



# USBC & You

Working Together



# Notice of Appearance

- Receiving E-Notice and Free Look



# Notice of Appearance

- When filing a Notice of Appearance, you must check the box to associate with a party in the case in order to receive the one free look
- You must have an e-filing account to receive email notifications of filing



# Notice of Appearance

- You must e-file a document and associate with a party in order to receive e-notice
- If you file a Request for Service of Notices, you will not be associated with a party and will not receive e-notice or a “free look”



# Notice of Appearance

- If the Debtor filed their petition pro se and then retains counsel, counsel must file a Notice of Appearance to be added to the case
- The document you file must match the docket event you choose



# Claims



## E Filing Claims

- All claims should be paper filed  
They should be submitted unstapled, with all personal information redacted
- When adding the creditor, do not add additional text, just the name



# Administrative Claims

- All Administrative Claims should be filed using the

Payment of Administrative Expenses/Claims – Motion event found under Bankruptcy > Motion/Applications





# Administrative Claims

- In Chapter 13 cases, they should be scheduled and noticed for hearing on the Trustee's hearing calendar



# Creating Parties



# Creating Parties

- Do not create a party without first searching list of parties
- When creating parties, be mindful of the role selected
  - No party should be listed as a “Defendant” in a Bankruptcy Case
  - “Petitioning Creditor” is only used in an Involuntary Case
  - Only a Trustee that is appointed by the Court or UST should be listed as “Trustee”



# Creating Parties

- When creating a party, keep the name as short as possible

Ex.: **Doubletree Bank National Trust Company**, as Trustee in trust for the benefit of the Certificate holders for Argent Securities Inc., Series 2003-W2 Asset-Backed Pass-Through Certificates

Ex: **The Bank of New York Mellon Trust Company, National Association** fka The Bank of New York Trust Company, N.A. as successor to JPMorgan Chase Bank N.A. as Trustee for RAMP 2006RP2 being serviced as to t

City  State  Zip   
County  Country   
Phone  Fax   
E-mail

Party text

Attorney... Alias... Corporate parent / affiliate... Review...

Submit Cancel Clear

Add all attorneys, aliases and corporate parents or affiliates before clicking the Submit button.



# Naming Attachments



# Naming Attachments

- You do not need to fill in both naming boxes (Type and Description) when filing attachments to documents
- “Attachment” is entered automatically in docket text
- Do not use the first box, unless exact type is on the list



# Naming Attachments

- When filing Form 23 and attaching the Certificate, use **Certificate**, not **Affidavit**



Financial Mgmt  
asDUE, ReafHdShp, Asset, DISMISSED, MEDRPTDUE, CONFIRMED

ements.  
that contains attachment (for example: C:\appendix.pdf).

and/or enter a description.

**Description**

Add the filename to the list box below. If you have more attachments, go back to Step 1. When the list of

# Naming Attachments

- Motion for Relief from Stay and Request for Adequate Protection. Fee Amount \$150. Filed by SOVEREIGN BANK. Hearing scheduled for 10/14/2009 at 02:00 PM at US Bankruptcy Court, 824 Market St., 5th Fl., Courtroom #6, Wilmington, Delaware. Objections due by 10/6/2009. (Attachments: # (1) *Proposed Form of Order Proposed Form of Order* # (2) *Exhibit Exhibit A to the Motion for Relief From Automatic Stay and Request for Adequate Protection* # (3) *Exhibit Exhibit B to the Motion for Relief From Automatic Stay and Request for Adequate Protection* # (4) *Exhibit Exhibit C to the Motion for Relief From Automatic Stay and Request for Adequate Protection* # (5) *Exhibit Exhibit D to the Motion for Relief From Automatic Stay and Request for Adequate Protection*)



# Naming Attachments

- Amended Schedules/Statements filed: Sch B, Sch F, Sum of Schs, Stmt of Financial Affairs, List of Creditors,. Fee Amount \$26. Filed by Debtor(Attachments: # 1 **Schedule Amended Schedule B**# 2 **Attachment** Amended Summary of Schedules# 3 **Attachment** Statement of Financial Affairs# 4 **Attachment** Amended Creditor Matrix)
- If all schedules and statements are scanned as one .pdf, there is no need to file as attachments



# Documents



# Documents

- All documents and attachments should be reviewed for confidential information
- Any confidential information should be redacted prior to filing
- Make sure to right click and open document before attaching to ensure that it is the correct image



# Documents

- When saving your image, make sure that all the pages are properly attached  
i.e. No pages are upside down
- When filing motions, the Motion should be the main document, and the Notice of Motion and Certificate of Service should be filed as attachments



# Documents

- Do not try to attach any document that contains a web address
- Maximum size – 4 mb

To check the size of a document, right click on mouse, then click on properties



# Amended Documents





# Amended Documents

- Should be filed using the event according to the title of the document
- Amended is generally available in the prefix drop down box
- Amended should be entered after the title of the document when no prefix box available
- Should reference the original filing

- Amended
- Answering
- Authorizing
- Consent
- Counter
- Cross
- Emergency
- Final
- First
- Interim
- Joint
- Limited
- Monthly
- Omnibus
- Opening
- Quarterly
- Reply
- Second
- Successor
- Supplemental
- Third
- Third Party
- Verified

**Bankruptcy Adversary Query Reports Utilities Search**

[Large Corporation and Larger Debtor](#) **Closed 07/22/2009, Debtor dismissed 09/21/2005**

Chapter: 7 v Office: 1 (Delaware)

Debtor disposition: Discharge Judge: BLS

Withheld for Failure to Submit Cert  
of Instructional Course for Personal  
Financial Mgmt

AL, StatusDUE, ReafHdShp, Asset, DISMISSED, MEDRPTDue, CONFIRMED

ify as Appropriate.

**Motion to Appoint Examiner**



# Amended Documents

- Amended events are available for pleadings that require fees – no fee is charged for the amended pleading, with the exception of Amended Schedules

Amended Motion for Relief from Stay

Amended Motion to Convert

Amended Complaint



# Amended Documents

- If Amended Petition is filed to modify the SSN after the 341 Notice has been sent, the Debtor must serve all creditors with notice of the corrected SSN. A copy of the notice, **with the SSN redacted** and a COS must be filed with the Court



# Amended Documents

- If Amended Petition is filed to modify the SSN, then an Amended Form 21 must also be emailed to the Court



# Amended Schedules

- Can be filed as one document – no need to attach separately – if filed separately, a separate fee will be charged for each amended Schedule D, E or F



# Amended Schedules

- When prompted, check each box to indicate which schedules or statements are being attached
- Make sure to enter all dollar amounts exactly as they appear on the schedules
  - Do not round up**
  - Do not bypass screen**

Internal CM/ECF Live Database - Windows Internet Explorer

https://ecf.deb.circ3.dcn/cgi-bin/Dispatch.pl?441535924883833

Internal CM/ECF Live Database

**ECF** Bankruptcy Adversary Query Reports Utilities Search Logout

ect ALL scheds and statements you are filing at this time.

Sch A

Sch B

Sch C

Sch D

Sch E

Sch F

Sch G

Sch H

Sch I

Sch J

Sum of Schs

Decl Concerning Debtors Schs

Stmnt of Financial Affairs

Stmnt of Intention

Decl of Atty Compensation

322A

322B

322C



[01-55555-JKF Large Corporation and Larger Debtor](#) **Closed 07/22/2009, Debtor dismissed 09/21/2009, Converted 07/11/2005**

Type:bk	Chapter:7 v	Office:1 (Delaware)
Assets:y	Debtor disposition:Discharge	Judge:JKF
	Withheld for Failure to Submit Cert of Instructional Course for Personal Financial Mgmt	

Case Flag:APPEAL, StatusDUE, ReafHdShp, Asset, DISMISSED, MEDRPTDUE, CONFIRMED, REAF

Enter total from Schedule D:

Enter total from Schedule E:

Enter total from Schedule F:

**Schedules**

Schedule C: Total value of claimed exemptions	<input type="text"/>
Schedule I line 1: Monthly gross wages, salary, and commission	Debtor <input type="text"/> Spouse <input type="text"/>
Schedule I line 5: Subtotal of payroll deductions	Debtor <input type="text"/> Spouse <input type="text"/>
Schedule J line 20c: Monthly net income	<input type="text"/>

**Form B22A**

Line 1A: Veteran's declaration	<input type="checkbox"/>
Line 1B: Declaration of non-consumer debts	<input type="checkbox"/>
Line 2: Marital/filing status	<input type="text"/>
Line 11: Subtotal of current monthly income	Debtor <input type="text"/> Spouse <input type="text"/>
Line 14B: Debtor's household size	<input type="text"/>
Line 14: Applicable median family income	<input type="text"/>
Line 18: Current monthly income	<input type="text"/>
Line 19A: National standards: food, clothing and other items	<input type="text"/>
Line 19B: National standards: health care for household members under 65 years of age (Subtotal C1)	<input type="text"/>
Line 19B: National standards: health care for household members 65 years of age or older (Subtotal C2)	<input type="text"/>



# Reaffirmation Agreements



# Reaffirmation Agreements

- If debtor's counsel has not approved the agreement, the event “without attorney affidavit” should be used when filing

Ex: The Debtor's Attorney has reviewed this Agreement, but is unable to state that it does not impose an undue hardship on the debtor



# Reaffirmation Agreements

- If “undue hardship” has been determined, that box should be checked on the document
- All Reaffirmation Agreements must be scheduled for hearing
- **DO NOT** bypass the hearing screen when filing



# Reaffirmation Agreements

- If the Reaffirmation Agreement is being filed after the Discharge has been entered, the Discharge must be vacated before the Reaffirmation Agreement can be considered
- Separate proposed orders are needed for the Motion to Vacate the Discharge and Approval of the Reaffirmation Agreement



# Chapter 13

## Plans



# Amended vs. Modified Plans

- After filing the initial Plan, any Plan filed prior to **Final** Confirmation must be filed as an Amended Plan
  - Debtor/Debtor's counsel is responsible for service – A Certificate of Service must be filed with the Amended Plan
- Any Plan filed **after Final** Confirmation must be filed as a Motion to Modify – the Modified Plan is filed as an attachment to the Motion
  - The Court is responsible for noticing of Modified Plans



# Chapter 13 Plans

- When filing plans, you must number each subsequent plan filed after the original plan

This includes Amended and Modified Plans

Ex: 1) **First** Amended Chapter 13 Plan

2) Amended Chapter 13 Plan (**FIFTH**)

***DO NOT FILE AS:*** Amended Chapter 13 Plan  
(***FIFTH - REVISED***)



## Chapter 13 Plans

- If a Motion to Modify a Ch. 13 Plan is pending approval, it must be withdrawn before a subsequent Motion is filed
- The Notice of Withdrawal must be served on all parties that were served the Plan being withdrawn



## Chapter 13 Plans

- All Modified Plans must be numbered, same as Amended Plans
- All Modified Plans must be filed as an attachment to a Motion to Modify



# Proposed Orders



# Proposed Orders

- All proposed orders that are not filed as part of a motion should be filed under **Certification of Counsel**
- All proposed orders should reference the docket number of the motion in the caption and the title of the motion in the body



# Proposed Orders

- All Proposed Orders regarding a Motion for Moratorium must state the length of the moratorium being requested



# Proposed Orders

- All Proposed Orders regarding an objection to a claim must state the claim number, the claimant and the relief being requested
  - i.e. Claim 5, filed by ABCD is disallowed



# Miscellaneous Events





# Sealed Documents

- A Motion to File Under Seal must be filed and an Order entered before filing a document under seal

Detailed instructions are in the Attorney CM/ECF Manual on our website

When filing the document under seal, the cover sheet should reference the docket number of the Order allowing the document to be filed under seal



# Withdrawing Documents

- You cannot file a Notice of Withdrawal for a Motion when an Order has already been entered on the Motion - A Motion to Vacate the Order must be filed
- Any Notice of Withdrawal of a document must be served on all parties that were served the pleading being withdrawn - A COS should be filed with the notice



## Answers/Responses/Objections

- Must reference the title and the docket number of the Motion in the docket text as well as in the pleading

**ECF** Bankruptcy Adversary Query Reports Utilities Search

[01-55555-BLS Large Corporation and Larger Debtor](#) **Closed 07/22/2009, Debtor dismissed 09/21/20**

Type: bk	Chapter: 7 v	Office: 1 (Delaware)
Assets: y	Debtor disposition: Discharge	Judge: BLS
	Withheld for Failure to Submit Cert of Instructional Course for Personal Financial Mgmt	

Case Flag: APPEAL, StatusDUE, ReafHdShp, Asset, DISMISSED, MEDRPTDue, CONFIRMED

Refer to existing event(s)?

**Complete The Docket Window With The Name Of The Document To Which You Are Respondin**

Next Clear

**ECF** Bankruptcy Adversary Query Reports Utilities Search

*Select the category to which your event relates.*

- mediation
- misc
- motion
- notice
- order
- plan
- status
- trustee
- utility
- vCal

**Documents**  to



# Multi-docketing Errors

- Any event that references another pleading cannot be multi-docketed



# Docket Text

- Docket text should not be done in caps

Ex: Objection *BP OIL SUPPLY COMPANYS STATEMENT OF SUPPORT AND JOINDER IN OBJECTION OF CONOCOPHILLIPS COMPANY TO DISCLOSURE STATEMENT FOR THIRD AMENDED JOINT PLAN OF AFFILIATED DEBTORS PURSUANT TO CHAPTER 11 OF THE BANKRUPTCY CODE AND TO DEBTORS MOTION FOR AN ORDER APPROVING THE NOTICE OF THE DISCLOSURE STATEMENT HEARING AND SEEKING OTHER RELIEF (related document(s) 5344 , 5345 , 5585 , 5705 )* Filed by BP OIL SUPPLY COMPANY



# Erroneous Filings

- If you docket something incorrectly by choosing the incorrect docket event or adding incorrect text, do not re-docket

Contact the helpdesk and we will modify the docket text





# Hearing Information

- When docketing an event that requires a hearing, do not skip the hearing information screen
- When entering hearing information, make sure to select the hearing location that indicates the correct courtroom where the hearing is being held



# Hearing Information

- All Motions should be scheduled for hearing – a hearing date, time and location should be entered



# E-Filing Follow-up

- In Chapter 13 cases

After e-filing any Motion, CNO, Wage Order or Certification Re: Supplemental Chapter 13 Fee, you must email the document to Rachel Bello in Judge Shannon's chambers



# Email Notifications

- Whenever the Court send out an email notification , we would appreciate a timely response

Provide specific email address that will be read



# Court Calendar

- Please remember to check the Court Calendar prior to coming to a hearing
- Calendar is updated daily – hearings may be removed

# New Cases





# New Petitions

- Do not select “y” regarding deficiencies, when filing a petition

Court will issue a deficiency for the documents that are not filed

- When opening a new case, remember to add all aliases
- If debtor has a PO Box, you must also include the street address on the petition
- Debtor’s mailing address should be put into system



# New Petitions

- If only the petition is filed – no schedules or Means Test – MEANSU should be selected
- If counsel has more than one login or address, make sure that the correct address is on the docket and matches what is on the petition





# New Petitions

- When attaching the image of the Petition, the first three pages should be the petition, not the creditor matrix or Exhibit D
- It is helpful if a list of creditors is filed with the petition, as the last page



# Creditor's List/Mailing Matrix

- Please remember to add Debtor's Counsel's name and address to the mailing list
- If creditors are added to a case after the initial filing, an amended list of creditors should be filed with a Certificate of Service indicating that service was made to the added creditors



## Form 21 – SSN Verification Form

- All Form 21's should be emailed at the time of filing the petition
- If Amended Petition is filed to modify the SSN, an Amended Form 21 must also be emailed



## Exhibit D

- This document must be filled out by the debtor - should not be filed blank. You must select one of the following options



## Exhibit D

#1 should be checked if the debtor has taken the required Credit Counseling Course within 180 days prior to filing the petition. The Certificate should be filed at the time of filing the petition



## Exhibit D

#2 should be checked if the Credit Counseling Course was taken within 180 days prior to the date of filing of the petition, but the debtor has not received the Certificate. The Certificate should be filed within 15 days.



## Exhibit D

#3 should be checked if the debtor was unable to take the Credit Counseling course prior to filing and is requesting a temporary waiver. A reason must be stated. This will be scheduled for hearing. If approved, the debtor must take the course within 30 days after filing petition.



## Exhibit D

#4 should be checked if the debtor is requesting a permanent waiver due to incapacity, disability or active military duty. A Motion must be filed and scheduled for hearing to be decided by the Judge.





## New Adversaries

- When opening a new Adversary case, all parties need to be entered exactly as they appear on the Complaint - Cannot use “et al”
- Aliases should be added separately, not as part of the party’s name
- All Attorney information should be added



# New Adversaries

- When opening an Adversary, you must enter a demand amount
  - The demand amount should be rounded up to the nearest thousand
- The Summons and Notice must be docketed separately
- The Summons must contain the case number, issuance date and date of Pre-Trial Conference or Initial Scheduling Conference



## New Adversaries

- If filing the adversary on behalf of the Debtor, you must email the helpdesk immediately after filing, prior to paying for the filing
- If filing the adversary on behalf of the Trustee, you must email the helpdesk immediately after filing, prior to paying for the filing



# New Involuntary Petitions

- All the Petitioning Creditors need to be added
- The “debtor” should be identified as “Alleged Debtor”
- All Attorney information needs to be added
- The Summons must be filled out and presented to the Court to be issued
- The filer is responsible for service

# Duplicate Text



# Duplicate Text

- **DO NOT** retype the title of a document when the docket event chosen has the title in it

Ex: Affidavit in Support *Affidavit of Bernie F. Miller in Support* of First Day Pleadings

Should be: Affidavit in Support of First Day Pleadings



# Duplicate Text

- Example: Motion to Approve *Motion of the Debtors for an Order (I) Establishing Procedures for Resolving Reclamation Claims Asserted Against the Debtors, and (II) Granting Related Relief*. Filed by *The Debtors*

Should Be: *Motion to Approve Order (I) Establishing Procedures for Resolving Reclamation Claims Asserted Against the Debtors, and (II) Granting Related Relief*.  
*Filed by The Debtors*



# Duplicate Text

- Example: Motion to Reject Lease or Executory Contract *Motion of the Debtors for an Order Authorizing Them to Reject Certain Unexpired Leases of Nonresidential Real Property, Nunc Pro Tunc as of the Petition Date*


Should Be: Motion to Reject Lease or Executory Contract of Nonresidential Real Property, Nunc Pro Tunc as of the Petition Date



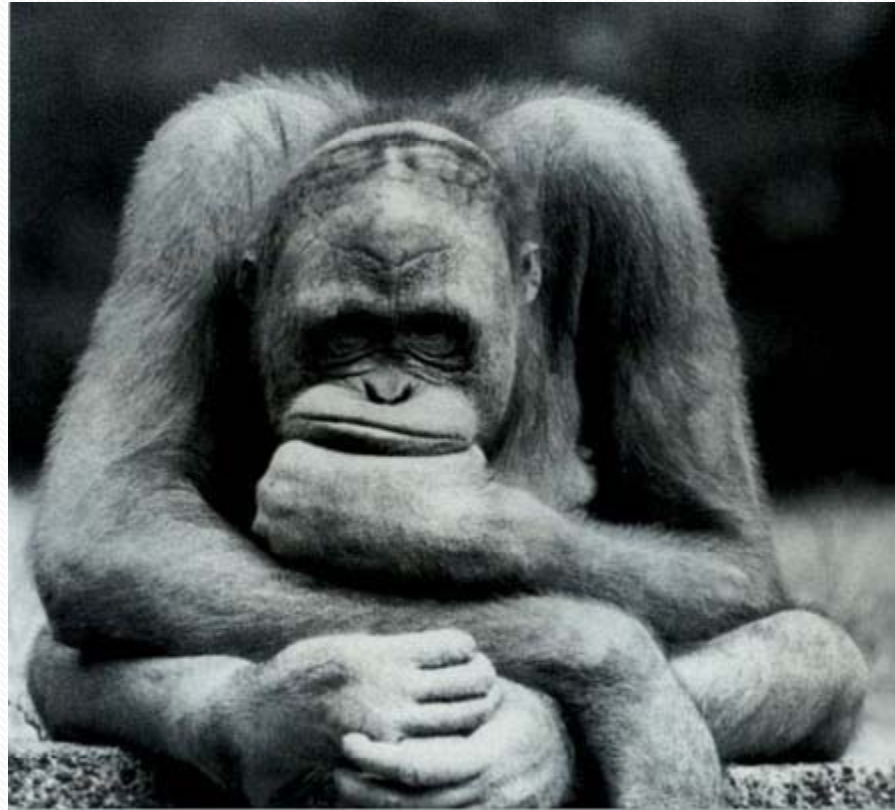


# Unnecessary Text

- When docketing Motions, do not include “Pursuant to” text



# What to Do When the System is Down



Oh what to do, what to dooo?

# When the system is down/Local Counsel

- If the ECF system is not working due to a problem at the Court, you should bring the document to the Court, clock it in downstairs and take the document back to your office. When the system is working again, you can docket using the clocked copy, if possible. Then email the Helpdesk and request that the file date be changed. The email should contain the case name, number, Judge's name/initials and the docket number of the entry you want back dated. If you are unable to attach the clocked document when e-filing, attach a clocked copy to the email

# When the system is down/Out of Town Counsel

- If the ECF system is not working due to a problem at the Court, you should wait until the system is up and then e-file your document. A Request to Backdate your filing should be filed, which should state that the ECF system was down when you attempted to e-file your pleading and request it to be backdated. The request should contain the case name and number and the docket number of the entry you want back dated.

# New & Modified Docket Events





# Using Generic Motions

- Generic Motions such as:
  - Motion to Allow
  - Motion to Approve
  - Motion for Order

Should only be used when there is not an appropriate docket event already created



# Search Feature

- The latest version of CM/ECF added a Search option on the Menu Bar
- Using this feature allows the filer to search for a docket event using a keyword



### Search results for 'mod'

3 events found

Search  
mod

#### Bankruptcy Events → Motions/Applications

[Modify Confirmed Chapter 13 Plan - Motion](#)

#### Bankruptcy Events → Notices

[Motion to Modify Plan \(Negative Notice\)](#)

#### Bankruptcy Events → Plan

[Modified Plan](#)



# Amended Petition

- This event has been modified to prompt for the reason amendment is being filed

Ex: To correct SSN

To add county

To amend Debtor's name



# Amended Complaint

- This event has been modified to prompt for the reason amendment is being filed
  - Ex: To amend demand amount
  - To add party
  - To add count



# Notice of Substitution of Counsel

- The title and docket text of the following events has been changed to:
  - “Notice of Substitution of Counsel”
  - **Adversary Events → Notices**  
Substitute Attorney - Notice
  - **Bankruptcy Events → Batch Filings**  
Substitute Attorney - Notice
  - **Bankruptcy Events → Multi-Case Docketing**  
Substitute Attorney - Notice
  - **Bankruptcy Events → Notices**  
Substitute Attorney - Notice



## Removal from Mailing List - Request

- Can be found under Bankruptcy > Other menu
- Docket text: Request for Removal from Mailing List



# Notice of Withdrawal of Document

- Can be found under the following menus:

Bankruptcy > Notices

Bankruptcy > Other

Adversary > Motions

Adversary > Other



# Notice of Withdrawal of Document

- Docket text: Notice of Withdrawal of  
Must fill in text with title of document being withdrawn
- Docket text as well as the document should contain the reason for the withdrawal
- Document should also contain the title of the document being withdrawn as well as the docket number

# Notice of Withdrawal of Appearance

- Can be found under the following menus:
  - Bankruptcy > Notices
  - Bankruptcy > Other
  - Adversary > Motions
  - Adversary > Other
- Docket text: Notice of Withdrawal of Appearance





# Motion for Clarification

- Can be found under the following menus:

Bankruptcy > Motions/Applications

Adversary > Motions

- Docket text: Motion for Clarification



# Motion to Approve Stipulation

- Can be found under the following menus:

Bankruptcy > Motions/Applications

Adversary > Motions

- Docket text: Motion to Approve Stipulation



# Email Address

- It is extremely important that you keep your email address current

This is done through Utilities >  
Maintain User Account



# This Training is Brought to You By:

The U.S.B.C. for the District of Delaware  
Work Assessment and Improvement Committee

Violetta Blanco

Lisa Ciconte

Deborah Colmyer

Lisa Dunwody

Judy Fisher

Avni Gada

Geoff Gray

Sandra Jackson

Julie Johnston

Todd Kirk

Betsy Magnuson

Cheryl Orkis

Margit Walter

Doug Yeager