

# How To File An Amended Voluntary Petition

---

## Issue Date

March 7, 2011

---

## Policy

NM Local Bankruptcy Rule 5003-1(c) provides:

(c) **Official Record.** The official document of record is the electronic document stored in the court's database.

The judges have determined, effective March 7, 2011, that the Clerk's Office approach to correcting case opening data entry errors should be based on this rule.

---

## Process

A debtor has a right to amend a voluntary petition as a matter of course at any time before the case is closed. Fed. R. Bankr. P. 1009 (a) requires the debtor to give notice of the amendment to the trustee and to any entity affected by the amendment.

The Clerk's Office, depending on the situation, will issue a Notice of Error (NOE) or a Notice of Adjustment (NOA) notifying the filer when information on the voluntary petition pdf does not match information in CM-ECF or when information has been removed from CM-ECF to match the official document of record.

If the information entered into CM/ECF was correct and the information in the document filed of record was wrong, it is up to the attorney to correct the document filed of record by filing an amended voluntary petition. However, an amended voluntary petition cannot be filed to add or remove a debtor.

For example: An alias name for the debtor was entered in CM-ECF but not listed on the voluntary petition. The alias name will be removed from CM-ECF and the notice of commencement of case will be sent without the alias name.

---

## Procedure

STEP	ACTION
1	Prepare the amended voluntary petition. The debtor(s) must hand sign page three. Scan and convert the amended voluntary petition to a pdf image.
2	Log in to CM-ECF at <a href="https://ecf.nmb.uscourts.gov/">https://ecf.nmb.uscourts.gov/</a> Click on the <b>Bankruptcy</b> menu option in the blue menu bar.

---

STEP	ACTION
3	The <b>Bankruptcy</b> menu displays.  Click on the <b>Miscellaneous (Contains some AP Case Events)</b> hyperlink.
4	Enter the case number and click next.
5	Select the <b>Amended Voluntary Petition</b> event and click next.
6	Select the debtor and, if applicable, joint debtor.  Two select a debtor and joint debtor, hold down the control key (Ctrl) and highlight each debtor. Click next.
7	Upload the amended voluntary petition.  Note: remember to view the file first in the browse window to ensure the correct pdf file is uploaded.
8	The open text box "Amending what?" allows you to enter what is being amended. Enter the specific information that is being amended in the voluntary petition (e.g., alias name for debtor) and click next.
10	Check the Refer to existing event(s)? box and click next.
11	Highlight "misc" from the "Select the category to which your event relates," leave the "Filed" and "Documents" boxes blank and click next.
12	Check the box to the left of the original voluntary petition (usually document #1) and click next.
13	This screen notes that additional statistical reporting is required. Read this screen and click next.
14	Click next on the blank screen.
15	Review the final docket text. If you see an error start over or use your back button to correct the error. If it is correct, click next.

---

### Whom to Contact for Help

Please contact the Court's Electronic Information Specialists for assistance at 505-348-2500 or toll-free at 866-291-6805 - select option 3. The help desk hours are 8:30 a.m. to 4:30 p.m., Monday through Friday.