

## Debtor or Creditor File an Objection to Claim or Amended Objection to Claim

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## Debtor or Creditor File an Objection to Claim or Amended Objection to Claim

### Introduction:

These detailed instructions guide you through the process of filing an objection to claim or an amended objection to claim. These instructions will also guide you through the process of filing one objection to multiple claims. At the end of these instructions is a not-so-detailed list of steps (Quick Steps) to electronically file an objection to claim or amended objection to claim.

### Basic Guidelines for Filing an Objection to Claim or Amended Objection to Claim:

Preliminarily, filers of an objection to claim or an amended objection to claim should adhere to the following basic guidelines:

- A. Do not file documents in closed cases. Check the case status by accessing case information via [Query](#) in PACER. If there is a date in the "Date terminated" field, the case is closed.
- B. Do not click on the back button (icon) in the browser menu bar. CM-ECF does not accommodate use of the browser back button. If you need to make changes in previous screens, **YOU MUST START OVER** by clicking on the [Bankruptcy](#) hyperlink in the blue CM-ECF main menu bar. The only time you should click on a back button to return to a previous screen is when the CM-ECF screen contains a **Back** button.
- C. Review the claims register report via the [Reports](#) menu in PACER to confirm the claim number, creditor name and specific amounts.
- D. Use the correct number of claim being objected to. During the e-filing process, you will be prompted to enter the claim number. *When the claim number*

*is entered, a link to the objection document automatically appears on the Claims register report as part of the claim history. Be sure to use the correct claim number.*

- E. Use the creditor name as it appears in CM-ECF. To e-file an objection to claim, you must enter the claimant's name *as it appears in CM-ECF*.
- F. Use the specific amounts from claim being objected to. You will be prompted to enter the *specific* claim amounts being objected to.
- G. Gather information identified in D through F above to object to multiple claims. You may object to more than one claim in your objection document. The docket event will prompt you to enter the claim number, claim amount, and claimant's name for each claim objected to. Be prepared with the correct information beforehand.
- H. Convert the objection document to a pdf file. All documents submitted in CM-ECF must be submitted as *portable document format* (pdf) files. The maximum pdf file size is 2 megabytes (MB). When the file exceeds 2 MB, attach supporting documentation as separate pdf files. See "Breaking a PDF Document into Smaller PDF Files," under the *Procedures* link on the Court's website --

<http://www.nmcourt.fed.us/web/BCDOCS/bcindex.html>.

### [E-File Objection to Claim or Amended Objection to Claim in CM-ECF](#)

**STEP 1** Login to CM-ECF at <https://ecf.nmb.uscourts.gov/>.

- Click on the [Bankruptcy](#) hyperlink in the CM-ECF main menu bar.

**STEP 2** The **Bankruptcy Events** menu displays.

- Click on the [Claims Related and Other Events](#) hyperlink. For more help with each screen, click the on yellow question mark

icon.

**STEP 3** The **File a Claim** action screen displays.

- Case number.** Enter the case number, including the hyphen, as yy-nnnnn, e.g., 06-51249. It may be necessary to type over an existing case number when you get to this step. To do this, highlight the case number and begin typing.
- Click on the **NEXT** button. The **CLEAR** button returns selections to default values.

**STEP 4** The **File a Claim** action screen displays the *search results*. You will see one of the following results in response to your search request.

- **Invalid case number.** If the screen tells you that you have entered an invalid case (number), click on the **BACK** button *in the CM-ECF* screen and try again.
- **Pick-list of events.** The **File a Claim** action screen displays a list of events in alphabetical order beginning with "Affidavit/Declaration" and ending with "Withdrawal of Objection to Claim."
- There are several ways to navigate through the pick-list: use the scroll bar, or enter the first letter of the event to go to the first event in the list beginning with that letter, or click in the list and arrow up or down to find the event.
- Click on "Objection to Claim" from the pick list.
- Click on the **NEXT** button.

**STEP 5** The **File a Claim action** screen displays the prompt "**Joint filing with other attorney(s).**"

- Click in the box if filing the objection to claim jointly with another attorney.
- If you checked the box, the next screen asks you to select any additional attorneys from the list BUT doesn't allow you to add any.
- Leave the box blank if not filing jointly with another attorney.
- Click on the  button

**STEP 6** The **Select the Party** screen appears.

- Click on the name of the filing party to highlight (select) it and skip to Step 8.
- If the party is not listed, click on the [Add/Create New Party](#) hyperlink and follow the instructions in Step 7 to add the party.
- Click on the  button.

**STEP 7** Click on **Add/Create New Party** hyperlink to add a party to the case. The **Search for a party** screen displays.

- Search for the party by first and last name.
- Click on the  button.
- The **Party search results** screen displays. The party's name

may already be in the database and, in fact, may be listed several times.

- Click on each name to select the correct name of the party.
- Click on the  button. If the party is not in the database, click the  button.
- The name you searched for will automatically appear in the **Party Information** screen.
- Insert the party's complete name. It is not necessary to add contact information as the address of record will be that of the attorney representing the party.
- Select **Role** type from the pick list.
- Click on the  button.
- The **Select the Party** screen reappears. Highlight the newly added party, if not already highlighted by the system.
- Click on the  button.

**STEP 8** A **party/attorney association** screen displays when a party is added during the filing of a document, or if the filing attorney is not, but should be, associated with the party.

- Click in the checkbox to form the party/attorney association.
- Click on the  button.

**STEP 9** The **Select the pdf document** screen displays.

- Click on the **BROWSE** button and locate the pdf file. If necessary (e.g., when using Netscape as your Internet browser), change the "Files of type" selection to "All Files."
- Right click on the pdf file and open it to verify that it is the correct document. Close the Adobe Acrobat screen by clicking the **X** in the upper-right corner.
- If the pdf file is not the correct document, find the correct pdf file before continuing. If you cannot find the correct pdf file, **YOU WILL NEED TO START OVER** by clicking on the [Bankruptcy](#) hyperlink in the blue CM-ECF main menu bar. Find the correct file and start over.
- If the pdf file is the correct document, highlight the pdf file and click on Open. **Important:** Once you submit a document for filing in CM-ECF, the document is officially filed and entered on the docket. For this reason, **always open and view the pdf file just before you upload it for transmission** to the CM-ECF database.
- If there are attachments to the name of document, click the **Yes** radio button.
- Click on the **NEXT** button.

**STEP 10** The **Select One or More Attachments** screen displays if you checked the **Yes** radio button for attachments.

- Click on the **BROWSE** button and follow the instructions in step 6.
- Click on the down-arrow at the Type box and click on "Exhibit" or enter a Description, e.g., "Billing Statements" or select a type and enter a description.
- Click on the **ADD TO** button. The screen reloads, and the path and file name of your attachment appear in the add-to box. Repeat this process to upload additional attachments.
- Click on the **NEXT** button, when finished uploading attachments.

**STEP 11** The **File a Claim action** screen display the following note in red letters:

*If objecting to more than one claim, enter claim numbers separated by commas with no space in between. For example: 1,2,6. Click on the Next button to enter the claim number(s).*

- Click on the **NEXT** button.

**STEP 12** The **Enter Claim Number(s)** screen displays.

- Enter the number of the objected-to claim. If objecting to more than one claim, enter each claim number as follows:
  - Enter claim number separated by a comma with no space in between. It is imperative that you enter claim numbers this way; for example, 1,3,4
  - If you enter a number for a claim which does not exist, the

system will tell you the claim number does not exist. You will need to start over.

- Click on the NEXT button.

**STEP 13** The **Enter the name of Claimant and Amount of claim** screen displays.

- Enter the name of the claimant exactly as it appears on the claims register report. If objecting to more than one claim, enter the claimant names in the same order as the claim numbers. Separate names with semi-colons, and use "and" before the last name.
  - For example, if the claimant for claim #1 is ACME, Inc., and the claimant for claim #3 is NM Taxation and Revenue Department and the claimant for claim #4 is Internal Revenue Service, enter the claimants this way: ACME, Inc.; NM Taxation and Revenue Department; and Internal Revenue Service.
- Enter the dollar amount of the claim. If objecting to more than one claim, enter the claim amounts in the same order as the claim numbers. Separate amounts with semi-colons, use "and" before the last amount, and use "respectively" after the last amount.
  - The system will automatically enter a dollar sign for the first amount; enter dollar signs before additional amounts entered.
  - For example, if the amount for claim #1 is \$50,000 and the amount for claim #3 is \$4,600 and the amount for claim #4 is \$3,000, enter the amounts this way: 50,000; \$5,000; and

\$3,000, respectively.

- Click on the **NEXT** button.

**STEP 14** The **Docket Text: Modify as Appropriate** screen displays.

- Review the text for accuracy. If you discover an error, **YOU WILL NEED TO START OVER** by clicking on the [Bankruptcy](#) hyperlink in the blue CM-ECF main menu bar.
- If you are filing an amended objection to claim, click on the drop down arrow in the pick list. Select the word **Amended** so that it appears in the text box.
- Click on the **NEXT** button.

**STEP 15** The **Docket Text: Final Text** screen displays

- Click on the **NEXT** button if the final text is accurate. If you discover an error, **YOU WILL NEED TO START OVER** by clicking on the [Bankruptcy](#) hyperlink in the blue CM-ECF main menu bar.

**STEP 16** The **Notice of Electronic Filing** screen displays. Print a copy of the screen for your records. This is the verification of the date and time the document was filed with the court.

- To view the document, click on the document number hyperlink.
- To view the case docket report, click on the case number hyperlink.
- If you have not already associated your PACER login/password

with your CM-ECF login/password, the system will ask for your PACER login and password.

- PACER will assess a fee (8 cents per page) to view/print the document or docket report. To avoid the fee, print the document from the Notice of Electronic Filing (a/k/a "NEF") which you receive in your e-mail in-box when you file documents electronically.
  
- To obtain a PACER account, go to <http://pacer.psc.uscourts.gov/> or call the PACER Service Center at (800) 676-6856.

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## QUICK STEPS

**PREP STEP** - do all the preparatory work (see **Basic Guidelines** of the detailed instructions)

- ① \_\_\_\_\_ **Bankruptcy events** - click on [Claims Related and Other Events](#) hyperlink.
  
- ② \_\_\_\_\_ **Search for case** - enter case number, accept all defaults, click on .
  
- ③ \_\_\_\_\_ **Select the party** - click on party's (Debtor's) name, click on .
  
- ④ \_\_\_\_\_ **Upload the objection to claim pdf file** (view it first) and any attachments (view them, too). See Steps 9 and 10 of the detailed instructions.
  
- ⑤ \_\_\_\_\_ **Enter claim numbers, claimant names, and claim amounts**
  - enter multiple claim numbers this way: 2,4,7 (separate with commas and do not enter spaces)
  
  - enter claimant names *as they appear in CM-ECF*. Enter them in order corresponding to the claim numbers like this, for example: "ACME Inc.; NM Taxation and Revenue Department; and Internal Revenue Service."
  
  - enter dollar amounts in order corresponding to the claim numbers. For example: "50,000; \$5,000, and \$150,000, respectively." (You

don't need to enter a dollar sign for the first amount.)

- ⑥ \_\_\_\_\_ **Proof the Docket Text and Modify as appropriate.** If filing an **amended** objection to claim, select amended from the prefix pick list.
  
- ⑦ \_\_\_\_\_ **Print a copy of the Notice of Electronic Claims Filing** as your evidence of filing.

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