

Open Voluntary Bankruptcy Case in CM-ECF
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Open Voluntary Bankruptcy Case in CM-ECF

Introduction:

Please read the “**Overview of Bankruptcy Case Opening in CM-ECF**” to get a general understanding of the case opening process in CM-ECF and for information regarding preparation of PDF and text files. The following procedure assumes you have prepared the required PDF and text files.

If, after you have read the overview and this procedure, you need assistance or have questions about filing in CM-ECF, call the ECF help desk at 505-348-2500 or toll free 866-291-6805 and select option #3. We also regularly schedule training classes. For more information, go to our website at <http://www.nmcourt.fed.us/usbc/ecf-training>.

PDF and TXT Files Required in Every Case:

1. Petition as a PDF file which includes the documents listed in the Overview document for the chapter and type of petition you are filing.
2. Petition signature page as a PDF file.
3. Mailing list of creditors as plain text or ASCII DOS text file.

Additional PDF Files Required When Debtor is an INDIVIDUAL:

1. Certificate of Credit Counseling (from the credit counseling agency) or

Motion for Determination that Debtor's Certification of Exigent Circumstances Which Warrant a Waiver of Requirement for Budget and Credit Counseling Prior to Filing Petition is Satisfactory (NM Form 504) or

Motion for Determination that Debtor is Unable to Complete Requirements for Budget and Credit Counseling PDF file (NM Form 505).
2. Statement of Social Security Number, Official Form B21. If a joint case, this form may be used for both debtors. Fed. R. Bankr. P. 1007(f). See flow chart for chapter 7 individual consumer debtor for e-filing instructions.
3. In a non-joint case: Disclosure of Marital Status and of Non-Filing Spouse, if any, and Certificate Regarding Community Property PDF file. Debtor must disclose marital status at the time the petition is filed. Use NM Form 400 or 402. See flow chart for chapter 7 individual consumer debtor for e-filing

instructions. New Mexico LBR 1002 and 1007.

Other PDF Files Filed after Case is Opened:

1. Chapter 7 Individual Debtor's Statement of Intention, Official Form 8. See flowchart for chapter 7 individual consumer debtor for e-filing instructions.
2. Disclosure of Compensation of Attorney for Debtor, Director's Procedural form B 203. See flowchart for chapter 7 individual consumer debtor for e-filing instructions.
3. Application to Pay Filing Fee in Installments. Use NM Form 508. The form must be signed by the debtor(s), scanned in and saved as a PDF file. See the OVERVIEW document referred to in the Introduction above for additional instructions, and read Appendix __ for specific instructions to follow in case opening.
4. Application for Waiver of the Chapter 7 Filing Fee for Individuals Who Cannot Pay the Filing Fee in Full or in Installments. Use NM Form 510. See the OVERVIEW document referred to in the Introduction above for additional instructions, and read Appendix __ for specific instructions to follow in case opening.

Open Voluntary Bankruptcy Case in CM-ECF

- 1 Login to CM-ECF at <https://ecf.nmb.uscourts.gov/>.
- 2 Click on the [Bankruptcy](#) hyperlink in the blue CM-ECF Main Menu Bar.
- 3 At the **Bankruptcy Events** screen, click on the [Open Voluntary BK Case](#) link. For more help with each screen, click the on yellow **?** icon.
- 4 The first **Open Voluntary Bankruptcy Case** screen displays:
 - [Case Type](#) defaults to **bk**.
 - [Date Filed](#) defaults to the current date.
 - [Chapter](#) defaults to an empty box. Select the chapter¹ of the petition you are filing.

¹If filing a chapter 15, once you select 15, a "Main/Nonmain" pick list pops up. Your choices are "Chapter 15 for Recognition of a Foreign Main Proceeding" which is the default, or "Chapter 15 for Recognition of a Foreign Nonmain Proceeding," as defined 11 U.S.C § 1502 and indicated on the petition.

- **Joint** defaults to **n** for “no.” If filing a joint petition, select **y**.
- **Deficiencies** defaults to **n**.

PLEASE READ AND FOLLOW THESE INSTRUCTIONS REGARDING DEFICIENCIES. If filing all schedules, statements, and other documents required by 11 U. S. C. § 521 (a) with the petition, leave the default as “no.”

If, however, any schedules, statements, or documents required to be filed with the petition or within 14 days of filing the petition are not being submitted with the petition, select **y** for “yes,” to indicate that there are deficiencies AT THIS TIME in the filing.

The CM-ECF system keeps track of documents that need to be filed within 14 days of the filing of the petition. In chapter 7 and chapter 13 cases, this tracking enables the Clerk’s Office to send timely notice to remind debtors of the need to file these documents to eliminate the possibility of automatic dismissal of the case pursuant to § 521 (i). DO NOT FAIL TO INDICATE DEFICIENCIES, IF ANY.

The deficiency list for each chapter is available in Attachment 1 of the appendix to these instructions. If you have deficiencies, make selections as shown on the appropriate deficiency list. See the OVERVIEW document for more information.

- Click on the **Next** button. Note: The **Clear** button will return all selections to their default values.

- 5 The **Search for a debtor** screen displays. CM-ECF requires you to perform a search of the database for the debtor name. A search may be performed by social security number, tax ID, last name (or business name, if a business debtor), first name and (or) middle name.
 - Enter the debtor’s social security number or last name and first name (or the first few characters of the names) to search. The field size is 80 characters.
 - Click on the **Search** button.

Search Tips:

- For an individual debtor, first perform a search by social security number (ssn) only. If a name appears for the ssn you have entered but it does not match your client’s name and address, we recommend you verify your client’s ssn. Either your client’s ssn is incorrect or the ssn in the court’s database for the other debtor is

incorrect. If your client's ssn is correct, you may continue with the case opening process, but should inform the Office of the United States Trustee of your findings. If no name is found for the ssn you entered, search next by debtor last and first names.

- It is not necessary to use an asterisk (*) in CM-ECF to perform a search; partial names can be searched.
- Format social security number or tax ID with hyphens.
- Searching is not case sensitive (use Smith or smith).
- Include an apostrophe or hyphen if part of the name (O'Brien). Omit other punctuation, such as periods or commas.
- Try alternate search clues if your first search is not successful.

- 6 **IF THERE APPEARS TO BE A NAME MATCH**, i.e., the name appears in the **Party search results** list, **click on the name to select it**. If the name is a common one, you may see several listings.

Note: if there are NO NAME MATCHES, the system will return a **No Person Found** message. If the debtor's name is not in the database, or is not in the database with the address you need, add the debtor information by following the instructions in section 7 below.

- Once you select a name, a pop-up window displays the name, SSN (if any) and the address (if any) associated with the name.
- Select and verify the names and the last four digits of the social security number (if any). If there is a social security number (last 4 digits) associated with a name AND the social security number AND the name AND the address match your debtor information, click on the **Select name from list** button.

If the social security number (last 4 digits) or the name and the address are not exact matches, click on the **Create new party** button and go to section 7 below to continue.

Note re matching SSN: If you have selected a name already in the court's database, please note the last four digits of the SSN following the name on the **Debtor Information** screen. If the digits of the SSN are not the last four digits of the debtor's SSN on the petition you are filing, you should not accept this debtor information for your debtor, even if the address is correct. You will want to ensure that the SSN of the client for whom you are filing a petition is the correct SSN. We suggest you abort this filing now by clicking on the Bankruptcy hyperlink in the blue CM-ECF main menu bar. Repeat the steps in paragraphs 1 -4 and skip to 7 to

Create New Party.

- The **Debtor Information** screen displays. The fields and buttons are listed below in order as they appear on this screen; see instructions for each.
 - **Office:** Leave blank
 - **Address fields:** if you followed the instructions above correctly, the information in Address 1, Address 2, Address 3, City, State, Zip, and County fields will not need to be changed.
 - **Country, Phone, Fax, E-mail, and Party text:** Leave blank.

– **IF AN ALIAS NAME NEEDS TO BE ADDED**, click on the **Alias** button. At the **Alias Information** screen, you can enter up to 5 alias names. Select the alias **Role** (aka = also known as; dba = doing business as; fdb = formerly doing business as; and fka = formerly known as) for each alias name. Click on the **Add aliases** button to add the alias name and to return to the **Debtor Information** screen.

At the **Debtor Information** screen, click on the **Review** button to review the alias names you have added. To exit the **Review attorneys, aliases and corporate parents** screen, click on the **Return to Party screen** button.

- 7 **CREATE NEW PARTY. IF THERE ARE NO MATCHES**, the system will return a **No Person Found** message. If the debtor's name is not in the database, or is not in the database with the address you need, you will need to add the debtor information to the database by creating a new party record. Click on the **Create new party** button to create the debtor information. The **Debtor Information** screen displays. The fields and buttons are listed below in order as they appear on this screen; see instructions for each. Do not use commas or periods in debtor name and address information in CM-ECF.

Enter the information exactly as it appears on the petition.

- **Last name:** debtor's last name, using standard capitalization, e.g., Smith, or debtor's corporation or partnership name, using capitalization as appropriate, e.g., IBM Corporation.
- **First name:** debtor's first name using standard capitalization, e.g., John. If debtor is not an individual, leave blank.
- **Middle name:** debtor's middle name (if any). If debtor is not an individual, leave blank.
- **Generation:** Jr., Sr., III, IV, if any.
- **Title:** leave blank
- **SNN:** debtor's 9-digit social security number. Enter the correct SSN!

- **Tax ID:** debtor's employer tax identification number, if any.
- **Office:** leave blank
- **Address 1:** debtor's mailing address
- **Address 2 and 3:** additional mailing address information
- **City:** debtor's mailing address city
- **State:** debtor's mailing address two-letter state code
- **Zip:** debtor's 5-digit zip code or zip + 4 mailing address zip code.
- **County:** Click in the box and select debtor's county from the pick list. Type the first letter of the county name to conduct a faster search. If debtor's mailing address is not in New Mexico, select either 'Out of New Mexico (within the USA)' -or- 'Out of USA'
- **Country, Phone, Fax, E-mail, and Party text:** Leave blank

- **IF AN ALIAS NAME NEEDS TO BE ADDED**, click on the **Alias** button. At the **Alias Information** screen, you can enter up to 5 alias names. Select the alias **Role** (aka = also known as; dba = doing business as; fdba = formerly doing business as; and fka = formerly known as) for each alias name. Click on the **Add aliases** button to add the alias name and to return to the **Debtor Information** screen. At the **Debtor Information** screen, click on the **Review** button to review the alias names you have added. To exit the **Review attorneys, aliases and corporate parents** screen, click on the **Return to Party screen** button.

- **IF THE DEBTOR IS A CORPORATION**, the debtor must submit a Corporate Ownership Statement pursuant to Fed. R. Bankr. P. 1007(a)(1) which includes the information described in Rule 7007.1. If the debtor has any corporate names listed on this form, you will need to enter the names via the Corporate Parent function. If the debtor is not a corporation or there are no corporations to report on the Corporate Ownership Statement, go to next screen.

- Click on the **Corporate Parent** to add the corporate names listed on Debtor's Corporate Ownership Statement. Enter the first name in the field "Business name" and click on the **Search** button.

- If the name you are searching appears in the Search report results list, select the name. If the Corporate Parent search results are "No person found," click on the **Create new corporate parent** button. The name you searched will appear in the field under **Corporate Parent Name**.

- If you have another name to enter, type in the name. As soon as you type in another name, another field will display. If you have no other business names to enter,

click on the **Add Corporate Parent** button. This will return you to the Debtor Information screen.

- Click on the **Review...** button to review the corporate parents and aliases you have added. At the review screen, you may uncheck any alias name or corporate parent name if you see that you have entered the name in error. Click on **Return to Party screen** button.

NOTE: If debtor's *mailing address zip code* is different from *debtor's physical address zip code*, send an e-mail to the Clerk's Office at web_ops@nmcourt.fed.us immediately after completing the case opening process, which includes running the judge/trustee assignment module. **The subject of your e-mail should be: residence zip code different from mailing address zip code.** The Clerk's Office may need to make an adjustment to the location of the meeting of creditors. If so, this will change the trustee and the meeting location, date, and time. The Clerk's Office will respond to your e-mail and take appropriate action.

If debtor's *mailing address zip code* is for a city outside of **New Mexico** (whether in or out of the United States), **you will not be able to run the judge/trustee assignment module (see 22 C below).** Send an e-mail to the Clerk's Office at web_ops@nmcourt.fed.us immediately after opening the case, uploading the creditors, and filing all additional case initiation documents. **The subject of your e-mail should be: zip code is out of New Mexico.** The Clerk's Office will respond to your e-mail and take appropriate action so that a judge, trustee, and 341 meeting location, date and time can be assigned.

REVIEW THE INFORMATION YOU HAVE ENTERED in the **Debtor Information** screen. If the information is correct, click on the **Submit** button to add the debtor's name to the database and continue with case opening.

8 **SEARCHING FOR AND ENTERING JOINT DEBTOR INFORMATION.** If you selected **Y** for **Joint** in section 4 above, the **Search for a Joint Debtor** screen displays. Follow steps 4, 5, 6, and 7 for searching, selecting or creating the joint debtor information.

IF THE JOINT DEBTOR HAS THE SAME MAILING ADDRESS AS THE

DEBTOR, please note that the **Search for a Joint Debtor** screen allows you to choose to copy the debtor's address so that you do not need to re-enter address information. BE SURE the **Copy previous party's address** box is checked on the **Search for a Joint Debtor** screen.

REVIEW THE INFORMATION YOU HAVE ENTERED in the **Joint Debtor Information** screen. If the information is correct, click on the **Submit** button to add the joint debtor's name to the database and continue with case opening.

- 9 After entering debtor (and joint debtor) information, the next screen displays "The Divisional Office assigned to this case is **Albuquerque**." Click on the **Next** button.
- 10 The first statistical data entry screen displays. The fields and buttons are listed below in order as they appear on this screen; see instructions for each. **The information to be entered should match the information on the voluntary petition.**
 - **Prior filing within last 8 years** (defaults to **no**).
 - **Fee status** (defaults to **Paid**). Select **Paid** when payment is being with the filing of the petition via Pay.gov. See OVERVIEW document for information about paying online via Pay.gov.
Very important! Please read Appendix ___ if debtor is paying the filing fee in installments or is requesting a waiver of the filing fee in a chapter 7 case.
 - **Nature of debt** (has no default, unless a chapter 12 case which defaults to business). Select **business** or **consumer**.
 - **Asset notice** - **DO NOT CHANGE THE DEFAULT**. The default for chapter 7 is **No**. For all other chapters, the default is **Yes**.
 - **Estimated number of creditors** (has no default). **You must select the value shown on the petition**, e.g., 1-49, 50-99, 100-199, etc.
 - **Estimated assets** has no default. **You must select the value shown on the petition**, e.g., \$0 to \$50,000, \$50,001 to \$100,000, etc.
 - **Estimated liabilities** has no default. **You must select the value shown on the petition**, e.g., \$0 to \$50,000, \$50,001 to \$100,000, etc.
 - **Type of debtor**. **You must select type of debtor**, e.g., Individual, Corporation (includes LLC & LLP), Partnership, or Other
 - **Nature of business**. If **Nature of debt** is **BUSINESS**, **you must select a nature of business**. If a chapter 12 case, select "other."
 - Click on the **Next** button to submit this information and continue with case opening.

- 11 **SUMMARY OF SCHEDULES.** Although the Summary of Schedules screen displays in all cases, **only chapter 7, 11 and 13 individual, consumer debtor cases** are required to provide the data requested.

The message at the top of the Summary of Schedules screen reads as follows:

Please enter data on this screen if debtor is an individual with primarily consumer debts seeking relief under chapter 7, 11, or 13. The Clerk is required by 28 U.S.C. Section 159, added by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Pub. L. 109-8 (2005), to collect this data.

The information to enter on this screen comes from Schedules A, B, D, E, F, I, J, and the current monthly income forms (B22A, B, or C) and the Statistical Summary (page 2 of official form 6, summary of schedules).

Note: If you are not filing schedules and statements with the petition, i.e., you have deficiencies, you may skip this screen by clicking on the **Next** button to continue with case opening. Leave the field blank for any schedule you are not filing with the petition. **IF YOU ARE FILING THE SCHEDULE BUT THE AMOUNT IS ZERO, PLEASE ENTER 0.00.**

- 12 **AN INFORMATIONAL SCREEN DISPLAYS** with the following message:

Statistical reporting is required by 28 U.S.C. Section 589b, added by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Pub. L. 109-8 (2005). On the following screen, you will enter information from the petition, schedules, or Form 22.

THE SECOND STATISTICAL SCREEN DISPLAYS. Please complete the information requested in this screen; it is information required by the United States trustee. Each chapter has a different screen

For a Chapter 7 case, enter the following information:

- from Schedule C, the total value of claimed exemptions
- from Schedule I, line 1, the monthly gross wages, salary, and commission for debtor and for spouse
- from Schedule I, line 5, the subtotal of payroll deductions for debtor and for spouse
- from Schedule J, line 20c, the monthly net income

From Form B22A, Chapter 7 Statement of Current Monthly Income and Means-test Calculation

- Line 1A, check the box if debtor checked the box for Declaration of Disabled Veteran
- Line 1B, check the box if debtor check the box for Declaration of non-consumer debts
- Line 2, enter a, b, c, or d to identify marital/filing status
- Line 11, enter subtotal of current monthly income for debtor and for spouse
- Line 14b, enter debtor's household size
- Line 14, enter applicable median family income amount
- Line 18, enter current monthly income for § 707(b)(2)
- Line 19A, enter the total dollar amount from IRS National Standards for Food, Clothing, and Other Items
- Line 19B, enter the subtotal dollar amount from c1. of IRS National Standards: health care for household members under 65 years old
- Line 19B, enter the subtotal dollar amount from c2. of IRS National standards: health care for household members 65 years or older
- Line 20A, enter dollar amount of IRS Local standards for housing and utilities; non-mortgage expenses for your county & household size.
- Line 20B, enter dollar amount of IRS Local standards for housing and utilities; mortgage/rent expenses for your county and household size.
- Line 22A, enter number of vehicles use and amount of expenses
- Line 22B, enter additional amount of public transportation expense
- Line 23, enter number of vehicles owned or leased
- Line 23c and 24c, enter amount of net transportation ownership/lease expense for Vehicle 1 and Vehicle 2
- Line 33, enter total amount of expenses allowed under IRS standards
- Line 38, enter total average monthly amount of education expenses for dependent children under 18
- Line 39, enter total average monthly amount your food and clothing expenses exceed the combined IRS allowances for food and clothing.
- Line 41, enter total amount of additional expense deductions.
- Line 46, enter total amount of deductions for debt payment
- Line 47, enter total amount of all deductions allowed
- Line 50, enter amount of monthly disposable income
- Line 51, enter amount of 60-month disposable income under
- Line 52, enter *initial* presumption determination as **does not arise** or **arises** or **unknown** (for the 3rd box)
- Line 53, enter amount of total non-priority unsecured debt
- Line 54, enter threshold debt payment amount
- Line 55, enter *secondary* presumption determination as **does not arise** or **arises**

For a Chapter 11 case, enter the following information:

- from the petition, Form B1, check the box if debtor’s aggregate non-contingent liquidated debts are less than \$2,190,000.00
- from Schedule C, the total value of claimed exemptions
- from Schedule I, line 1, the monthly gross wages, salary, and commission for debtor and for spouse
- from Schedule I, line 5, the subtotal of payroll deductions for debtor and for spouse
- from Schedule J, line 20c, the monthly net income

For a Chapter 12 or 13 case, enter the following information:

- from Schedule C, the total value of claimed exemptions
- from Schedule I, line 1, the monthly gross wages, salary, and commission for debtor and for spouse
- from Schedule I, line 5, the subtotal of payroll deductions for debtor and for spouse
- from Schedule J, line 20c, the monthly net income

- 13 **IF YOU SELECTED “Y” FOR DEFICIENCIES** on the first case opening screen in section 4 above, the **Deficiency List** screen displays.

Each chapter has its own deficiency list. Select the check box for each item that is **not** included with this petition. When schedules A-J are missing, rather than clicking individual boxes for each schedule, [click in the box for Schedules A-J](#).

NOTE: If you entered information in the **Summary of Schedules** screen described in section 11 above, and that information would have to have been taken from schedules A, B, D, E, F, I or J or the statistical summary of certain liabilities or the B22 form AND you select one of these schedules, summaries, or statements as a deficiency from the list, CM-ECF will tell you that you are being inconsistent. You cannot report amounts on the **Summary of Schedules** screen if you are not filing the schedules and summary of schedules with the petition. And vice versa, if you have the schedules, summaries and statements to file with the petition, do not report that you have deficiencies! If you have made this error, click on the [Bankruptcy hyperlink](#) in the blue CM-ECF main menu bar and start over.

If you do not select the correct documents from the deficiency list, the Clerk’s Office will docket a Notice of Error. Please minimize errors by entering and selecting correct data in CM-ECF.

- Click on the **Next** button to submit this information and continue with case opening.
- 14 The **SELECT THE PDF DOCUMENT** screen displays for you to upload the petition PDF file. Here's where you tell CM-ECF the file name of the petition PDF file and its location on your computer. If you know the file path and name, you can type it in the **Filename** box. If you don't know it, you can browse your computer directories for the file as follows:
- Click on the **Browse** button
 - The **File Upload** screen (or similar screen) opens. Navigate to the directory where the petition PDF file is located.
 - To verify that this is the correct petition PDF file, do the following:
 - Right click on the file name. A drop-down menu displays.
 - Left click on **open** (or Open with Acrobat.....) in the drop-down menu to open the PDF file Adobe Acrobat.
 - After viewing the document, click the **X** in the upper-right corner of the Adobe Acrobat screen to exit and close Adobe Acrobat.
 - If the PDF file you viewed is not the correct document, find the correct PDF file before continuing. If you cannot find the correct PDF file, exit case opening at this point by clicking on the **Bankruptcy hyperlink** in the blue CM-ECF main menu bar. Find the correct PDF file and start over.
 - If the PDF file is the document you want, double-left-click the PDF file in the **File Upload** screen to select it.

Once you submit a document for filing in CM-ECF, the document is officially filed and entered on the docket. You will want to make sure the PDF file you upload for transmission to the Court's CM-ECF database contains the correct document.

- A completed Signature Page is required in this District, and is filed either as an attachment to the Petition or as a separate document. To file as an attachment, select the **Yes** radio button next to **Attachments to Document**.
- Click on the **Next** button
- Click on the **Browse** button
- The **File Upload** screen (or similar screen) opens. Navigate to the directory where the petition PDF file is located.
- Verify that this is the correct signature page PDF file. If the PDF file is the document you want, double-left-click the PDF file in the **File Upload** screen to select it.
- From the drop-down list for **Type**, select "Signature Page"

- Click on the **Add to list** button
- Click on the **Next** button

To file as a separate document see details on page 21.

- 15 **FOR CHAPTER 7 INDIVIDUAL CONSUMER DEBTOR CASES WITH NO DEFICIENCIES** or who is deficient in all but the Debtor's Statement of Current Monthly Income and Means Test Calculation, Form B22A, the **Presumption Arises** box displays. Based on the information in Debtor's B22A Statement, select either:
- No presumption of abuse
 - Presumption of Abuse Arises
 - Insufficient Information

NOTE when a debtor is a reservist or member of the National Guard and invokes the exclusion period by completing section 1C of Debtor's Statement of Current Monthly Income and Means Test Calculation, Form B22A, please follow the instructions below:

In a non-joint case, select "No presumption of abuse."

In a joint case where one or both debtors claim the exclusion period, each debtor must submit a separate B22A form. If only one debtor claims the exclusion, make the presumption of abuse selection based on the debtor who is not claiming the exclusion. If both debtors claim the exclusion, select "No presumption of abuse."

- Click on the **Next** button to continue with case opening.

- 16 **IF YOU SELECTED Y FOR DEFICIENCIES IN SECTION 4 ABOVE**, the next screen displays the date for submission of documents due within 14 days of the petition filing date. The 45th day from the petition filing date is also automatically calculated and displayed. See example in box below. This deadline information and the list of documents missing will be included in the final docket text.

Open Voluntary Bankruptcy Case

Due date for papers to be filed within 14 days of
petition: 06/14/2007

Case will be reviewed for dismissal if documents
required by Sec. 521 (a) are not filed within 45 days
after the filing date of the petition/conversion. Case
will be reviewed on : 07/14/2007

– Click on the **Next** button to continue with case opening.

- 17 The **Fee** screen displays. **DO NOT CHANGE THE AMOUNT OF THE FEE DISPLAYING IN THE FEE FIELD.** If you are paying the filing fee in installments or seeking a waiver of the filing fee in a chapter 7 case, please read the instructions on our public website. Search for ‘waiver’ or ‘installment’ or just go to <http://www.nmcourt.fed.us/usbc/procedures-waiver> or <http://www.nmcourt.fed.us/usbc/procedures-installment>

– Click on the **Next** button to continue with case opening.

- 18 A blank screen displays

– Click on the **Next** button to continue with case opening.

- 19 The **Docket Text: Final Text** screen displays the docket text for the petition AND THE FOLLOWING MESSAGE: **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**

- This is the last opportunity, **the point of no return**, to verify the accuracy of the text. Read the docket text carefully, checking the debtor name, the chapter, and, if debtor is an individual AND you did not file schedules and statements with the petition, the docket entry should list the missing documents and the dates the documents are due.

If changes are necessary, **DO NOT CLICK THE BACK BUTTON ON YOUR BROWSER.** Click on the [Bankruptcy hyperlink](#) in the blue CM-ECF main menu bar to abort this filing and start over.

If the text is correct, click on the **Next** button to file the petition.

- 20 The **PAY.GOV ELECTRONIC PAYMENT** prompt should display. You must disable your browser’s pop-up blocker in order to display the Pay.gov payment screens. You can choose to pay now (pay after each filing) or pay later. If you want to pay now, maximize the Pay.gov screen, and click on the **Pay Now** button to make a payment.

If you do not want to pay now but instead you want to file other fee-due documents for the day and then pay all fees at one time, click on the **Continue Filing** button.

DO NOT MINIMIZE THE SCREEN. CLICK ON THE CONTINUE FILING BUTTON INSTEAD.

You must pay fees incurred in a day before 9:00 pm that day or you will be locked out of the system on the next day. For more information, read the **Online Credit Card Payment Guide** on the Court's Web site under **Fees**.

- 21 The **NOTICE OF ELECTRONIC FILING** screen displays.

The **Notice of Electronic Filing** is the verification that the petition and signature page pdf files have been sent to the court's database and, therefore, electronically filed. The Notice of Electronic Filing is a certification that the petition is now an official court document. Print the Notice of Electronic Filing to paper or to PDF.

Note: The Notice of Electronic Filing provides the following information: name of attorney filer, name of party represented, date and time of filing and entry on the docket, case name, case number, document number, docket text, document description, original file name (from your computer) and the electronic document stamp, a unique digital stamp assigned to this electronic court filing. A list of attorneys (and who they represent) along with the attorney's e-mail address and a list of parties and their mailing addresses is also included.

- 22 Now that you have a case number, you can load the creditor.txt file, assign the judge and trustee and obtain a 341 meeting date and time. Refer to the [Chapter 7 Individual Consumer Debtor](#), the [Chapter 11 Debtor](#), and the [Chapter 13 case opening flowcharts](#) for additional instructions.

- A. [UPLOAD THE CREDITOR.TXT FILE](#). YOU MUST DO THIS OR YOUR CASE WILL NOT BE ASSIGNED A § 341 MEETING DATE.**

- Click on the [Bankruptcy](#) hyperlink in the **blue** CM-ECF Main Menu Bar.
- At the **BANKRUPTCY EVENTS** screen, click on [Creditor Maintenance...](#)
- Select the [Upload a creditor matrix file](#)
- Verify the new case number, and click on the **Next** button
- Click on the **Browse** button, then navigate to the directory where the creditor text file is located or type in the full directory and file path.
- Verify the text file as described in Step 13 above.
- If the TEXT file you viewed is not the correct creditor list, find the correct text file before continuing. To exit case opening at this point, click on **Bankruptcy** in the CM-ECF main menu bar. Find the correct text file and start over. If the

document image is correct, double-click the TEXT file to select it.

- Click the **Next** button
- A screen displaying **Total Creditors Entered** displays with the actual number.
- Click **Submit** to continue.
- The **Creditors Receipt** screen display the Case Number and the Total Creditors Added to Database.
- Click on **Bankruptcy** in the top menu bar to continue.

B. IF CHAPTER 13 PLAN IS FILED WITH PETITION, FILE THE PLAN NOW.

- Click on the **Bankruptcy** hyperlink in the blue CM-ECF main menu bar.
- At the **BANKRUPTCY EVENTS** screen, click on **Plan**
- Verify the case number, and click on the **Next** button
- Select **Chapter 13 Plan (with petition)** from the pick list
- Click on the **Next** button
- At the screen displaying a checkbox next to, “Joint filing with other attorney(s),” click on the **Next** button
- At the **Select the Party** screen, highlight the debtor’s name. If this is a joint case, hold down the control (Ctrl) key and select each debtor to highlight both debtor names.
- Click on the **Next** button
- Click on the **Browse** button and navigate to the directory where the chapter 13 plan PDF file is located. Verify selection of the correct PDF file as described in Step 11. See note below for a suggestion regarding how to upload the debtor’s plan signature page.

Helpful Tip: To avoid having to scan the entire Chapter 13 plan just to have the debtor’s signature on the plan, do this. Scan to PDF just the page signed by the debtor. Print the Chapter 13 plan with the signature page, unsigned, to PDF and upload it as the lead document. Upload the one page signed by the debtor as an attachment.

- Click on the **Next** button
- A screen displays with basic case information. Click on the **Next** button
- The **Docket Text: Final Text** screen displays the docket text for the petition AND THE FOLLOWING MESSAGE: **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**

This is the last opportunity, **the point of no return**, to verify the accuracy of the

text.

NOTE: If changes are necessary, **DO NOT CLICK THE BACK BUTTON ON YOUR BROWSER.** Click on **Bankruptcy** in the CM-ECF menu bar and start over.

- If the text is correct, click on the **Next** button
- The **NOTICE OF ELECTRONIC FILING** screen displays. Print the Notice of Electronic Filing to paper or to PDF. After filing the Chapter 13 plan, the next step is to perform the judge/trustee assignment.

C. **JUDGE/TRUSTEE ASSIGNMENT**

- Click on the **Bankruptcy** hyperlink in the blue CM-ECF main menu bar.
- At the **BANKRUPTCY EVENTS** screen, click on the **Judge/Trustee Assignment** to assign the judge and trustee and schedule the 341 meeting. The screen will display this message just before the assignment appears: *“This may take a few minutes...Please be patient. A confirmation screen will appear.”*

If filing a chapter 13 case, the § 341 meeting information will include the hearing date for confirmation of the plan. See sample below.

341 Judge And Trustee					
Case	Case Title	Ch	341 Meeting	Judge Name	Trustee
7-51156	Mary Smith	13	First Meeting of Creditors with 341(a) meeting to be held on 07/05/2007 at 09:00 AM at Albuquerque: 500 Gold Ave SW, Room 12411. <i>Confirmation hearing to be held on 08/16/2007 at 09:00 AM at Sandia Courtroom, D. 500 Gold Avenue SW, Final Hearing. Pr</i>	McFeeley,MarkB.	Skehen,KelleyL.

NOTE: In a chapter 11 case, the § 341 meeting will be scheduled with the generic “chapter 11” trustee because no trustee is automatically appointed in a chapter 11 case. The 341 meeting is conducted by personnel from the United States trustee’s office.

- If this is a chapter 13 case and you have filed the chapter 13 plan, file the chapter 13 notice of objection deadline now.

D. FILE CHAPTER 13 NOTICE OF OBJECTION DEADLINE

- To file the chapter 13 Notice of Objection Deadline, click on the **Bankruptcy** hyperlink in the blue CM-ECF main menu bar.
- At the **BANKRUPTCY EVENTS** screen, click on the **Notices**
- Verify the case number, and click on the **Next** button
- At the **File a Notice** screen, select **Deadline to File Objs to Confirmation of Plan filed with Petition**
- Click on the **Next** button
- At the screen displaying a box and the directions, “Joint filing with other attorney(s),” click on the **Next** button
- Click on the **Browse** button and navigate to the directory where the deadline to file objections to confirmation of the chapter 13 plan PDF file is located. Verify selection of the correct PDF file as described in Step 11.
- Click on the **Next** button
- At the next screen, select the checkbox next to the question, “Refer to Existing Event(s)?” This will link the chapter 13 notice to the chapter 13 plan.
- Click on the **Next** button
- At the next screen, you will “Select the appropriate event(s) to which your event relates.” The docket text for the Chapter 13 plan you filed in Step 22 above should appear next to a box. If the box is not checked, click in the box to checkmark it.
- Click on the **Next** button
- A screen displays with basic case information. Click on the **Next** button
- The **Docket Text: Final Text** screen displays the docket text for the petition AND THE FOLLOWING MESSAGE: **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**

This is the last opportunity, **the point of no return**, to verify the accuracy of the text.

NOTE: If changes are necessary, **DO NOT CLICK THE BACK BUTTON ON YOUR BROWSER.** Click on **Bankruptcy** in the CM-ECF menu bar and start over.

- If the text is correct, click on the **Next** button
- The **NOTICE OF ELECTRONIC FILING** screen displays. Print the Notice of Electronic Filing to paper or to PDF. After filing the Chapter 13 notice, the next step is to file the additional case initiation documents.

E. FILE SIGNATURE PAGE

See the instructions provided in the various petition filing FLOWCHARTS posted on the court's website at <http://www.nmcourt.fed.us/usbc/ecf-procedures>

F. FILE CREDIT COUNSELING DOCUMENTS

See the instructions provided in the various petition filing FLOWCHARTS posted on the court's website at <http://www.nmcourt.fed.us/usbc/ecf-procedures>

G. FILE SOCIAL SECURITY STATEMENT

- Click on the **Bankruptcy** hyperlink in the blue CM-ECF main menu bar.
- At the **BANKRUPTCY EVENTS** screen, click on the **Miscellaneous** hyperlink
- Verify the case number, and click on the **Next** button
- Select **Statement of Social Security Number** from the miscellaneous document pick list and click on the **Next** button
- At the screen displaying a box and the directions, "Joint filing with other attorney(s)," click on the **Next** button
- At the **Select the Party** screen, highlight the debtor's name
- Click on the **Next** button
- Click on the **Browse** button and navigate to the directory where the statement of social security number PDF file is located. Verify selection of the correct PDF file as described in Step 11.
- Click on the **Next** button
- This screen allows the filer to modify the docket text by selecting from a list in the drop-down. Do not make a selection - Click on the **Next** button
- The **Docket Text: Final Text** screen displays the docket text for the petition AND THE FOLLOWING MESSAGE: **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**

This is the last opportunity, **the point of no return**, to verify the accuracy of the text.

- If the text is correct, click on the **Next** button
- The **NOTICE OF ELECTRONIC FILING** screen displays. Print the Notice of

Electronic Filing to paper or to PDF.

NOTE: The Statement of Social Security Number is a “private” event. This means that the document image will not be available to non-court users for viewing. The docket text will read, “Statement of Social Security Number (**image restricted**) Filed by Debtor Mary Smith.”

H. FILE DISCLOSURE OF MARITAL STATUS, NON-FILING SPOUSE, IF ANY, AND VERIFICATION OF SCHEDULES. See the instructions provided in the various petition filing FLOWCHARTS posted on the court’s website at <http://www.nmcourt.fed.us/usbc/ecf-procedures>

I. FILE CHAPTER 7 STATEMENT OF INTENTION

- Click on the **Bankruptcy** hyperlink in the blue CM-ECF main menu bar.
- At the **BANKRUPTCY EVENTS** screen, click on the **Miscellaneous** hyperlink
- Verify the case number, and click on the **Next** button
- Select **Statement of Intention** from the miscellaneous document pick list
- Click on the **Next** button
- At the screen displaying a box and the directions, “Joint filing with other attorney(s),” click on the **Next** button
- At the **Select the Party** screen, highlight the debtor’s name
- Click on the **Next** button
- Click on the **Browse** button and navigate to the directory where the statement of intention PDF file is located. Verify selection of the correct PDF file as described in Step 11.

- Click on the **Next** button
- This screen allows the filer to modify the docket text by selecting from a list in the drop-down. Do not make a selection - Click on the **Next** button
- The **Docket Text: Final Text** screen displays the docket text for the petition AND THE FOLLOWING MESSAGE: **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**
- This is the last opportunity, **the point of no return**, to verify the accuracy of the text.
- If the text is correct, click on the **Next** button
- The **NOTICE OF ELECTRONIC FILING** screen displays. Print the Notice of Electronic Filing to paper or to PDF

- J. FILE NOTICE OF UNAVAILABILITY TO ATTEND § 341 MEETING.** This is a text-only docket event you must docket to notify the Clerk's Office that you or the debtor will not be available to attend a 341 meeting scheduled in this case. The specific instructions relating to "notice of unavailability to attend the scheduled 341 meeting" are on the Court's Web site at <http://www.nmcourt.fed.us/usbc/files/unavail341.pdf>.
- Click on the **Bankruptcy** hyperlink in the blue CM-ECF main menu bar
 - At the **BANKRUPTCY EVENTS** screen, click on the **Notice** hyperlink
 - Verify the case number, and click on the **Next** button
 - Select **Unavailability of Atty for Debtor/Debtor to attend 341 Meeting (Notice)** from the miscellaneous document pick list
 - Click on the **Next** button
 - At the screen displaying a box and the directions, "Joint filing with other attorney(s)," click on the **Next** button
 - In the text box next to **Name of person unavailable**, enter the person. In the text box next to **Date(s) of unavailability**, enter the date(s). In the text box next to **Reason for not being available**, enter the reason.
 - Click on the **Next** button
 - A screen displays with basic case information. Click on the **Next** button
 - The **Docket Text: Final Text** screen displays the docket text for the petition AND THE FOLLOWING MESSAGE: **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**
 - This is the last opportunity, **the point of no return**, to verify the accuracy of the text
 - If the text is correct, click on the **Next** button
 - The **NOTICE OF ELECTRONIC FILING** screen displays. Print the Notice of Electronic Filing to paper or to PDF.

NOTE: If you file a Notice of Non-availability, send an e-mail to web_ops@nmcourt.fed.us as soon as you have completed the case opening process. **Provide the case number and issue or matter in the subject line, e.g., 07-10330 MR, notice of non-availability.** Attach a copy of the notice to alert Clerk's Office Staff of the immediate need to review the 341 meeting assignment.

- K. FILE ATTORNEY'S FEE DISCLOSURE (FED. R. BANKR. P. 2016)**
- Click on the **Bankruptcy** hyperlink in the blue CM-ECF main menu bar.
 - At the **BANKRUPTCY EVENTS** screen, click on the **Miscellaneous** hyperlink

- Verify the case number, and click on the **Next** button
- Select **Disclosure of Compensation** from the pick list
- Click on the **Next** button
- At the **Select the Party** screen, highlight the debtor's name
- Click on the **Next** button
- Click on the **Browse** button and navigate to the directory where the disclosure statement PDF file is located. Verify selection of the correct PDF file as described in Step 11.
- Click on the **Next** button
- The **Docket Text: Final Text** screen displays the docket text for the petition AND THE FOLLOWING MESSAGE: **Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**
- This is the last opportunity, **the point of no return**, to verify the accuracy of the text
- If the text is correct, click on the **Next** button
- The **NOTICE OF ELECTRONIC FILING** screen displays. Print the Notice of Electronic Filing to paper or to PDF.

L. FILE CHAPTER 11 SMALL BUSINESS DOCUMENTS (11 U.S.C. § 1116)

Refer to the Chapter 11 Case Opening - *Small business* - flowchart for instructions in filing the documents listed below in a chapter 11 small business case. The flow chart is posted on the court's website at:

<http://www.nmcourt.fed.us/usbc/ecf-procedures>

The following documents are required to be filed at the time the petition is filed in a chapter 11 small business case. All are found on the Bankruptcy events menu under Miscellaneous, and must be filed as separate documents.

Balance Sheet (Ch 11 Small Business)
Cash Flow Statement (Ch 11 Small Business)
Statement of Operations
Tax Documents (Chpt 11 Small Bus Only) - Federal Tax Return

or

Statement Pursuant to Sec. 1116(1)(B) that none of the small business documents were prepared or filed

Revision history:

Modified 11/06/09 by SAK to change font from Comic Sans to Arial and to make all text 12 pt. size. Previous published date was February 25, 2009.

Modified 11/30/09 by AC to update deadlines to conform to Amendments to Federal Rules, Statutes, and Forms effective December 1, 2009 and to include filing the signature page as a separate document.

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