Notice of Removal Case Opening

Last Updated: July 10, 2024

[Local Rules of Bankruptcy Procedure 9027-1](#)

Event: Adversary > Open an Adversary Case

A Notice of Removal in bankruptcy refers to a civil action pending in a state court or another federal court being removed to the bankruptcy court in the district in which the civil action is pending. Notice of Removal is the initiating pleading for opening a removed proceeding.

Opening a Removal Instructions

1) Select **Adversary Menu**
2) Select **Open an Adversary Case**
3) Complaint dropdown menu change to **"n",** click **Submit**
4) Select Counsel for plaintiff or defendant from dropdown menu, click **Submit**

   NOTE: You will be prompted to indicate whether you are **Counsel for** the **plaintiff** in the state court action or **Counsel for** the **defendant** in the state court action (or other court where the case is being removed from). When filing a Notice of Removal, be sure to select the correct option in the **Counsel for** drop down box to ensure that the caption for the Notice of Removal matches the original caption used in State Court.

5) Search for plaintiff(s) by social security number or tax identification number, or by name, click **Submit**

   NOTE: This screen is used to search for an existing party record within the Court's CM/ECF database. A search for party record should be conducted when filing a Notice of Removal to avoid creating duplicate profiles in ECF. If the search results in **No person found**, select **Create New Party** to add a profile for the removed proceeding's plaintiff or defendant. If it is necessary to create a new party, do not fill in address information. **Role in Bankruptcy Case** is a mandatory field, and identifies the party's role in the Lead Bankruptcy case.

6) Select party from results list and click **Select name from list**. If not listed select **Create new party**

7) Check that party information is correct, choose **Role in Bankruptcy Case** from the dropdown menu, click **Submit**

8) To add additional plaintiff(s), repeat this step, otherwise select **End plaintiff selection**

9) Search for defendant(s) by social security number or tax identification number, or by name, click Submit

10) Select party from results list and click **Select name from list**. If not listed select **Create new party**

11) Check that party information is correct, choose **Role in Bankruptcy Case** from the dropdown menu, click **Submit**

12) To add additional defendant(s), repeat this step, otherwise select **End defendant selection**

13) Select appropriate Party code and Primary nature of suit, 01 (Determination of removed claim or cause).

14) Enter additional nature of suit(s) if applicable.

   Note: The lead cause of action should be entered first, followed by any additional causes of action.

15) Rule 23 (class action) select "y" from the dropdown menu if filing is a class action

16) Jury Demand, select appropriate party if filer requests a jury

17) Demand ($000) enter amount of demand (5 = $5000)

18) State law, enter "y" or "n" from the dropdown menu, click **Submit**

19) Enter Lead bankruptcy case number, enter Association type Adversary from dropdown menu, click **Submit**

20) Ensure case is assigned to the correct Division and Judge, ensure lead bankruptcy case is correct, click **Submit**

21) Is the plaintiff the Debtor, Trustee, US Trustee, Debtor in Possession or Examiner? [y or n], click **Submit**

22) Select event from dropdown menu > Notice of Removal of Case (fee), click **Submit**

23) Browse, verify and attach the document (PDF file), attach additional supportive documents if applicable, click **Submit**

24) Refer to existing event(s)? leave box unchecked > Enter from which Court the case came from (ie. Superior Court, King County): > enter the court the case is being removed from. Enter the case number of the court the case is being removed from, click **Submit**

25) Docket Text: Modify as Appropriate, click **Submit**

26) Docket Text: Final Text, ensure final text is correct. Have you redacted? Click **Submit**

27) New Adversary case number and Lead case number appear after final submission

TIP – When an Adversary/Notice of Removal action is opened, a cross-reference of the filing is automatically entered on the Lead bankruptcy case. Generally, filers should not docket on the Lead bankruptcy case if the filing pertains to the Adversary/Notice of Removal.