

# Updates to E-filers

January 10, 2008

Hi, Everyone!

Listed below you will find some updates regarding electronic filing. If you have any questions once you review this information, please don't hesitate to contact the ECF Training Department at the Help Desk Number below. Thanks!

## **CM/ECF HELP DESK NUMBER - 720-904-7450**

Diane or Rich will answer the phone or will return the call if a message is left. Use this phone number when you have procedural questions regarding e-filing, need help e-filing documents, or have questions regarding training classes.

## **TRAINING TEAM E-MAIL ADDRESS - [cobml\\_training@cob.uscourts.gov](mailto:cobml_training@cob.uscourts.gov)**

Use this e-mail address when you have procedural questions regarding e-filing, need help e-filing documents, have questions regarding training classes, or you want to change information in your ECF Account (i.e. e-mail address.)

## **QUALITY ASSURANCE TEAM E-MAIL ADDRESS - [cob\\_qa@cob.uscourts.gov](mailto:cob_qa@cob.uscourts.gov)**

Use this e-mail address when you have made a mistake during the e-filing of your document and want the QA Team to fix it for you.

## **YOUR ECF TRAINING TEAM/HELP DESK MEMBERS:**

Diane Hunter

Richard Roberts

## **Privacy and Expenses Related to Family Violence Protection Services (Debtor's Attorneys): (Please help us keep the information PRIVATE, when needed.)**

As you know, the Current Monthly Income forms for Chapters 7 and 13 contain an expense item for "Protection against family violence," found at category 36 on Form 22A and 41 on Form 22C. The statement in the respective categories is that "[t]he nature of these expenses is required to be kept confidential by the court." Simply listing an amount in that category does not indicate the nature of the expenses, typically such that all of the Form 22 needs to be made private.

The Current Monthly Income form contains an Other Expense detail portion where the nature of the family violence protection expenses are sometimes included, but we also see the information that indicates the nature of the expenses on attachments to Schedule J outlining amounts for counseling, probation fees, etc. If we see the detailed nature of the expenses and can tie those expenses to the "Protection Against Family Violence" expense lump sum listed, we try to keep that page confidential. (Please note that typically ADT or similar security system expense is not the nature of expenses that is protected by privacy concerns, although it could be found in the "other expenses" detail on the continuation to the Current Monthly Income Forms or on an itemization on Schedule J.) Again, we do try to catch the information and take steps to make it private, however, ***you could protect this privacy information in the first instance by doing the following:***

- Extract from your pdf or documents to be filed the page of the document that actually reveals the nature of the expenses. It would be useful if you would note on the page prior or some logical place that the attachment or page listing detailed expenses is being filed as a Court Only Access document for privacy reasons. **This page would need to be extracted before doing the 1 touch upload for those of you who use that feature. Please contact your software service provider for further instructions or call our Help Desk.**
- Docket the extracted attachment page separately using the miscellaneous event "Expenses Re: FVPS." That event is **ONLY** accessible to the Court. A message will display during the docketing of this event in bold, red letters: **The Information In This Document Is Confidential And Will Be Restricted From Public Access. Only Court Personnel Will Have Access To The Information In The Image Of This Document.** Hard-coded language which will appear in docket text to court staff in bold, red letters reads as follows: **This Information is CONFIDENTIAL. DO NOT Disclose!!**
  - Please note that once you docket this event, even you will not be able to see your entry on the complete public docket sheet for the case. However, a flag will show at the top of the first page of the public docket sheet noting "PrivacyAct." That flag will indicate there has been a document extracted from the record to keep private information detailing the nature of expenses under the Family Violence Prevention and Services Act or other applicable federal law.
  - This entry will not be sent to e-filers via electronic notification and

you should expect that the trustees or possibly the U.S. Trustee will request a copy of the document that was excluded from the public record.

#### Improper Use of Logins:

Attorney Logins are your signature on your electronically filed documents and they should **never** be used by your staff without authorization. Judge Brown recently admonished a paralegal, Ms. Iris Cato, for using an attorney's CM login to file certain documents unbeknownst to the attorney for whom she worked. This was the second attorney for whom Ms. Cato has worked where she allegedly filed certain documents using the attorney's CM login without the attorney's review or knowledge of the documents. We strongly encourage attorneys to do random spot checks of notices of electronic filing of documents sent out by your office to confirm that what was sent was reviewed and authorized by you to contain your signature.

#### Changes to National Forms:

Between December 2007 and January, 2008, most of the national forms used for commencing a case have changed. Please visit the following website for all of the current forms: [http://www.uscourts.gov/bkforms/bankruptcy\\_forms.html](http://www.uscourts.gov/bkforms/bankruptcy_forms.html)  
A link to this website can also be found on our website at <http://www.cob.uscourts.gov> in the Forms section.

#### Order of documents in the Voluntary Petition (Debtor's Attorneys):

When your petition preparation software provider updated their software, some providers did not maintain the order of documents that we prefer. Therefore, users of the software must reorder those documents before uploading a case into our system. If you are unsure of how to reorder these documents, please contact your software vendor. Also, please see attached to this e-mail the document titled 'Requirements for a Complete Voluntary Petition'.

#### New Events:

- Notice of Payment Changes - New Notice event. This event was created to facilitate the filing of documents which show mortgage payment changes due to ARM or Escrow changes on a loan. The following language is hard-coded into the docket text of the new event: *'The filing of this document does not replace any affirmative duty to provide notice of the document to parties in*

*interest. The filing of this notice is provided for informational purposes and does not constitute a demand for payment.'*

- Notice of Intent to Request Redaction - New Notice event. This event was created as a result of the new policy governing remote public access to transcripts. When the court receives a transcript, the clerk will make an entry on the docket titled 'Notice of Redaction Procedures to Parties in Interest'. Attorneys have five days after a transcript has been transmitted to the clerk of the court to review the transcript and file a notice of an intent to request redaction of personal identifiers from that transcript. This is the event to use when filing that notice of intent. The event includes mandatory linkage to the clerk's Notice of Redaction Procedures to Parties in Interest.
- Reply - New Answer/Response/Obj event. In the past, e-filers have been instructed to use the Answer/Response/Obj event 'Response'. Due to popular request, this new event was created for those documents you have titled 'Reply'. During the filing of this document, you will be given the opportunity to link or relate this document to the document you are replying to.

#### Updated Lists:

The following lists are attached to this e-mail and include the new events indicated above. You are encouraged to share these lists with appropriate staff.

- Document Linkage for E-Filers
- Supplement to Category and Events Lists for E-Filers

#### REMINDER: Filing of Adversary Complaints and Adversary Training:

Attorneys classified as 'Regular Filers' are reminded that they **MUST** file adversary complaints electronically. In order to file an adversary complaint electronically, attorneys and/or support staff must receive adversary training. Please call the ECF Help Desk for information on how to obtain this training.

#### Thank You!!

As always, we thank you for taking the time to read this update. We appreciate your willingness to educate yourself on your electronic filing responsibilities by reading our quarterly update. Please make sure that all staff members involved in electronic filing at your firm are given a copy of this update and attachments.