

## Update to E-Filers and E-Claimants

October 25, 2012

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. Remember, contacting the help desk is private; making an e-filing mistake is public. **NOTE: Our contact information is on the last page!!!** Thanks.

### [General Procedure Order 2012-3](#)

**Effective October 9, 2012, General Procedure Order 2012-3** entered and it relates **only to e-filing attorneys** and your master record with the court that is entered into all open cases. The GPO provides that the attorney's master record will be used for the docket sheet and party record in all open cases, unless a case specific change of address is filed pursuant to LBR 9010-1(a)(2). The reason for the change is that LBR 9010-1(a)(1), which required the Clerk's office to change the attorney's address of record in a case any time the attorney's address/phone below the signature line on a specific pleading was different from the master record, was creating a significant amount of work for our staff to update attorney party information when e-filers with multiple locations or phone numbers or who moved without complying with LBR 9010-1(a)(2) (compliance is still required), used a signature block on a pleading with a variance from the master record.

As you know, we need to find areas where the Clerk's office can work smarter and not harder. This GPO change will save us a lot of quality control time and subsequent entries in that area

### [Online Proof of Claim Filing:](#)

**Online Proof of Claim Filing Through Court's website at <http://www.cob.uscourts.gov/poc/poc.asp> This Online program is not available for No Asset Chapter 7 cases.**

The Court is pleased to announce a new Online Proof of Claim filing program, however, the program is NOT to be used by e-filing attorneys and limited electronic filers. More specifically, this claim filing process is not for use by creditors who file more than an average of 52 claims per year in this court and is not for use by attorneys representing debtors, trustees or creditors or if the attorney is already required to file electronically. Creditors who have filed more than an average of 52 claims or attorneys must file claims via the [CM/ECF](#) system. It is also not available for filing a claim pursuant to [FRBP 3002.1](#) (claims secured by a security interest in a chapter 13 debtor's principal residence and provided for under 11 U.S.C. 1322(b)(5) of the debtor's plan.) Please feel free to share information about this program to those who may use it and are not represented by an attorney in the case. (Note: if you are receiving this information from

this newsletter, it is a good indicator that you likely would not be eligible to use this program.)

### Returned Mail:

If you receive a returned mail/undeliverable notification from the BNC, and you have a better address for that particular party, please file a change of address with the court. We prefer that you **not** use the form sent from the BNC.

### Passwords:

We continue to receive many phone calls/emails about passwords. If you have not logged into your account since January, you will be required to update your password. If you can't remember your password, or it isn't working, we can reset it for you if you send an email requesting the password change. Most important, if you change the password, please be sure to share it with everyone in the office who will use it. Please note, it can take up to 24 hours for the password reset to take effect, so try to have password change request sent in the morning. I've included some tips below for password assistance.

#### **Getting Locked Out When Trying To Login:**

You will be allowed four attempts to login. If you should fail to login within those four attempts, you will receive a message indicating that you have been locked out due to too many login attempts. You will need to wait 5 minutes before you can attempt again. **DO NOT** continue to attempt to login once you have received a message saying you have been locked out. (NOTE: For each additional, failed attempt, the time will increase by 1 minute.) You will need to wait until the time has passed before you will be able to attempt again. Also, after the time has passed, you may find that you will need to reboot your computer and/or clear your temporary files/cache.

#### **Changing Your Password:**

In V4.2, you are now able to change your password at any time, as long as you know what your current login and password. You no longer need to send us an e-mail to do this. You will login to our CM/ECF system, using your current password. Once logged into our system, you will click on Utilities and then click on Change Your Password. You will be prompted to enter the new password twice. Password parameters are: a minimum of 8 characters, and must include both upper and lower case letters, and at least one digit or special character. Please be sure to **WRITE YOUR NEW PASSWORD DOWN** and keep it in a safe place, as we will not have

access to it if you should forget it. Also, please remember to update your password in your petition preparation software.

### Public Corrective Entries:

In certain situations when the Clerk's Office makes a correction to a docket entry, a separate Public Correct Entry may be placed on the docket report notifying the e-filer of the correction. This will change within the next few weeks as the Bankruptcy Clerk's Office will be phasing out issuing most Public Corrective Entries (please note: do not confuse this with Public Notification Entries discussed below).

E-Filers are currently receiving a **Summary of ECF Edit Activity** via email each time the Clerk's Office makes **ANY** correction to a docket entry and the docket entry itself will have a brief summary of what was corrected. The **Summary of ECF Edit Activity** will be your notification on corrections made. (Please be advised that there may be certain exceptional situations where the Clerk's Office will still issue a Public Corrective Entry.)

This change does not eliminate the follow up that is needed when a **Public Notification Entry** is entered informing the e-filer of an error and information on the action that is required to be taken to correct the error.

### Substitutions of Counsel:

When you are preparing to leave your firm, there are some steps that need to be taken prior to your final day. It is imperative that these steps are taken **BEFORE** an attorney leaves a firm. The first step would be to file a substitution of counsel in any case that you do not intend to take to your new firm. It is best if the attorney coming into the case is the one that files these substitutions. The correct event to use is located in the Notice Category and is titled Notice to Substitute Attorney. When filed correctly, the attorney who is entering their appearance will begin to receive electronic notifications, and the departing attorney will be terminated from the case. Even if the substituting attorney is already in the case, the substitution must still be filed to remove the departing attorney. Also, the attorney who is leaving must send an email to [cobml\\_training@cob.uscourts.gov](mailto:cobml_training@cob.uscourts.gov) to update their master record. It might also be a good idea to change your password once you leave your firm as well. Keeping your information up to date will ensure a smooth transition, and prevent any unauthorized use of your login/password.

Steps to take **AFTER** the attorney moves to the new firm:

1. Request to have the attorney's Master Address Record/Email Addresses updated to the new firm's address. (If not completed before you leave).

2. File a change of address in each case that you take to the new firm, using the Miscellaneous event Change of Address.

### Fee Increase Effective November 21, 2012

Fees will be going up for Chapter 11, 9 and 15 case openings (although e-filers cannot e-file a Chapter 9 or 15 case), Conversions to Chapter 11 (we have no e-filer events for conversion to Chapter 9 or 15), Chapter 11, 9 and 15 Reopening and Chapter 11 Bifurcations (we have no e-filer events for Chapter 9 and 15 bifurcations). We are still trying to nail down the exact fees, but they will be posted on our website in the Fees section (<http://www.cob.uscourts.gov/fees.asp>) and the appropriate e-filer events will be updated by the November 21 deadline.

### Amended Schedules and Amended Creditor Matrices

Filing Amended Schedules D, E or F and adding creditors can be accomplished in one or two steps, depending on the number of new creditors being uploaded. If you are adding less than ten creditors, you can file your Amended Schedules, 1009 Notice, and Certificate of Service as one PDF. This makes life easier for us, and should make filing easier for you. When you get to the prompt that allows you to type the new creditors in, do so, making sure to have a space in-between each new creditor, and complete the transaction and fee payment. That would complete your Amended Schedule D, E or F filing with ten or less creditors.

If you have more than ten new creditors: During the filing of Amended Schedules, 1009 Notice, COS, you would click on the Next button at the screen where you are able to enter in creditors without typing in creditors, complete the transaction and make the fee payment. You would then upload a matrix .txt file containing only the newly added creditors, using the Creditor Maintenance option 'Upload a creditor matrix file'.

NOTE: If you use both the Amended Schedule D, E or F event and the Amended Creditor Matrix event to file your Amended Schedules D, E or F and Amended Creditor Matrix, it will cause you to be double charged. File them in one transaction, as noted above. The Amended Creditor Matrix event is only to be used when curing Schedules on a deficient case, and there are new additions to the matrix, which many times occur in a Chapter 11 case. Please feel free to call us if you have any questions regarding this.

### Items To Accomplish By 4:00p.m.

If you are paying a filing fee, it is beneficial to get into the habit of paying the fee by 4:00 each day. That way, if there is an error and you alert the Training Team before 5:00, we can back the fee out of the system. If the error occurs after 5:00 or you wait until after 5:00 to alert us of an error from earlier in the day, and for example, you file a duplicate

case, you will be responsible for both filing fees. Also, please be aware that the Judges are currently indicating that the duplicate fees should be paid by counsel, and not the client.

The Judge/Trustee assignment should also be run by 4:00. That way, if any issues arise, our staff will have plenty of time to resolve the situation. If we can address the Judge/Trustee assignment issues during business hours, you will have a much higher chance of landing on the same docket with your other cases.

### Swapping PDFs

I would like to remind our e-filers, that once a pleading has been filed, we cannot remove that PDF from our system. The only type of pdf that can be added after the fact is a proposed order. If you forget to attach a proposed order to your motion, please email the order in PDF format to [cob\\_qa@cob.uscourts.gov](mailto:cob_qa@cob.uscourts.gov). There is no way to file a stand-alone order, so please make sure to email it to our Quality Assurance department.

### Summons Service Executed in Adversary Proceeding

For the e-filers who have completed Adversary Proceeding training, and are able to open Adversary Cases electronically, make sure you are using the “Summons Service Executed” event when filing a Certificate of Service for the Complaint and Summons.

### Website Updates

Please note that there have been updates to the category and event list and the document linkage for attorney links on our website.

<http://www.cob.uscourts.gov/ecf.asp>

### Installment Payment General Procedure Order In The Works

In order to avoid any misinterpretation or misapplication of LBR 5005-4, soon a GPO will issue requiring that in attorney filed electronic cases **all installment fee payments must be processed electronically through the attorney** with the attorney's or the attorney's firm credit card. This will apply to all pending and future installment payments in any electronically filed cases. This also means the very few filers who paid by check will need to convert to using a credit card. We realize that there are not many e-filers who are not already processing payments electronically, however, there is sufficient volume from those who do that it has created an undue burden related to the manual

handling of payments by the Clerk's office; as such, the GPO will make such electronic processing mandatory in attorney filed electronic cases. Please make arrangements with your staff and clients to process the payments this way.

### **Thank You!!!**

As always, we thank you for taking the time to read this update. We appreciate your willingness to educate yourself on 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