

CM/ECF FILING PROCEDURE
For Attorneys
ADVERSARY CASE OPENING/SUMMONS REQUEST

This docketing procedure provides instructions for the filing of a new Adversary case and Requests for the Issuance of Summons.

NOTE: **The Adversary Cover Sheet and Summons (one summons for each defendant is required) can be submitted as “attachments” to the main document (Complaint) or can be docketed as separate entries (the Adversary Cover Sheet and Request for Issuance of Summons events are located in the *Complaint & Summons* category under the Adversary main menu.**

Step 1 **Click on the Adversary hyperlink on the blue CM/ECF Main Menu Bar.**

Step 2 **Click on *Open an Adversary Case (Complaint)***



- Step 3** The *Open Adversary/MP Case* screen appears. The case type is programmed to “ap” and the Complaint box defaults to “y”. The current date also appears. Leave this screen at the default settings unless you are filing a Notice of Removal, then change the Complaint box to “n”. Click Next.



- Step 4** Enter the Lead Bankruptcy case number – Association type defaults to Adversary – click Next



- Step 5** The Adversary case is assigned to the appropriate division based on the lead Bankruptcy case number



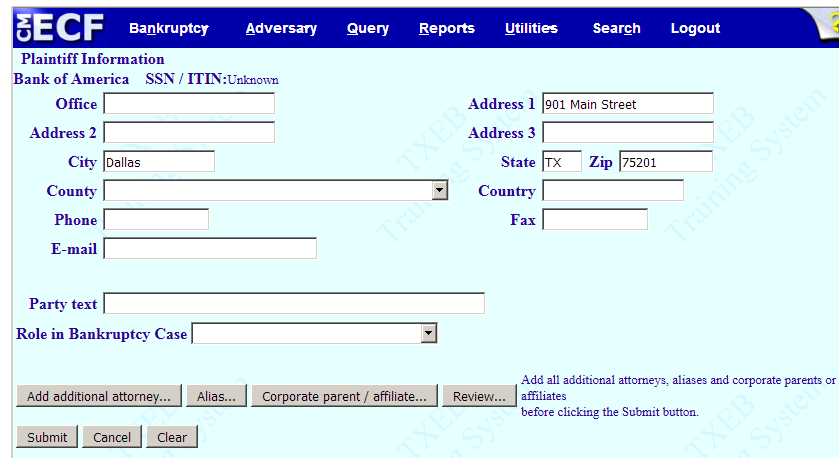
Step 6 **The *Search for a Plaintiff* screen appears. Please remember to conduct a general search for the plaintiff's name in the CM/ECF database. Click Search.**

The screenshot shows the 'Open Adversary/MP Case' search interface. At the top is a blue navigation bar with the 'ECF' logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below the navigation bar, the title 'Open Adversary/MP Case' is displayed in large blue font. Underneath, the section 'Search for a plaintiff' contains several input fields: 'SSN / ITIN', 'Tax ID / EIN', 'Last/Business name', 'First Name', and 'Middle Name'. At the bottom of this section are two buttons: 'Search' and 'Clear'.

Step 7 **The Party search results display. Select the appropriate party from the list and click on Select Name From List. If the party does not appear in the list, click on Create New Party**

The screenshot shows the 'Party search results' section of the CM/ECF interface. It features the same search fields as the previous screen. Below the search fields, a list box displays the search results: 'Bank of America', 'Bank of America', 'Bank of America', 'Bank of America, 102 East Street, Beaumont, TX', and 'Bank of America, 901 Main Street, Dallas, TX'. At the bottom of the list box are two buttons: 'Select name from list' and 'Create new party'.

Step 8 The *Plaintiff Information* screen appears. Ensure that the plaintiff's physical address is entered rather than c/o Plaintiff's Attorney's address. The Role in Bankruptcy Case field must be selected. Click Submit.



The *Search for a Plaintiff* screen appears again – you can search for another plaintiff or select the *End Plaintiff Selection* button

Step 9 The *Search for a Defendant* screen appears. Search for the defendant in the same manner as you did the plaintiff. The defendant will be entered as Pro Se (the attorney will be added when the answer to complaint is filed). The “Role in Bankruptcy Case” must be selected



Continue adding parties until all parties to the action have been added to the case. Click submit.

Step 10

The *Nature of Suit* screen appears. Select the correct options for *Party Code* and *Nature(s) of Suit*. When completed, click Next.

The screenshot shows the 'Open Adversary/MP Case' screen in the ECF system. The form includes the following fields:

- Party code:** 3 U.S. not a Party
- Primary nature of suit:** 62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)
- Rule 23 (class action):** n
- Second nature of suit:** 64 (Dischargeability - 523(a)(15), divorce/sep property settlement/decrees)
- Jury demand:** None
- Third nature of suit:** none
- Demand (\$000):** (empty field)
- Fourth nature of suit:** none
- State law:** n
- Fifth nature of suit:** none

Buttons: Next, Clear

Step 11

Answer Yes/No to “Is Plaintiff a Debtor in Underlying Chapter 7 or 13 Case”.....click Next

The screenshot shows the 'Open Adversary/MP Case' screen in the ECF system. The form includes the following fields:

- Is The Plaintiff in this Adversary Proceeding a Debtor In An Underlying Chapter 7 or 13 Bankruptcy Case?(NOTE: if you answer yes to the question you will NOT be charged a fee)**

Buttons: Next, Clear

- Step 12** The next screen allows you to browse for the document you are filing. Make sure you select the correct document. If you are submitting a Summons or Adversary Cover Sheet with your complaint, you should answer “yes” to *Attachments to Documents*, browse for your pdf, then click Next.



The screenshot shows the ECF (Electronic Case Filing) interface for an Open Adversary/MP Case. The top navigation bar includes links for Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. The main heading is "Open Adversary/MP Case". Below this, there is a section for "Filename" with a "Browse..." button and the text "TEST_PDF.pdf". Underneath, there is a section for "Attachments to Document:" with radio buttons for "No" (selected) and "Yes". At the bottom, there are "Next" and "Clear" buttons.

- Step 13** The next screen gives you information on payment of the filing fee. Review the information and click next.



The screenshot shows the ECF (Electronic Case Filing) interface for an Open Adversary/MP Case. The top navigation bar includes links for Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. The main heading is "Open Adversary/MP Case". Below this, there is a red notice: "NOTICE - A Filing Fee Is Required For The Filing Of This Document (If Plaintiff Is Not The Debtor)! If You Are An Attorney You Will Be Directed To The Credit Card Payment Screen After Docketing This Item!". Underneath, there is a section for "Fee: \$350". At the bottom, there are "Next" and "Clear" buttons.

- Step 14** The next screen requires no data input - click Next.



The screenshot shows the ECF (Electronic Case Filing) interface for an Open Adversary/MP Case. The top navigation bar includes links for Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. The main heading is "Open Adversary/MP Case". Below this, there are "Next" and "Clear" buttons.

Step 15

The Final Text window appears. Review the entry *before* submitting for filing to be sure there are no errors. You will have no further ability to correct the transaction after you click on Next. If the entry is correct, click Next.

The screenshot shows the ECF (Electronic Case Filing) interface. At the top is a blue navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below this is a large heading "Open Adversary/MP Case". A light blue box contains the text "Docket Text: Final Text" followed by a yellow box with the following text: "(62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)): filed by Bank of America against Tommy Lee Test. (testattyb)". Below this, a red "Attention!!" warning states: "Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue." This is followed by the question "Have you redacted?". At the bottom are two buttons: "Next" and "Clear".

Step 16

The *Summary of Current Charges* screen pops up on top of the *Notice of Electronic Filing* screen. All pending fees will appear. You may either “Pay Now” or “Continue Filing”.

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary/MP Case

United States Bankruptcy Court
Eastern District of Texas

Notice of Electronic Filing

The following transaction was received from testattyb entered on 5/16/2018 at 1:28 PM CDT and filed on 5/16/2018

Case Name: Internal Revenue Service v. Test
Case Number: [18-01003](#)

Document Number: **Summary of current charges**

Date Incurred	Description	Amount
2006-09-27 10:20:34	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 10:43:19	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 10:44:38	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 10:58:17	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 10:58:57	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 11:00:59	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 11:02:20	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 11:03:44	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 11:04:22	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00

Pay Now **Continue Filing**

18-01003 Notice will not be electronically mailed to:

Step 17

After the *Summary of Current Charges* window is closed, the *Notice of Electronic Filing* screen appears in full and reflects new adversary case number and document number as hyperlinks.

The screenshot shows a web browser window with the URL <https://ecf-train.txeb.uscourts.gov/cgi-bin/Dispatch.pl?361558547419066>. The page title is "Open Adversary/MP Case" under the "United States Bankruptcy Court Eastern District of Texas". The "Notice of Electronic Filing" section states that a transaction was received from testattyb on 5/16/2018 at 1:28 PM CDT. It lists two cases: Case Name: Internal Revenue Service v. Test, Case Number: [18-01003](#), Document Number: [1](#); and Case Name: Tommy Lee Test, Case Number: [18-10013](#), Document Number: [2](#). The "Docket Text" section describes an adversary case filed by testattyb on behalf of Internal Revenue Service against Teresa Lynn Test. It also lists associated documents with their descriptions, original filenames, and electronic document stamps. At the bottom, it specifies that the 18-01003 Notice will be electronically mailed to Teresa Lynn Test and testattyb on behalf of Plaintiff Internal Revenue Service.

File Edit View History Bookmarks Tools Help

Eastern District of Texas | Uni... TXEB Train Database Ver. 5.1

https://ecf-train.txeb.uscourts.gov/cgi-bin/Dispatch.pl?361558547419066

Most Visited Getting Started TXEB Internal Web Slice Gallery

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Open Adversary/MP Case

United States Bankruptcy Court
Eastern District of Texas

Notice of Electronic Filing

The following transaction was received from testattyb entered on 5/16/2018 at 1:28 PM CDT and filed on 5/16/2018

Case Name: Internal Revenue Service v. Test
Case Number: [18-01003](#)
Document Number: [1](#)
Case Name: Tommy Lee Test
Case Number: [18-10013](#)
Document Number: [2](#)

Docket Text:
Adversary case 18-01003. (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)): filed by testattyb on behalf of Internal Revenue Service against Teresa Lynn Test. (testattyb)

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

Document description:Main Document
Original filename:TEST_PDF.pdf
Electronic document Stamp:
[STAMP bkecfStamp_ID=995489823 [Date=5/16/2018] [FileNumber=1241296-0]
[b343522e1e0ee3c78437be5046147205db84acc908e1108f7c85a95794d29c42ffc4
7806543a28c3b70ebd5cd49c7b8da8dbe800241fc747c69f30db2d103048]]
Document description:Main Document
Original filename:TEST_PDF.pdf
Electronic document Stamp:
[STAMP bkecfStamp_ID=995489823 [Date=5/16/2018] [FileNumber=1241297-0]
[24ea6da2627aaac8cb0da2badb2df2b3ba130d960ec74ccc0c51c1325525b0d41c69
c20fe6528ef6e2611e6bf3cc8ae4de370d44bc63608ed2f44359f14def01]]

18-01003 Notice will be electronically mailed to:

18-01003 Notice will not be electronically mailed to:

Teresa Lynn Test
1111 Park St.
Beaumont, TX 77701

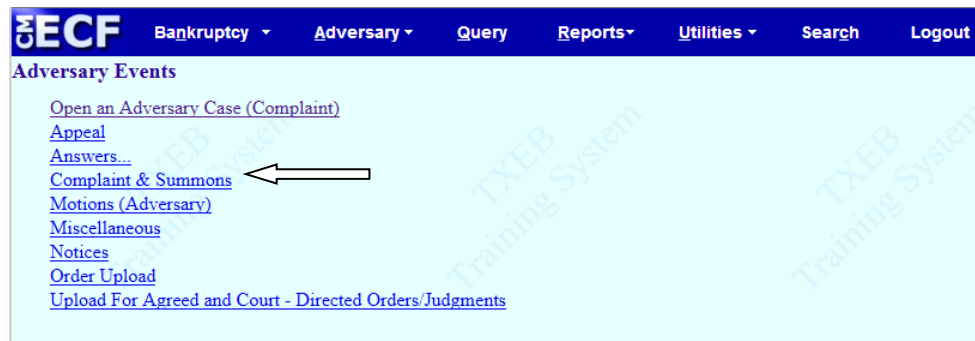
testattyb on behalf of Plaintiff Internal Revenue Service
300 Willow, Ste. 100
Beaumont, TX 77701

REQUEST FOR ISSUANCE OF SUMMONS

Note: A summons for each defendant must be submitted.

Step 1 From the CM/ECF Main Menu bar select Adversary

Step 2 Select Complaint & Summons



Step 3 Enter Adversary Case Number, click Next

Step 4 Select *Request for Issuance of Summons* from the drop-down list, click Next



- Step 5** Browse for your pdf, click Next
(If submitting a summons for more than one defendant, submit additional summons forms as “attachments”)

The screenshot shows the ECF Complaint/Summons form. The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. The title is "Complaint/Summons:". Below the title, the case information is displayed: "18-01002 Bank of America v. Test", "Type: ap", "Office: 1 (Beaumont)", and "Lead Case: 1-18-bk-10013". The "Filename" section has a "Browse..." button and the text "No file selected.". The "Attachments to Document:" section has radio buttons for "No" (selected) and "Yes". At the bottom, there are "Next" and "Clear" buttons.

- Step 6** If you need to refer to an existing event, check the box for *Refer to existing event?* – click Next (Note: it is not necessary to link the summons to the Complaint)

The screenshot shows the ECF Complaint/Summons form. The header includes the ECF logo and navigation links: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. The title is "Complaint/Summons:". Below the title, the case information is displayed: "18-01002 Bank of America v. Test", "Type: ap", "Office: 1 (Beaumont)", and "Lead Case: 1-18-bk-10013". The "Refer to existing event(s)?" section has an unchecked checkbox. At the bottom, there are "Next" and "Clear" buttons.

Note: If you did not check the box for “Refer to existing event?” – hit the Next button twice and the following screen appears:

The screenshot shows the ECF (Electronic Case Filing) interface. At the top is a navigation bar with links: Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below this is the title "Complaint/Summons:". The case information includes "18-01002 Bank of America v. Test", "Type: ap", "Office: 1 (Beaumont)", and "Lead Case: 1-18-bk-10013". A text box labeled "Docket Text: Final Text" contains the text "Request for Issuance of Summons (testattyb)". Below this, a red warning message states: "Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue. Have you redacted?". At the bottom are two buttons: "Next" and "Clear".

Clicking Next will take you to Step 11

Step 7 **If you checked the box for “Refer to existing event” , link the summons request to the adversary complaint by selecting the “cmp” category, click Next**

This screenshot shows the same ECF interface as the previous one, but with a dropdown menu open. The dropdown is titled "Select the category to which your event relates." and lists several categories: answer, appeal, auditor, caseupld, claims, cmp (which is highlighted), court, crditcrd, misc, and motion. The "Next" and "Clear" buttons are still visible at the bottom.

Step 8 The next screen will show the complaint entry – check the box if not already checked – click Next

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Complaint/Summons:

[18-01002 Bank of America v. Test](#)

Type: ap Office: 1 (Beaumont) Lead Case: 1-18-bk-10013

Select the appropriate event(s) to which your event relates:

☒ 05/14/2018 1 Adversary case 18-01002. (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)): filed by Bank of America against Tommy Lee Test. (testattyb)

Next Clear

Step 9 The Modify as Appropriate text box appears – review the entry before clicking Next

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Complaint/Summons:

[18-01002 Bank of America v. Test](#)

Type: ap Office: 1 (Beaumont) Lead Case: 1-18-bk-10013

Docket Text: Modify as Appropriate.

Request for Issuance of Summons (RE: related document(s)[1] Adversary case 18-01002. (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)): filed by Bank of America against Tommy Lee Test. (testattyb) filed by Plaintiff Bank of America). (testattyb)

Next Clear

Step 10

The Final Text screen appears – submitting this screen commits the transaction – click Next

The screenshot shows the ECF (Electronic Case Filing) interface. At the top is a blue navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, Search, and Logout. Below the navigation bar, the title "Complaint/Summons:" is displayed in large blue font. Underneath, the case details are shown: "18-01002 Bank of America v. Test", "Type: ap", "Office: 1 (Beaumont)", and "Lead Case: 1-18-bk-10013". A section titled "Docket Text: Final Text" contains a yellow-highlighted text block: "Request for Issuance of Summons (RE: related document(s)[1] Adversary case 18-01002. (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)): filed by Bank of America against Tommy Lee Test. (testattyb) filed by Plaintiff Bank of America). (testattyb)". Below this, a red warning message states: "Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue." followed by the question "Have you redacted?". At the bottom are two buttons: "Next" and "Clear".

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Complaint/Summons:

[18-01002 Bank of America v. Test](#)
Type: ap Office: 1 (Beaumont) Lead Case: 1-18-bk-10013

Docket Text: Final Text

Request for Issuance of Summons (RE: related document(s)[1] Adversary case 18-01002. (62 (Dischargeability - 523(a)(2), false pretenses, false representation, actual fraud)), (67 (Dischargeability - 523(a)(4), fraud as fiduciary, embezzlement, larceny)): filed by Bank of America against Tommy Lee Test. (testattyb) filed by Plaintiff Bank of America). (testattyb)

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

Have you redacted?

Step 11

If fees are due on your account, the *Summary of Current Charges* screen appears in front of the *Notice of Electronic Filing* – you have the option to “Pay Now” or “Continue Filing” – once you make your selection, you can review the Notice of Electronic Filing

ECF Bankruptcy Adversary Query Reports Utilities Search Logout

Complaint/Summons:

18-01002 Bank of America v. Test
 Type: ap Office: 1 (Beaumont) Lead Case: 1-18-bk-10013
 United States Bankruptcy Court
 Eastern District of Texas

Notice of Electronic Filing

The following transaction is due for filing: 18-01002-1 (18-01002-1) (18-01002-1) (18-01002-1)

Case Name: **Summary of current charges**

Case Number: 18-01002

Document Number: 18-01002-1

Docket Text: Request for Issuance of a writ of habeas corpus, (67 (D) Plaintiff Bank of America v. Test)

The following document is due for filing: 18-01002-1 (18-01002-1) (18-01002-1) (18-01002-1)

Date Incurred	Description	Amount
2006-09-27 10:20:34	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
2006-09-27 10:43:19	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00
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2006-09-27	Amended Schedules(ALL)(TESTING)(06-10010) [misc.amdscall] (26.00)	\$ 26.00

18-01002 Notice will

Pay Now Continue Filing

the representation, (testattyb) filed by

Note: The Clerk’s office will process the summons and return to the filer electronically