

Article

How to File an Electronic Bankruptcy Proof of Claim

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You just heard that some local company or person that owes you money, goods or services has filed bankruptcy. In bankruptcy, that company or person is called a debtor and you are a creditor. Likely, the local debtor filed for bankruptcy in the Northern District of Texas. In order to make a claim for what you are owed you will need to file a proof of claim with the court. Be sure you have a legitimate claim. Filing a false or fraudulent proof of claim will subject you to legal penalties.

If your claim is substantial or secured by a lien on the debtor's property, I recommend that you retain legal counsel to file the proof of claim, and assist you in analyzing your claim and protecting your interests. Simply filing a proof of claim will not assure you of receiving any distribution of the debtor's assets. Other creditors or the debtor may file motions that, as a practical matter, reduce or eliminate the value of your claim. Also, you will not get notice of these filings, other than specific objections to your claim, unless you retain legal counsel to file an appearance for you, or file a notice of appearance on your own behalf. To see how you can become an "efiler" with the court and file a notice of appearance on your own behalf electronically, go to txnb.uscourts.gov/ecf/cred_tutorial/index.html. The tutorial is much more complex than what is described below. Alternatively, you can monitor the case and download case records by registering on Public Access to Court Electronic Records (PACER) at pacer.gov/. There is a per-page cost associated with each download.

However, if your claim is small, you may be reluctant to hire legal counsel to file a proof of claim because you don't have a lien on any of the debtor's property, and you don't think the debtor has many assets compared to their debts. If so, filing a proof of claim electronically without a lawyer is easy. First, you will need to obtain the case number and date of filing of the bankruptcy. If the case was filed in the Northern District of Texas, call their automated phone number (214.753.2128). The system includes an option to search by name of debtor using your phone's keypad. Once you have located the proper debtor, the automated system gives you the case number and filing date along with the last day to file a proof of claim and other information.

Next, go to txnb.uscourts.gov/ecf/manual/, which is the website for the online Claim Filing System. Click on the words "Click Here" which will take you to a video tutorial that is easy to follow. In addition to the case number, you will need the last four digits of any number by which you identify the debtor. If you have no such number, you might want to substitute the last four digits of any number by which the debtor identifies you. You will also need the basis for your claim (for example, goods sold, money loaned, services performed etc.). Be brief but clear in your description. You will also need to calculate what you are owed as of the date of the bankruptcy filing. Finally, you will also need any documents that support your claim in .PDF format not greater than 5MB. Supporting documents are not required, but it is better to have them. If you have only an invoice, attach that. If you have a signed contract, attach that. You will attach any supporting documents after completing the form. When you print your claim, the attachment will not be visible, but it should be there. You will also be assigned a claim number. Make a note of that.

That's it! Now you are ready to click on the box next to the tutorial and file your claim. If you periodically call the automated phone number referenced above, you will learn further information, such as the date, time and location of the first meeting of creditors. An additional resource for obtaining information on bankruptcy is spiesonline.net. On the left side of the page, click on "Bankruptcy Records" under "Investigative Resources."

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