

FILING A NOTICE OF REMOVAL

REQUIRED:

- Notice of Removal
- Complaint
- Payment of the filing fee

OPENING THE CASE:

Click 'Adversary' on the CM/ECF menu bar.

Select 'Open an AP Case' from the list of adversary event categories.

Change the Complaint default from 'y' to 'n.'

Select whether the filer is counsel for plaintiff or attorney.

Enter underlying case number when prompted.

Association type will default to 'Adversary'. Accept the default.

The judge will automatically default to the judge assigned to the underlying case. Accept the default judge by clicking 'Next'.

Search for and add the Plaintiff(s):

- Enter Last/Business Name to search for the Plaintiff name in the ECF database.
- IF the Plaintiff's name does appear in the list, select the name from the list and remove all address information at the next screen.
- IF the Plaintiff's name does not appear in the list, click on 'Create new party' to add the Plaintiff. DO NOT add an address, e-mail address, alias or aka for the Plaintiff.
- The Plaintiff Information screen will appear.
- Add any identifying role into party text (i.e. James Smith, Chapter 7 Trustee; James Smith, liquidating Trustee for the Estate of ... etc.)
- Select the appropriate Role in Bankruptcy Case from the drop-down menu.
- Click **ADD PLAINTIFF'S ATTORNEY**.
- Ensure that the Lead attorney designation remains 'yes'.
- NEVER change or remove an e-mail address from an attorney address record (if a change is necessary, file your case and update your account through PACER.)
- Click 'Submit' to add the first Plaintiff. Continue the steps above to add additional Plaintiffs.
- Click 'End plaintiff selection' when finished.

Search for and add the Defendant(s) the same way the Plaintiff(s) were added, taking into consideration the following:

- Do not add an e-mail address, alias, dba, fka or social security number for the Defendant.
- You may select a debtor defendant that is already in the system with social security number.
- Do not enter the address for the Defendant. The clerk's office will add an address if a responsive pleading is filed and the defendant is not represented by counsel.
- Select the appropriate Role in Bankruptcy Case from the drop-down menu.
- Click 'Submit' to add the first Defendant. Continue the steps above to add additional Defendants.
- Click 'End defendant selection' when finished.

Statistical Screen:

- Party code defaults to '3 U.S. not a Party'.
- Change if necessary. Rule 23 (class action) defaults to 'n'. Change if necessary.
- Jury demand defaults to 'None'. Change if necessary.
- Enter Demand amount, to the nearest \$000. (Divide the Demand amount by 1,000 to determine the amount to enter. For example, a Demand amount of \$10,000 divided by 1,000 = 10). Leave blank if no Demand amount is given.
- State Law defaults to 'n'. Change if necessary.
- Select '**01 – Determination of removed claim or cause**' from the Nature of Suit(s) pick list(s).
- Click "Next" when finished.

Select "**Notice of Removal**" as the event and click "Next."

Browse to the directory where your Notice of Removal is located, view and select. Select 'Yes' to "Attachments to Document" and click 'Next'. Upload the Complaint, cover sheet (if applicable), and other documents as attachments.

Complete the prompts for the Filing Party, Originating Court, Civil Case Name, and Civil Case Number.

Click 'Next' until you arrive at the Docket Text: Final Text screen. Review docket text. If there are errors, go back and fix or click on 'Adversary' to start over. If you see no errors, click 'Next' to commit the transaction.

Complete payment of fees.