

## Updates to E-filers

January 13, 2011

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!

### New Locations for 341 Meeting of Creditors:

The location for Chapter 7 Meetings of Creditors scheduled for February 1<sup>st</sup> and later has changed to 1999 Broadway, Suite 830, Room A, Denver, Colorado. The location selection to make when filing your Notice of Continued Meeting of Creditors is 'US Trustee Room A'.

The US Trustee will also use Room C when they need more Chapter 7 dockets. In this instance, the location selection to make when filing your Notice of Continued Meeting of Creditors is 'US Trustee Room C'.

The location for Chapter 13 Meetings of Creditors scheduled for February 15<sup>th</sup> and later has changed to 1999 Broadway, Suite 830, Room B, Denver, Colorado. The location selection to make when filing your Notice of Continued Meeting of Creditors is 'US Trustee Room B'.

The trustee who agrees to continue the meeting should provide you with the correct address and Room. The complete, correct address (including Room) should appear on the image of the Notice of Continued Meeting you use as your pdf during filing.

### General Procedural Order 2010-2 - In the Matter of Exception to Paper Service Upon the United States Trustee of Motion for Relief from the Automatic Stay and Responses Thereto:

As a result of this GPO, service upon the United States Trustee of the Motion for Relief From Stay and any Responses is complete by the electronic filing of the motion or response in the court's Electronic Case Filing system. Please note that

this applies to service on the US Trustee ONLY. Conventional service on other parties to the motion and response is still required. You may view the GPO on our main website at <http://www.cob.uscourts.gov/gepror.asp>.

#### Updated Policy on Deletion of Duplicate Cases:

As reported in the last Update, we will no longer delete a case that has been filed, even though it may have been filed in error. The following updated policy is currently in place:

When we are alerted on the **same court business day, during business hours**, that duplicate 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](mailto: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;
  - Ensure that the Meeting of Creditors is removed from the noticing queue; and
  - Advise you of which case will remain open.
- E-mail the Finance Team at [cobml\\_Finance@cob.uscourts.gov](mailto: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.

**Time is of the essence!** Please have your emergency request to the QA Team by 4 p.m. on the date of filing so that they have time to process your request by the time they leave at 5 p.m. It is advisable that you complete filings before this 4 p.m. deadline so that you have time to double check to make sure that you have not filed a case more than once. You can double check this by viewing your electronic notification or the docket sheet on PACER.

When we are alerted on a day other than the day the cases were filed (including after hours, week-ends and holidays), you are to:

- Run the Judge/Trustee Assignment for both cases (if you didn't do this, our system most likely did overnight.)
- Pay the fee for both cases. (Fees will **not** be refunded for the case filed in error.)
- E-mail the Quality Assurance Team (QA) at [cob\\_qa@cob.uscourts.gov](mailto:cob_qa@cob.uscourts.gov) giving

them the case numbers of the duplicate cases. They will advise you on the case that is most complete.

- File a Motion to Dismiss in the case that is the least complete ensuring service on the trustee, US Trustee and debtor.
- File the Motion to Dismiss pursuant to LBR 9013-1 in the case that is least complete **if more than three days has elapsed since the filing of the cases.**

If you have any questions regarding this policy, please contact the ECF Help Desk at 720-904-7450.

#### When the Judge/Trustee Assignment Fails:

On occasion, the Judge/Trustee Assignment for your cases does fail. It is strongly advised that you have your cases filed and run the Judge/Trustee Assignment before 4 p.m. on regular court business days. If a case does not get an assignment, contact us for assistance. It is much more likely that we will be able to get the case assigned to the same trustee's trailing docket as the rest of your cases if we are contacted by 4 p.m. so that we have time to process your emergency request before we leave the office at 5 p.m. If we are alerted outside of business hours or the next day, it is unlikely that the trustee will have room on the same trailing docket.

Some reasons that the Judge/Trustee Assignment fails include:

- Designating a Chapter 7 case as an asset case (all Chapter 7 cases must come into our system as a no asset case.)
- Selecting 'Out of State' for the Debtor's County Code. If the Debtor does live out of state, you will need to use the County Code that the attorney's firm is located in.
- A known (but unresolved) system glitch when running the Judge/Trustee Assignment for several cases at one time.

#### Updated Lists:

Three new events have been added for e-filers. As a result, two lists have been updated: Document Linkage for E-Filers and Category and Event List for E-Filers. You may view the updated lists on our ECF Website at

<http://www.cob.uscourts.gov/ecf.asp>. The new events include:

- Report of Mediation - This event is to be used when a judge has ordered

that a case be referred for mediation and you must subsequently file a Report of Mediation. (See Local Bankruptcy Rule 9019-2.)

- Chapter 7 Trustee's Report of No Distribution - Ad Hoc No Funds - This event is to be used by trustees who do not use the Trustee's 341 Filings option to file a NDR and there were no funds collected. It is available to trustees in the Trustee/US Trustee category.
- Chapter 7 Trustee's Report of No Distribution - Ad Hoc Minimal Funds - An alternative event to be used when a trustee does not use the Trustee 341 Meetings program to file a NDR and there were minimal funds collected. It is available to trustees in the Trustee/US Trustee category.

#### **Trustee Filed 9013-1.1 Notice on a Motion to Dismiss for Failure to Appear at 341 Meeting:**

This is just a reminder to trustees that the court will generate the 9013-1.1 Notice to the BNC IF the correct 9013-1.1 Notice event was used during filing. If you do not use the correct event, we will not be able to generate the Notice to the BNC. You would need to refile your Notice, using the correct event, before we would be able to do so.

#### **Reminder About Adversary Training CD and Updated Procedure for the Opening of Adversary Cases Electronically:**

At least a couple of times a week, we get an 'emergency' phone call from an attorney or staff member indicating that they need to file an Adversary proceeding, but do not have the permissions to do so. Please be reminded that if you plan to initiate an Adversary Proceeding in the near future and you do not have the required Adversary permissions, additional training and a homework assignment is required to be able to do so. Contact the ECF Help Desk for instruction on how to obtain the CD containing the training exercises.

In addition, we have updated the written procedure for the electronic filing of an Adversary Proceeding. If you already have the additional permissions to file an adversary and wish to receive a copy of the updated written procedure, please contact the ECF Help Desk and we will e-mail it to you.

#### **Some Additional Reminders:**

- Please remember that the attorney login belongs to the attorney, not the firm or staff member. It is the attorney's responsibility to ensure that

staff who are using the login are properly trained and that the login is secure.

- Please ensure that any staff (including part time, fill in staff) who are e-filing for you are properly trained. We are receiving more and more calls from staff who are obviously not trained in using our system. Web-based training exercises are available at [http://www.cob.uscourts.gov/ecf\\_training\\_options.asp](http://www.cob.uscourts.gov/ecf_training_options.asp) and provide a good resource for initial and refresher training for your staff.
- Attorneys and staff can avoid many mistakes by simply calling the ECF Help Desk BEFORE filing a document that they are unsure of how to e-file. Remember, the Public Notice of Defective Filing is a public entry and a reflection on the attorney who has incorrectly filed the document. Calling before filing the document saves you and the court time and energy in making the necessary corrections. Please call!
- Our Quality Assurance Team no longer swaps out PDFs or attaches exhibits that were overlooked during the initial filing. You will need to refile your document as amended in order to correct the mistake. Please note: We will attach a proposed order that you failed to attach to your motion. Simply send the proposed order to the QA Team and they will take care of it. The proposed order is the only document we will do this with.

### 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](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 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](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

TJ Vincent

John Fitzpatrick - Back-up Assistance

Meghan Smotts - Back-up Assistance

Theresa Gardner - Back-up Assistance