

# Updates to E-filers

July 2, 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, master address record, etc.)

## **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

## **The ECF Help Desk and Legal Advice:**

The ECF Help Desk continues to receive calls from attorneys and their support staff with what would be considered 'legal questions'. Attorneys are reminded that, under Title 28 U.S.C. Section 955, Court staff cannot give legal advice to anyone, including you and your staff. Following is a sampling of the types of questions the ECF Help Desk has been receiving which we are not allowed to answer:

- Who requires service of a particular document
- Whether a particular motion requires notice pursuant to L.B.R. 202
- Noticing time on a 202 Notice
- Whether a particular document needs to be filed with the court

Attorneys and staff may use the following resources, conveniently located on our Court website at [www.cob.uscourts.gov](http://www.cob.uscourts.gov), when unsure of any of the above items:

- Click on the [Rules/Procedures/Opinions/Orders](#) button for hyperlinks to our Local Bankruptcy Rules, Forms, General Procedure Orders and Standard Chambers Procedures.
- Click on the [Chambers Procedures](#) button for hyperlinks to procedures and information specific to each Judge.
- Click on the [Links](#) button, then the United States Trustee - District of Colorado hyperlink for recent information from the US Trustee (this includes the relaxed servicing requirements of hard copies of initial pleadings and amendments on the Panel Trustees.)

#### [Motions Filed Pursuant to 11 U.S.C. Section 506:](#)

Any party filing a Motion to Determine Value of Property should go to the Motion category and select the event 'Determine Value of Property'. Please do not use the XOther Motion or Avoid Lien motion events for the filing of this document.

#### [New Motion Event:](#)

[Relief From Stay \(Amended\) and 401 Notice](#) - The Motion event 'Relief From Stay (Amended)' has been modified to include the 401 Notice. An e-filer can include the 401 Notice with the Amended Motion in the same PDF and will have the ability to enter the Stay Hearing information during the filing of the Amended Motion. This event should only be used to submit an Amended Motion due to **minor** typographical errors in the original Motion. A 'Supplement to Category and Event Lists - Efilers' is attached, which includes this new event.

#### [Petition Preparation Software Issues \(Debtor's Attorneys\):](#)

The following items have come to our attention regarding petition preparation software and the automatic upload of voluntary petitions by Debtor's Attorneys:

1. The order of documents within the Petition is frequently not in the correct order. Please refer to the attached document 'Requirements for a Complete Voluntary Petition' for the list and order of documents that should be

- included in the Voluntary Petition PDF. If you are unsure of how to exclude or include certain documents or how to rearrange documents within your software so that they are in the correct order, please contact your petition preparation software technical support staff for instruction.
2. Tax Documents should NEVER be included in your Voluntary Petition. Instead, they should be filed separately, using the MiscellaneousBK event 'Debtor's Tax Documents'. The use of this event will ensure that access to the image of the document is restricted to Court employees.
  3. Chapter 7 cases should always be filed as a No Asset case. If a Chapter 7 case is filed as an Asset case, the Judge/Trustee assignment will fail. We realize that there are times when an attorney will find it necessary to make the indication that the Debtor anticipates that there will be assets in the estate. When this is the case, after filing the case and before running the Judge/Trustee Assignment, please contact our Quality Assurance team at [cob\\_qa@cob.uscourts.gov](mailto:cob_qa@cob.uscourts.gov) asking that they change the Asset flag to No Asset. Once the QA Team has made the change, you will be able to successfully run the Judge/Trustee Assignment for all cases. (Please note that this change in our system will have no effect on the image of your voluntary petition which will still correctly indicate that the Debtor anticipates that there will be assets in the estate.)
  4. When your debtor is located out of state, do not use the 'Out of State' County code for the debtor. Use of the 'Out of State' County code causes the Judge/Trustee assignment to fail. Instead, use the County code for the county that the attorney is located in.
  5. We are receiving several errors which are a result of how information regarding Previously Filed Cases is being input into your software. It is our understanding that, when setting up a case, the field for entry of previously filed cases defaults to 'n/a' or 'none'. If a user removes and re-types the 'n/a' or 'none' into the field, it creates a false positive on our reports. When there are no previously filed cases, simply accept the default and move on. Please contact your software vendor's technical support staff if you have any questions regarding this.
  6. Do not list a Previously Filed Case that was filed more than eight years ago.

#### Attorney Changes of Address and E-mail Address Changes:

It is extremely important that you let us know when you have changed your address (including suite number) or phone number so that your Master Address

Record can be updated. Please be advised that this request does not take the place of the requirement that you file a formal Change of Address in your pending cases pursuant to L.B.R. 910. In addition, when your e-mail address changes or when a staff member who has been receiving electronic notifications for you leaves and new staff comes on, you will need to let us know so that the e-mail addresses in your ECF account can be updated. You may request changes to your Master Address Record and your ECF Account by e-mailing the training team at [cobml\\_training@cob.uscourts.gov](mailto:cobml_training@cob.uscourts.gov).

Please Note: The address and/or phone number on your pleadings must match the address that is in our master address record. If you are receiving corrective entry notifications regarding your address and/or your phone number, your Master Address Record most likely needs to be updated. Further, if you are receiving calls or notices that electronic notifications we have sent to you have 'bounced' back to us, most likely an e-mail address in your ECF Account needs to be updated.

**REMINDER: Requirement to file Statements of Social Security Number (Form 21) instead of Declarations Regarding Electronic Filing:**

**Effective May 1, 2007**, electronic filers **must submit** an electronic version of Form 21 **on the day the case is filed**, instead of mailing paper Declarations Regarding Electronic Filing to the court within 10 days of filing. Please note that it is imperative that the correct event be used for filing this document so that it remains sealed from the public. The MiscellaneousBK event to use is 'Social Security Number'.

**REMINDER: Deactivation of ECF Account upon disbarment, disability or suspension of attorney:**

Attorneys are hereby given notice that their ECF Account and login will be disabled when the Supreme Court provides notice to the Bankruptcy Court that the attorney has been disbarred, placed on disability (for the duration of the disability status) or suspended (for the duration of the suspension). In order to reactivate an ECF Account, the attorney must make a formal written request to the Training Team. The court reserves the right to require that the attorney demonstrate proficiency in e-filing before the ECF Account can be reactivated.

**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 updates. Please make sure that all staff members involved in electronic filing at your firm are given a copy of this update and attachments.