, never as attachments to the petition:
 - a. Chapter 13 plans
 - b. Applications to Waive the Filing Fee (In forma pauperis)
 - c. Applications to Pay the Filing Fee in Installments are always filed as separate documents.
 - d. Form B121-Social Security Statement
 - e. Certificates of Credit Counseling
 - f. Statements of Monthly Income - Means Test, Disposable Income and CMI documents.
 - g. Certificate of Financial Management

There are two methods for opening a bankruptcy case, the quick way and the conventional way. To use the quick way, you must have petition preparation software that prepares the necessary files in the correct format.

This manual provides instructions for the conventional method of filing. For more information on using the commercial bankruptcy software with ECF, contact the various vendors.

Conventional Case Opening is as follows:

Step 1 Click **Bankruptcy** on the Main Menu Bar.



Step 2 Select the **Open BK Case** Category

Bankruptcy Events

- [Open BK Case](#)
- [Open Involuntary Case](#)
- [Appeal](#)
- [Motions/Applications](#)
- [Answer/Response...](#)
- [Plan](#)
- [Misc/Other](#)
- [Notices](#)
- [Claim Actions....](#)
- [Batch Filings](#)
- [File Claims](#)
- [Creditor Maintenance...](#)
- [Judge/Trustee Assignment](#)
- [Case Upload](#)

Step 3 Select the **Chapter**, whether you are filing a **joint petition**, and if there are **deficiencies**. Click **Next**.

A light blue form titled "Open Voluntary Bankruptcy Case". It contains the following fields:

- Case type: bk
- Date filed: 2/3/2012
- Chapter: [dropdown menu]
- Joint Petition: n [dropdown menu]
- Deficiencies: n [dropdown menu]

At the bottom, there are two buttons: "Next" and "Clear".

Note: The case number, division, Judge and trustee assignments are generated after the case is opened.

- The **Case Type and Date Filed** cannot be changed.
- The default in the **Joint Petition** box is **n** for no. *(If the case is a joint filing, click on the drop down arrow in the **Joint Petition** Box, then click on **y** (yes) to select.)*
- The default in the **Deficiencies box is n for no.** –If you are filing a complete petition keep the deficiencies box on **n**. If there are missing schedules, including the summary page, statement of financial affairs, statement of intent, or if you will not be filing the attorney disclosure statement or, if in a Chapter 13 case, the plan is not being filed immediately after the petition, you **MUST** change the default to “**y**” for yes. A later screen will prompt you to identify the missing documents.

Note: The Attorney Disclosure Statement must be filed separately.

Step 4 The **Search for a debtor** screen displays. You may search by Social Security Number, Tax Identification Number, Last Name or Business Name.

- Enter the debtor’s last name or SSN, including the hyphens, in the correct box and click **Search**.
- For business filings, enter the entire name in the **Last/Business** name field or their Tax Identification number in the Tax Id field.
- **DO NOT USE** a party record for a debtor if the social security number *(or in the case of a corporation or partnership the tax ID number)* is missing or if the name of the debtor or the tax number differ from those of your client. If there is more than one name on the list that matches exactly your client’s name and there is no match for the social security or tax ID number for the first name on the list, click on the **Back** button on your browser and repeat the inspection of the Party Information record for the next name on the list until you find a match or conclude that there is no record where both the name and social security or tax ID number match your client’s name and number.

If no existing record has both a matching name and matching number, proceed to create a new party record.

Search Hints:

- Enter one field or data for each search
- Format Social Security or Tax Id Numbers with hyphens
- Include punctuation (Garcia-Carrera)
- Try alternate search clues if your first search is not successful.
- Partial names may be entered.
- Wild cards (*) should not be used especially by itself. ALL records in the database will be searched and unnecessary system resources will be used.

Step 5 When there are no matches, the system will return a **No Person Found** message.

The screenshot shows a web form titled "Search for a debtor" with a light blue background. It contains several input fields: "SSN / ITIN", "Tax ID / EIN", "Last/Business name", "First Name", and "Middle Name". Below these fields are "Search" and "Clear" buttons. Underneath, the text "Party search results" is followed by "No person found." and a "Create new party" button.

- Since the party is not already on the database, proceed to add the debtor. Click **Create New Party**. (Search criteria already entered will carry over to the new screen.)

Step 6 The **NEW PARTY INFORMATION** screen displays.

The screenshot shows a web form titled "Debtor Information" with the following fields:

- Last name:
- Middle name:
- SSN / ITIN: 222-11-1234
- Office:
- Address 2:
- City:
- County: (dropdown menu)
- Phone:
- E-mail:
- Party text:
- First name:
- Generation:
- Title:
- Tax ID / EIN: 11-2222222
- Address 1:
- Address 3:
- State:
- Zip:
- Country:
- Fax:

At the bottom of the form, there are several buttons and a note:

- Buttons: Alias..., Corporate parent / affiliate..., Review..., Submit, Cancel, Clear
- Note: Add all aliases and corporate parents or affiliates before clicking the Submit button.

- Enter the debtor **Name** and **Address** information in the appropriate boxes. Refer to the **ECF Style Guide**, Appendix 2 for correct name and address formats. **DO NOT use the 4 digit zip code extensions.**
- **DO NOT use the % character.** Noticing will fail if this character is used.
- If the person does not have a generation designation, leave the box blank.
- Select the debtor's **County** of residence from the pull down list box.

Note: Type the first letter of the county name for a faster search.

- The system will default **pro se** to **no** presuming users of the system are attorneys filing on behalf of a client.
- Enter further descriptive text for the debtor in the Party text field, if appropriate. (*a Massachusetts Corporation, Guardian of the Estate, etc.*) This text will appear in the Case Title.

- If the party has an alias, click the **Alias** button.
 - You may enter up to 5 alias records per screen. If you have more than five (5), enter the five (5) and Click on **Add aliases**. You will be brought back to the Party Information screen. Click **Alias** again and you will be allowed to add more records.
 - Alias Role selections include *aka, dba, fdba, fka*.
 - Click **Add aliases**.

Step 7 If you are finished adding information for this new party, click **Submit** to continue with Case Opening.

Note: If filing on behalf of joint debtors, a **JOINT DEBTOR PARTY** screen would appear next.

Note: As a Registered User opens a new bankruptcy case, a link to their name and contact information will be made automatically by the system. There is no need to enter yourself as the filing attorney when opening a bankruptcy case. *(Please also note that only Court users may enter attorneys or designate Lead attorneys.)*

Step 8 The **DIVISIONAL OFFICE** Screen appears, simply click **Next** to continue.

Open Voluntary Bankruptcy Case

Divisional Office is set to **Boston** based on the zip code **02109** of the debtor

Step 9 Modify the statistical data as appropriate and click **Next**.

Open Voluntary Bankruptcy Case

Prior filing within last 8 years

Fee status

Nature of debt

Asset notice

Estimated number of creditors

Estimated assets

Estimated liabilities

Type of debtor

- Individual
- Corporation (includes LLC & LLP)
- Partnership
- Other

Nature of business

- Health Care Business
- Single Asset Real Estate
- Railroad
- Stockbroker
- Commodity Broker
- Clearing Bank
- None of the above

- Select the **Type of Debtor** by clicking in the appropriate box.
 - Individual does not refer to how many debtors but that the debtor(s) are persons and not a legally created entity such as a corporation or partnership.
- The default in the **FEE STATUS** box is **p** for paid.
 - If the fee is to be paid in installments, Click the drop down arrow in the **Fee Status** box then Click on **Installments**. *If the fee is to be paid in installments, an Application to Pay Filing Fee in Installments must accompany the petition and be filed as a separate document once the case is opened.*
 - If the debtor wishes to have his/her fee waived, or file an In forma pauperis, select **IFP Filing Fee is Waived**. *Application to Waive the Filing Fee must accompany the petition and be filed as a separate document. The Court may not permit the debtor to waive their fee, in which case, the Court will request payment.)*

- The default in the **ASSET NOTICE** box is **n** for no. Only Ch. 7 business, Chapter 13 and Chapter 11 cases are filed as asset cases. In those instances, you must change the Asset Notice box to “y” for yes. Chapter 7 individuals are always presumed to be no asset.
- Select the following ranges from the pull down list in the box:

Note: Remember, if the Debtor is a corporation filing a Chapter 11 case, it is necessary to indicate whether or not the debtor is a small business.

Step 10 The **SUMMARY OF SCHEDULES** appears next. Report the totals in the boxes provided.

Open Voluntary Bankruptcy Case

Summary of Assets and Liabilities and Certain Statistical Information

Report the totals from Schedules A/B, D, E/F, I, J, Forms 122, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
Schedule A/B - Total Real Estate/Property	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule A/B - Total Personal Property	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule D - Total Secured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule E/F - Total Priority Unsecured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule E/F - Total Nonpriority Unsecured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule I - Monthly Income	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule J - Monthly Expenses	<input type="text"/>	<input type="text"/>	<input type="text"/>
Current Monthly Income (Official Form 122A-1, 122B or 122C-1)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total Unsecured Claims Amount (Official Form 106Sum, 3a + 3b)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E/F, or total unsecured claims amount is not known.	<input type="text"/>	<input type="text"/>	<input type="text"/>

Next

Open Voluntary Bankruptcy Case**Schedules**

Schedule C: Total value of claimed exemptions

Schedule I line 2: Monthly gross wages, salary, and commission Debtor Spouse

Schedule I line 6: Subtotal of payroll deductions Debtor Spouse

Schedule J line 23c: Monthly net income

Reminder screen to docket your Attorney Disclosure of Compensation as a separate event and click **Next**.

Step 11 Browse and attach the **petition**. Click **Next**.

Open Voluntary Bankruptcy Case**Filename**

\\mab.circ1.dcn\dfs\users\alove\Desktop\...

Attachments to Document: No Yes

Note: If filing the Declaration Re: Electronic Filing as an attachment, Click yes, there are attachments to this petition.

- Step 12**
1. **Browse** for the Declaration (or other attachment) and select it.
 2. Under **Category**, use the pull down menu to select the Declaration Re: Electronic Filing and/or add a **Description**.
 3. Click **Add to List**. The attachment will show up to the left of the **Add to List** button.
 4. **Repeat** these steps for each attachment making sure to follow the steps (1, 2, 3) then click **Add to List**.
 5. When all attachments are added, click **Next**.

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Select one or more attachments.

1) Select the PDF document that contains the attachment.

Filename

2) Fill in the fields below.

Category and/or **Description**

3) Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of filenames is complete, click on the Next button.

Step 13 The filing fee will be displayed. Click **Next**.

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Fee: \$310

Step 14 If you are attaching the **Debtors Certificate of Credit Counseling** type **y** for yes, if not, type **n** for no. Click **Next**.

Open Voluntary Bankruptcy Case

Are you attaching Debtors Certificate of Credit Counseling with this filing [y or n]?

Step 15 The **MODIFY DOCKET TEXT** screen appears. Add text as appropriate and click **Next**.

Open Voluntary Bankruptcy Case

Docket Text: Modify as Appropriate.
Chapter 13 Voluntary Petition Individual All Schedules and Statements and Matrix. With Chapter 13 Agreement . Filing Fee in the Amount of \$310 Filed by Sarah System. (Attachments: # (1) Declaration of Electronic Filing)

Note:

Use the text boxes to clarify or describe your document but note that the actual text on this screen cannot be modified, use the **Back** button on the browser to locate the correct screen to make the desired change then proceed forward through the screens again. ***Be careful to read all of your entries as some information may have been lost and will need to be re-entered.***

Step 16

Proof this screen carefully! This is your LAST CHANCE to modify or abort this transaction. This is what will print on the docket sheet. If the docket text is incorrect, click the browser **Back** button at the top of the screen one or more times to find the screen to be modified. Click **Next** to file the document.

Open Voluntary Bankruptcy Case

Docket Text: Final Text

Chapter 13 Voluntary Petition Individual All Schedules and Statements and Matrix. With Chapter 13 Agreement. Filing Fee in the Amount of \$310 Filed by Sally System. (Smith, Attorney)

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

Note:

To abort or restart the transaction, click on any of the Bankruptcy Events hyperlinks on the Main Menu. Although this can be done at any time, **this is your last opportunity to change the event or exit without filing.**

Step 17

The **NOTICE OF BANKRUPTCY CASE FILING** screen displays. Which also triggers a pop-up box or **INTERNET PAYMENT** screen displays over it. The user is connected to the U.S. Treasury database and asked to pay for this filing. (Review Section 4 for additional information concerning Internet Payments and Fees.)

Open Voluntary Bankruptcy Case

United States Bankruptcy Court
District of Massachusetts TRAIN DATABASE

[Notice of Bankruptcy Case Filing](#)

The following transaction was received from entered on 10/28/2015 at 12:44 PM EDT and filed on 10/28/2015

Case Name: Sarah System

Case Number: [15-40013](#)

Document Number: 1

Docket Text:

Chapter 13 Voluntary Petition Individual All Schedules and Statements and Matrix. With Chapter 13 Agreement. Filing Fee in the Amount of \$310 Filed by Sarah System. (Attachments: # (1) Declaration of Electronic Filing)

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

Document description:Main Document

Original filename:H:\2005 Training\Petitions 7\System.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1021399670 [Date=10/28/2015] [FileNumber=181829-0] [22efa7b370c8b4655c6621b909de943004088b678cf31474e58b9bcd133eeb8516e9eb19a53fbc58fa1dcb420a7865b15ba6f61f8ecf795f242232b8b8789f]]

Document description:Declaration of Electronic Filing

Original filename:H:\2005 Training\13 Agreement.pdf

Electronic document Stamp:

[STAMP bkecfStamp_ID=1021399670 [Date=10/28/2015] [FileNumber=181829-1] [9319ce84cef7a880acc4431792a68d2f2eaa717db20dde0c1164f241b60ae27e0585e2b6db22878d760cc30cacc82a3736dd36f3c6a1b28c8b987312af429f6d]]

Note: Until you return to the Bankruptcy Events Menu and run the Judge/Trustee program you will not have a judge or trustee assigned to your case. However, you will have a case number and can use this notice to send to creditors as an official notice of stay prior to the 341 Meeting Notice to stop foreclosures and other creditor actions. It may be saved or printed at the time of filing.

- Click **Pay Now** or if you have additional documents you wish to file in this session **click Continue Filing**.

Date Incurred	Description	Amount
2012-01-20 15:23:07	Motion for Relief From Stay(11-10007) [motion,mrlfsty] (176.00)	\$ 176.00
2012-02-06 15:16:05	Voluntary Petition (Chapter 13)(12-10028) [misc,volp13] (281.00)	\$ 281.00
2012-02-06 15:54:12	Voluntary Petition (Chapter 13)(12-10029) [misc,volp13] (281.00)	\$ 281.00
Total:		\$738.00

Note: Failure to pay fees to the Court may result in a hearing and loss of ECF privileges. Contact the Clerk’s office as soon as possible if you have problems using this feature.

Step 18 Select the fees you would like to pay and click **Next**. On the next screen click **Pay Now**.

Check Fees to Pay	Date Incurred	Description	Amount
<input type="checkbox"/>	2012-01-20 15:23:07	Motion for Relief From Stay(11-10007) [motion,mrlfsty] (176.00)	\$ 176.00
<input type="checkbox"/>	2012-02-06 15:16:05	Voluntary Petition (Chapter 13)(12-10028) [misc,volp13] (281.00)	\$ 281.00
<input type="checkbox"/>	2012-02-06 15:54:12	Voluntary Petition (Chapter 13)(12-10029) [misc,volp13] (281.00)	\$ 281.00

*Fee amounts may differ from image.

Step 19 The **Online Payment** screen displays. Select your method of payment (Bank Account Debit or Credit Card) and enter the appropriate information. Click **Continue with ACH Payment** or **Continue with Plastic Card Payment**.

Option 1: Pay Via Bank Account (ACH) [About ACH Debit](#)

Required fields are indicated with a red asterisk *

Account Holder Name: *

Payment Amount:

Account Type: *

Routing Number: *

Account Number: *

Confirm Account Number: *

Check Number:

Routing Number
Account Number
Check Number

0 26 946 76 31
9 243 76 7 3 90
1 234

Payment Date: 02/08/2012

Select the "Continue with ACH Payment" button to continue to the next step in the ACH Debit Payment Process.

Option 2: Pay Via Plastic Card (PC) (ex: VISA, Mastercard, American Express, Discover)

Required fields are indicated with a red asterisk *

Account Holder Name: *

Payment Amount:

Billing Address: *

Billing Address 2:

City:

State / Province:

Zip / Postal Code:

Country:

Card Type: *

Card Number: * (Card number value should not contain spaces or dashes)

Security Code: * [Help finding your security code](#)

Expiration Date: / *

Select the "Continue with Plastic Card Payment" button to continue to the next step in the Plastic Card Payment Process.

Step 20 Authorize your payment by checking the **Authorization box** and clicking **Submit Payment**.

Online Payment [Return to your originating application](#)

Step 2: Authorize Payment 1 | 2

Payment Summary [Edit this information](#)

Address Information	Account Information	Payment Information
Account Holder Name: efgaty 10 Causeway Billing Address: Street Billing Address 2: City: State / Province: MA Zip / Postal Code: 02222 Country: USA	Card Type: Visa Card Number: *****1111	Payment Amount: \$281.00 Transaction Date and Time: 02/07/2012 11:30 EST

Email Confirmation Receipt

To have a confirmation sent to you upon completion of this transaction, provide an email address and confirmation below.

Email Address:

Confirm Email Address:

CC: Separate multiple email addresses with a comma

Authorization and Disclosure

Required fields are indicated with a red asterisk *

I authorize a charge to my card account for the above amount in accordance with my card issuer agreement. *

Press the "Submit Payment" Button only once. Pressing the button more than once could result in multiple transactions.

Note: Please avoid navigating the site using your browser's Back Button - this may lead to incomplete data being transmitted and pages being loaded incorrectly. Please use the links provided whenever possible.

Step 21 The confirmation screen will appear. Print or save a copy of your transaction receipt for future reference.

Thank you. Your transaction in the amount of **\$ 281.00** has been completed.

Please [print a copy of](#) your transaction receipt for future reference. The transaction number is **73384**.

Detail description:

Voluntary Petition (Chapter 13)(12-10003) [misc,volp13] (281.00)