Filing a Claim on ECF – Instructions

Generally: An attorney with an ECF password may file a proof of claim electronically on behalf of a creditor. If, when attempting to file a proof of claim electronically, the attorney discovers that the creditor (whose proof of claim is being filed) is not yet in the creditor database for that case (or appears incorrectly or at a different address), the attorney can *add* the creditor to the creditor database and then proceed with the filing of the proof of claim.

When Not to Proceed with the Electronic Filing of a Proof of Claim: An attorney should **not** proceed with the filing of a proof of claim on ECF in the situations that are described below.

> ***a. Case Has a Claims Agent***: Before filing a claim, an attorney should first check to see if the case has a claims agent and, if so, the attorney should ***not*** use ECF to file the proof of claim. Since the claims agent maintains the claims register on its own computer system, the claims-register functionality on ECF should ***not*** be used for the filing of any proofs of claim in a case having a claims agent. Instead, for instructions on how to file proofs of claim in such case, the attorney should refer to the notice – sent by the claims agent – pertaining to the last date to file claims (the so-called "bar date" notice) or contact the claims agent.
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> > ***How To Check For a Claims Agent***: In the Southern District of New York, a debtor with **250 or more creditors** is generally required to retain the services of a claims agent. The retention of a claims agent is typically accomplished early in the case by motion and order. Once a claims agent is retained, the flag "**CLMAGT**" appears on the top of the docket and the claims agent's name and address can be found on the top left side of the docket, typically located above the first docket entry.
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> ***b. Case is Closed***: Do ***not*** use ECF to file a proof of claim if the case is closed. If there is any doubt as to whether the case is still open, please check the docket on ECF to see if the case is closed. In a closed case, the word "**CLOSED**" will appear in the top, right corner of the docket.

Steps Involved in Filing a Proof of Claim:

1. At the top of the first screen, click on "Bankruptcy" and, on the next screen, click on "File Claims."

2. On the next screen, enter the case number and the name of the creditor in the appropriate boxes. Click on "Next." The system will search the case's creditor database to determine whether the database contains an entry for that particular creditor.

    a. If the search locates a correct entry for that creditor, skip ## 3 and 4 below and proceed directly to # 5 below.
    b. If the search locates an entry for that creditor but an error exists in the entry or the creditor is listed under a different address, proceed to ## 3 and 4 below.

c. If the search does *not* locate any entry for that creditor, proceed to ## 3 and 4 below.

3. ***When To Use the "Add Creditor" Functionality***: Before filing a claim, the filer will need to add the creditor to the database in the following two situations:

   a. *Where the creditor has not yet been entered into the creditor database for that case; or*
   b. *Where the entry in the database for that particular creditor appears incorrect (for example, an incomplete address) or the creditor is listed under a different address.*

   Locate the box containing the phrase "Add Creditor" on the next screen and click on that box. On the next screen, click on "Next" after first checking the case number appearing in the box. On the next screen, place the name and complete address of the creditor in the appropriate boxes; also, make sure that "Creditor" appears in the box for **Type** and that you click on the radio button appearing before the phrase "Last Entry." Please note that the ***prompt for creditors' committee*** should be kept at "no." After checking all of the newly entered information for accuracy, click on "Next" and, on the next screen, click on "Submit." On the next screen, click on "File a Proof of Claim" to proceed with your filing. [*Proceed to # 4 below.*]

4. On the screen that appears after clicking on "File a Proof of Claim," enter the name of the creditor in the appropriate box. Click on "Next."

5. Having already entered the case number and the name of the creditor on an earlier screen (or screens), this screen should provide the name and address of the creditor whose proof of claim is being filed. Review for accuracy the creditor's name and address appearing on this screen and click on "Next" if the entry for that creditor is accurate. [**NOTE: If an error appears in the entry for that creditor, complete ## 3 and 4 above before proceeding with the filing of the claim.**] Fill in the boxes on the next screen as appropriate, depending on whether the claim being filed is secured, unsecured or priority. Click on "Next."

6. On the next screen, attach the PDF file containing the proof of claim. If filing any attachments to the proof of claim, be sure to click on the radio button appearing after "Attachments to Documents" and click on "Next." On the next screen, attach the PDF file containing the related documents that are being filed with the proof of claim. After attaching the PDF File, be sure to complete the process by selecting a document type [use the downward arrow to choose a document type from the menu appearing adjacent to the word "Type"] and by adding a description. Also, add the "filename" to the list box before clicking on "Next."

   NOTE: Please try to avoid the filing of large attachments. It is recommended that attachments be no larger than two megabytes and that anything larger than that size should be divided into sections no larger than two megabytes.

7. Your filing is complete. Review the electronic filing receipt to check your work.