

Updates to E-filers

October 13, 2010

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. **NOTE: Our Contact Information is on the last page!!!**
Thanks!

Primary Purpose of the ECF Help Desk:

The primary purpose of the ECF Help Desk is to assist our e-filers in the proper way to electronically file documents with us. The ECF Help Desk is not a 'general' phone number to be given to your clients to determine the status of their case, 341 Meeting dates, etc. The primary contact for your client should be you, the attorney. If you are unable to answer your client's questions regarding their case, please give them the McVCIS phone number: 866-222-8029. The court code for Colorado of 26. You may also give them the courts main reception phone number: 720-904-7300. Your cooperation regarding this will be greatly appreciated and will free up the ECF Training Team to be able to answer your e-filing question more quickly.

New Policy on Deletion of Duplicate Cases:

We have been informed by the Administrative Office in Washington, DC that we should never, under any circumstances, delete a case that has been filed, even though it may have been filed in error. Therefore, we have found it necessary to discontinue the policy of deleting a duplicate case. The following fledgling policy is currently in place:

When we are alerted on the same court business day the cases were filed, you are to:

- Run the Judge/Trustee Assignment for both cases.
- Do not pay the fee at this time.
- E-mail the Quality Assurance Team (QA) at cob_qa@cob.uscourts.gov giving them the case numbers of the duplicate cases. They will:
 - Administratively close the case that appears to be least complete;
 - Remove the Meeting of Creditors from the noticing queue; and

- Advise you of which case will remain open.
- E-mail the Finance Team at cobml_Finance@cob.uscourts.gov giving them the case number of the case that QA administratively closed and asking them to remove the fee from your payment queue.
- Once Finance has removed the fee from your payment queue, you will be able to pay the fee for the case that remains open.

When we are alerted the day after the cases were filed, you are to:

- Run the Judge/Trustee Assignment for both cases (if you don't do this, our system will.)
- Pay the fee for both cases. (Fees will not be refunded for the case filed in error.)
- Contact the ECF Help Desk for help in determining which case is most complete (if necessary).
- File a Motion to Dismiss in the case that is the least complete. (Notice might be required. We are currently waiting for consensus from the judges on this issue.)

When we are alerted beyond the times mentioned above, you are to:

- Run the Judge/Trustee Assignment for both cases (if you don't do this, our system will).
- Pay the fee for both cases. (Fees will not be refunded for the case filed in error.)
- Contact the ECF Help Desk for help in determining which case is most complete (if necessary).
- File a Motion to Dismiss and 9013-1 Notice in the case that is least complete. (Notice might be waived for up to three consecutive days from the date of filing. We are currently waiting for consensus from the judges on this issue.)

Please be advised that this policy is still being reviewed by our judges, who may find it necessary to modify it further. You will be notified of any changes. If you have any questions regarding this new policy, please contact the ECF Help Desk at 720-904-7450.

Updated Procedure for an Attorney to Follow When Leaving a Firm (Updated information is in bolded red below):

We would like to make you aware of the following, necessary steps that need to be taken when an attorney leaves a firm:

BEFORE an attorney leaves a firm:

- File a substitution of counsel in all cases that the attorney has made an appearance in that he/she does not plan to take with him/her to the new firm. It is best if an attorney who is remaining, or coming into the case, files the substitution of counsel (use the Notice event 'Notice to Substitute Attorney'), as this will act as a notice of appearance for the remaining attorney as well as terminate the attorney who is leaving. It will also ensure that the client is represented in the case by an attorney remaining in the firm. The end result will be that the attorney that is leaving will no longer receive electronic notifications in the case and the attorney remaining will begin to receive electronic notifications. NOTE: The filing of a Notice of Appearance in the case will NOT accomplish this change in electronic notifications. **However, if more than one attorney wishes to be substituted as counsel for a party, only one attorney should file the substitution of counsel and the other attorney(s) should file a Notice of Appearance. Only the attorney whose login was used when filing the Notice of Substitution of Counsel will be substituted during the filing of that document. Therefore, other attorneys must each file a Notice of Appearance in order to get added to the case on behalf of the party.**
- The attorney leaving the firm should request to have any e-mail addresses removed from his/her ECF Account that contain 'firm' e-mail addresses by e-mailing the training team at cobml_training@cob.uscourts.gov.
- The attorney leaving the firm should request to have his/her password changed to an up to 8 character password of your choice by e-mailing the training team at cobml_training@cob.uscourts.gov. This necessary step will prevent anyone at the firm the attorney is leaving from unauthorized use of the attorney's login/password. Remember, it is up to the attorney to ensure that his/her login/password is secure.

AFTER an attorney moves to the new firm:

- Request to have the attorney's Master Address Record updated to the new firm's address by e-mailing the Quality Assurance team at

cob_qa@cob.uscourts.gov.

- File a change of address in each case that the attorney takes with him/her to the new firm. The Miscellaneous event to use is 'Change of Address'.
- Request to have e-mail addresses for the new firm added to the attorney's ECF Account by e-mailing the training team at cobml_training@cob.uscourts.gov.

Please pass this information on to all staff who need to be made aware of this procedure.

Use the Search feature when trying to locate an event to use:

We would like to direct your attention to a handy feature that you may not be fully aware of and will save you time in locating the event that you need to use. When you are logged into our CM/ECF System, Search can be found on the blue strip across the top of the page:



When you click on 'Search', a field will display and you can type in a key word from your document. I am planning on filing a Notice of Voluntary Conversion, so I will enter 'conver' for my search criteria:



When I click on the magnifying glass to the right of my key word, all events that contain the variable 'conver' will appear. I am now able to simply click on the event to use and begin filing my document:

Local Bankruptcy Forms are now fillable:

Our local bankruptcy forms are now fillable and can be found on our main website at www.cob.uscourts.gov in the Forms section. This functionality, along with having the forms available in Word format, should provide you with straight-forward mechanisms to easily provide the court with legibly typed forms for filing.

Reminder: On-Line Training Now Available!!

This is just a reminder that our training class is now available on-line. Debtor Focused On-Line Training for attorneys which has been available for several months now and the Creditor Focused On-Line Training was recently made available. This is a wonderful tool for attorneys and staff to use as an initial training or refresher training option. Please see all of our training options at http://www.cob.uscourts.gov/ecf_training_options.asp.

Reminders from the last Brown Bag Luncheon:

The following items were mentioned at the last Brown Bag Luncheon our Judge's hosted for you and bear repeating:

- E-filers are not timely fixing their errors when a Public Notification of an Error has been issued. Remember, you have 72 hours to fix any mistake you make or your document is considered stricken. You will then need to refile the document, which can prove costly.
- E-filers are commonly filing the Debtor Education Certificate (referred to by some as the 'ticket out') using the event 'Certificate of Budget and Credit Counseling' (which some refer to as the 'ticket in'.) The correct event to use for the Debtor Education Certificate is 'Financial Management Course Certificate', which can be found in the MiscellaneousBK category.
- Don't forget to pay your fees on the date of filing! Remember, if you don't pay the fee for 3 days in a row, your login will be locked out. You will not be able to file anything until the fee is paid.
- Chapter 13 Procedures: Each chambers has instructions on our website at www.cob.uscourts.gov in the Chambers Procedures section. We ask that you familiarize yourself with these procedures. In addition, you may need to refer to the docket report on PACER to determine the status of the case in order to determine which document needs to be filed. Remember: We can tell you how to e-file something, but we cannot tell you what to file.
- Do not enter an amount onto Line 41 of form B22C (Chapter 13 Statement of Current Monthly Income) or Line 36 of form B22A (Chapter 7 Means Test Form) unless the amount truly reflects a Family Violence issue.

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.

IMPORTANT CM/ECF CONTACT INFORMATION

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

Help Desk members 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 ECF training.

TRAINING TEAM E-MAIL ADDRESS - 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 ECF training, 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

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

TJ Vincent

John Fitzpatrick - Back-up Assistance

Meghan Smotts - Back-up Assistance

Theresa Gardner - Back-up Assistance