

## Filing an Involuntary Petition

An involuntary petition is filed by petitioning creditors against an alleged debtor to force that party into bankruptcy under either Chapter 7 or Chapter 11. This lesson will explain the necessary steps for filing an involuntary petition with the court using ECF.

Step 1 Click the Bankruptcy hyperlink on the ECF Main Menu. (See figure 1)



Figure 1

Step 2 The **Bankruptcy Events** screen displays. (See figure 2)

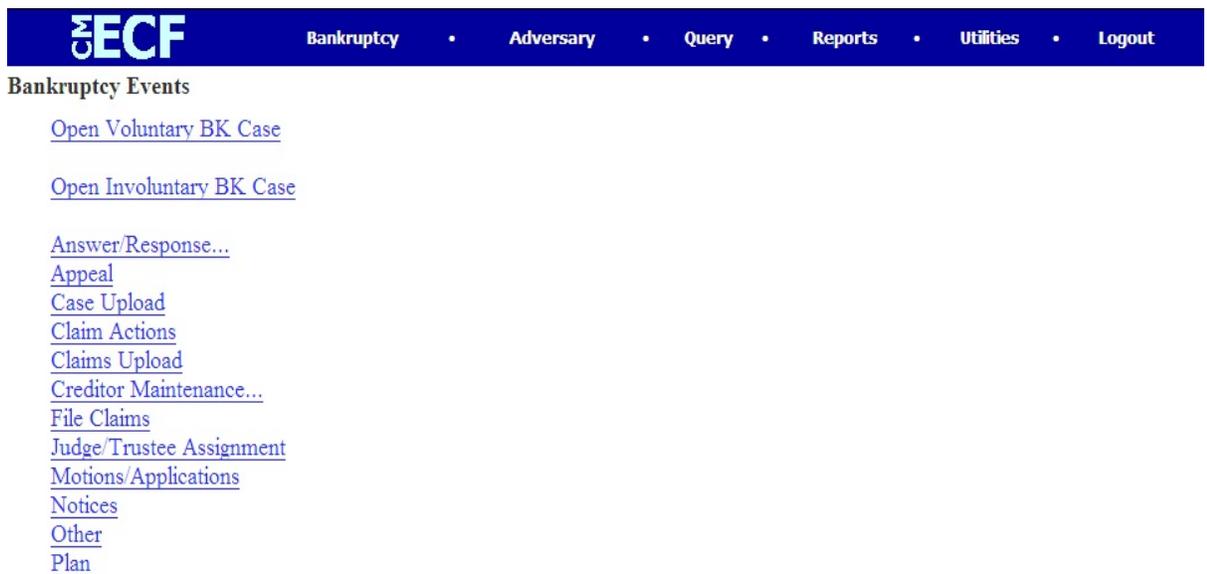


Figure 2

- ◆ Click the Open Involuntary BK Case hyperlink.

Step 3 The **Open New Involuntary Case** screen displays. (See figure 3)

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### Open New Involuntary Case

Case type bk  
Date filed 6/2/2006  
Chapter 7  
Joint Petition n

**Figure 3**

- **Case type** “bk” is the default choice and cannot be changed.
- **Date filed** default to the current date and cannot be changed.
- **Chapter** should be either “7” or “11”.
- **Joint Petition** “n” is the default and cannot be changed.
- **Deficiencies** “n” is the default and should not be changed.

◆ Click **Next** to continue.

Step 4 The **Search for an alleged debtor** screen displays. (See figure 4)

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[Open New Involuntary Case](#)

Search for an alleged debtor

SSN  Tax Id

Last/Business name

First Name

Middle Name

**Figure 4**

**NOTE:** To prevent duplicate person records, a search of the database for the alleged debtor is recommended. One can search by Social Security Number, Tax Identification Number, last, business, first or middle name.

- ◆ Enter the alleged debtor’s information in the chosen field and click **Search** to continue.
- ◆ If the alleged debtor is already in the database with exact matching information, select it.
- ◆ If there are no matches, the system will return a **No Person Found** message. (See figure 4a)

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Search for an alleged debtor

SSN  Tax Id

Last/Business name

First Name

Middle Name

Party search results

No person found.

**Figure 4a**

- ◆ If the party is not in the database, proceed to add the alleged debtor by clicking the **Create new party** button.

Step 5 The **Alleged Debtor Information** screen displays. (See figure 5)

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**Alleged Debtor Information**

Last name  First name

Middle name  Generation  Title

SSN  Tax ID

Office  Address 1

Address 2  Address 3

City  State  Zip

County  Country

Phone  Fax

E-mail

Party text

Add all aliases and corporate parents before clicking the Submit button.

**Figure 5**

- Enter the alleged debtor’s information in the appropriate fields.
- ◆ Click **Submit** to continue.

Step 6 The **Search for a petitioning creditor** screen displays. (See figure 6)

**Figure 6**

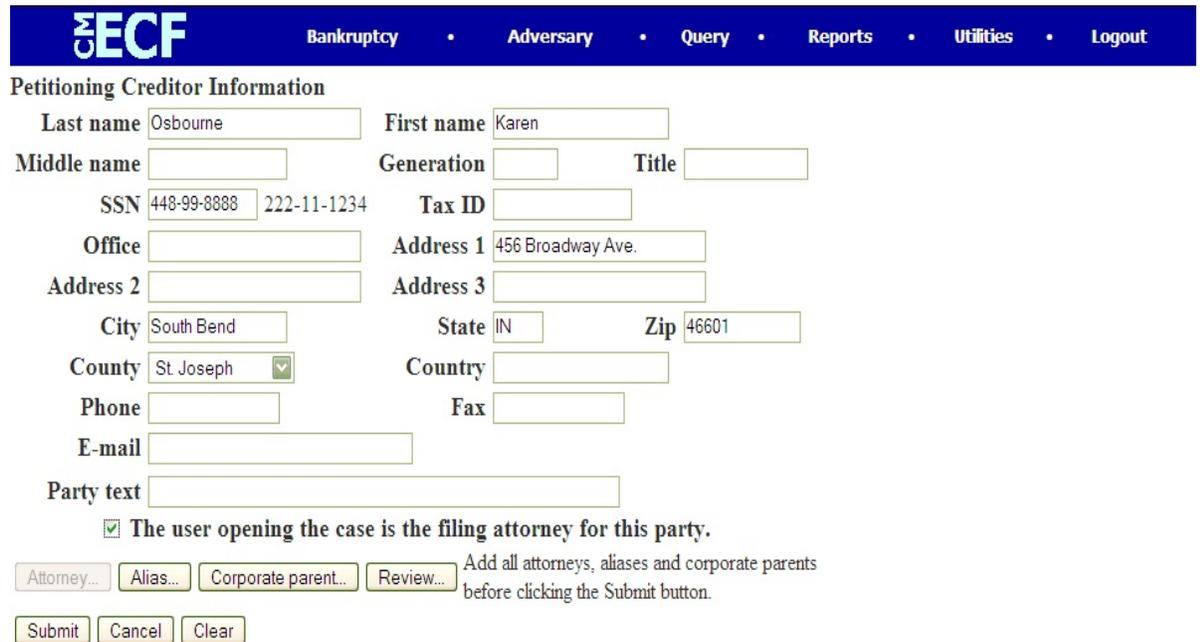
**NOTE:** To prevent duplicate person records, a search of the database for the petitioning creditor(s) is recommended. One can search by Social Security Number, Tax Identification Number, last, business, first or middle name.

- ◆ Enter the petitioning creditor information in the chosen field and click **Search** to continue.
- ◆ If the petitioning creditor is already in the database with exact matching information, select it.
- ◆ If there are no matches, the system will return a **No Person Found** message. (See figure 6a)

**Figure 6a**

- ◆ If the party is not in the database, proceed to add the petitioning creditor by clicking the **Create new party** button.

Step 7 The **Petitioning Creditor Information** screen displays. (See figure 7)



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**Petitioning Creditor Information**

Last name  First name

Middle name  Generation  Title

SSN   Tax ID

Office  Address 1

Address 2  Address 3

City  State  Zip

County  Country

Phone  Fax

E-mail

Party text

The user opening the case is the filing attorney for this party.

Add all attorneys, aliases and corporate parents before clicking the Submit button.

**Figure 7**

- Enter the petitioning creditor information in the appropriate fields.

**NOTE:** If appropriate, check the box next to *The user opening the case is the filing attorney for this party* to make the attorney/petitioning creditor connection before submitting this information.

- ◆ Click **Submit** to continue.

Step 8 The **Search for a petitioning creditor** screen will appear again for the addition of any other petitioning creditors. If there are no other petitioning creditors, or when all petitioning creditors have been entered, click **End petitioning creditor selection** to continue.

Step 9 The Divisional Office assignment screen displays. (See figure 8)



Divisional Office is set to **South Bend** based on the county code **18141** of the debtor

**Figure 8**

◆ Click **Next**.

Step 10 The **Statistical Information** screen will display. (See figure 9)



<p>Fee status Paid</p> <p>Nature of debt <input type="text" value="consumer"/></p> <p>Asset notice <input type="text" value="No"/></p> <p>Estimated number of creditors <input type="text" value="1 - 49"/></p> <p>Estimated assets <input type="text" value="\$0-\$50,000"/></p> <p>Estimated debts <input type="text" value="1 \$0-\$50,000"/></p> <p><input type="button" value="Next"/> <input type="button" value="Clear"/></p>	<p><b>Type of debtor</b></p> <p><input checked="" type="radio"/> Individual</p> <p><input type="radio"/> Corporation (includes LLC &amp; LLP)</p> <p><input type="radio"/> Partnership</p> <p><input type="radio"/> Other</p> <p><input type="checkbox"/> Health Care Business</p> <p><input type="checkbox"/> Single Asset Real Estate</p> <p><input type="checkbox"/> Railroad</p> <p><input type="checkbox"/> Stockbroker</p> <p><input type="checkbox"/> Commodity Broker</p> <p><input type="checkbox"/> Clearing Bank</p> <p><input type="checkbox"/> Nonprofit Organization</p>
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**Figure 9**

- In the **Type of Debtor** area, select the type of debtor by clicking with your mouse next to the correct type.
- **Fee Status** default is “paid” and cannot be changed.
- **Nature of Debt** can be changed from “consumer” to “business” if appropriate.
- **Asset notice** will be “yes” for corporation/business debtors and “no” for individual debtors.
- Complete the fields for **Estimated number of creditors**, **Estimated assets** and **Estimated debts**.

◆ Click **Next** to continue.

Step 11 The **PDF Document Selection** screen displays. (See figure 10)

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### Open New Involuntary Case

Select the **pdf** document (for example: C:\199cv501-21.pdf).

Filename

Attachments to Document:  No  Yes

**Figure 10**

- ◆ Click **Browse**, then navigate to the directory where the appropriate PDF file is located.
  - To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. (See figure 10a)

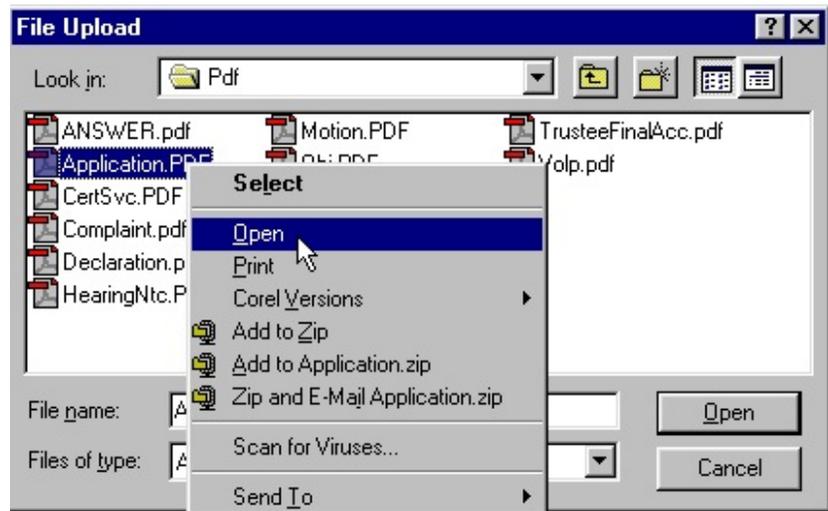


Figure 10a

- This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.
- Close or minimize the Adobe application and if that is the correct file, click Open on the File Upload dialogue box. (See figure 10b)

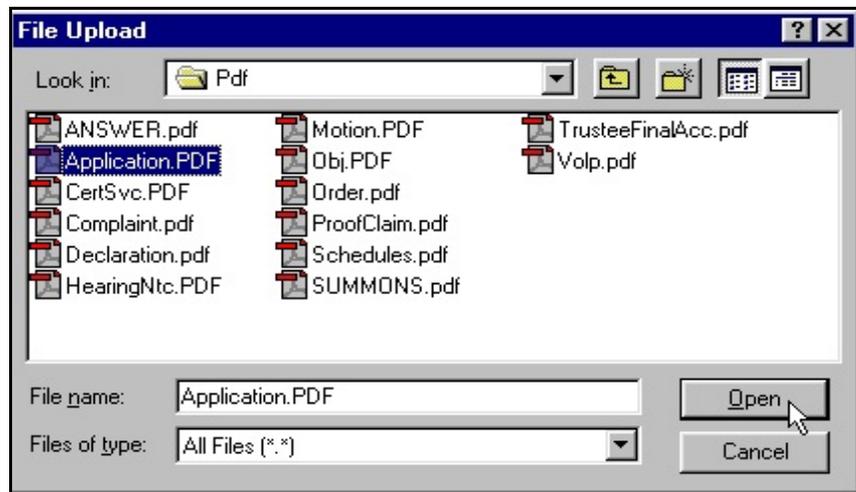


Figure 10b

- ◆ Click **Next** to continue.

Step 12 The **Receipt #** screen displays. (See figure 11)

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### Open New Involuntary Case

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Leave the receipt field BLANK if you are paying via the Internet

**Enter N/A in the receipt field if this is a non-fee event**

Receipt #:  Fee: \$299

**Figure 11**

- ◆ Leave the **Receipt #** field blank and click **Next** to continue.

Step 13 On the next screen that appears, click **Next**.

Step 14 The **Final Docket Text** screen appears. (See figure 12)

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### Open New Involuntary Case

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Docket Text: Final Text

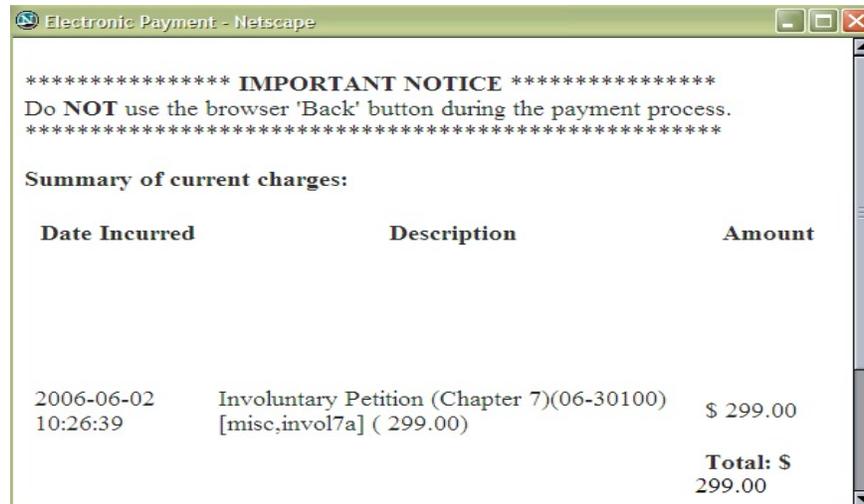
Chapter 7 Involuntary Petition Fee Amount \$299 Re: Alleged Debtor Jones Asphalt Filed by Petitioning Creditor(s): Karen Osbourne (attorney William Miller). (Miller, William)

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

**Figure 12**

- ◆ This is the last opportunity to make any changes before the involuntary petition is officially filed. Verify the information on this screen and click **Next**.

Step 15 The **Electronic Payment** screen appears. (See figure 13)



**Figure 13**

- ◆ ECF will keep track of fees due. At this screen, click either **Pay Now** or **Continue Filing**. For this exercise, we will choose **Pay Now**. All accumulated filing fees will be paid via the internet at this time.
- ◆ If **Continue Filing** is chosen, the payment box above will disappear and allow you to continue with other filings until your filing session is complete.
- ◆ When your filing session is complete, click **Utilities** on the CM/ECF main menu bar and click on **Internet Payments Due**. You can either view the tally of fees accumulated or click on **Pay Now**.
- ◆ A history of internet payments is also available by clicking **Utilities** on the CM/ECF main menu bar and clicking **Internet Payment History**. This report displays a history of payments made via the internet in any given date range.

Step 16 The **Notice of Electronic Filing** screen will generate. (See figure 12)

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**Open New Involuntary Case**

U.S. Bankruptcy Court  
Northern District of Indiana (Test Database)

[Notice of Bankruptcy Case Filing](#)

The following transaction was received from Miller, William entered on 6/2/2006 at 10:26 AM EDT and filed on 6/2/2006

**Case Name:** Jones Asphalt  
**Case Number:** [06-30100](#)  
**Document Number:** [1](#)

**Docket Text:**  
Chapter 7 Involuntary Petition Fee Amount \$299 Re: Alleged Debtor Jones Asphalt Filed by Petitioning Creditor(s): Karen Osbourne (attorney William Miller). (Miller, William)

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

**Document description:**Main Document  
**Original filename:**W:\CMECF\PDFS\Complaint.pdf  
**Electronic document Stamp:**  
[STAMP bkecfStamp\_ID=1006806559 [Date=6/2/2006] [FileNumber=55938-0] [9c4afe40fe9733a10c0c493710b97f29b351b77d1d09971dde15bef0983cdb4b718e61257113d9379eefda13c222dbeb5f089edff93a9418a25cd2cb863d8a6]]

**06-30100 Notice will be electronically mailed to:**

**06-30100 Notice will not be electronically mailed to:**

Jones Asphalt  
887 S. Main St.  
South Bend, IN 46601

William Miller  
123 S. Main Street  
PO Box 200  
South Bend, IN 46601

**Figure 12**