Bankruptcy Release 3.0: Notes for Attorneys

Opening a Case

- Several "Type of debtor" **checkboxes** – for individual, corporation, partnership, and "other" – **have been changed to radio buttons**. A "Type of debtor" checkbox for Nonprofit Organization has been added.

- When you are opening an adversary proceeding, you may now select one primary nature of suit, plus multiple secondary natures of suit. You will see a description of the nature of suit on the docket report along with the numeric code.

- You can now open a miscellaneous proceeding via the "**Open Miscellaneous Case**" menu option found under the Adversary Events [**click on *"Adversary"* and then click on *" Open an MP Case"***].

- There is now an "**Open Involuntary Case**" option: on the first screen, case type "bk" and joint petition "n" are set automatically and the voluntary/involuntary selection has been removed. At least one petitioning creditor must be added to the case. You can specify the attorney who is representing each petitioning creditor.

Case Upload

This new item on the Bankruptcy Events menu allows attorneys to open a bankruptcy case and file the appropriate documents by providing data, PDF, and text files. Various software vendors can provide you with tools to create these components.

- The court does not make any recommendations as to which bankruptcy software programs to use in order to file electronically. Should you encounter any problems with your bankruptcy program, please check with your local PC support or the vendor who supplied the software.

- Case Upload **should not be used** to file a petition **where** the **filing fee is to be paid in installments**.

- The name of the saved location of the matrix (txt file) must be less than 40 characters in length.

- For Chapter 13 cases, the Chapter 13 plan can be uploaded using this feature.

Adversary Proceeding

- When an adversary proceeding is opened and closed, a docket entry will now appear on the docket sheet of the main bankruptcy case.

  - *Note*: All documents relating to the adversary proceeding should still be filed in the adversary proceeding. For example, answers to a complaint are *not* to be filed in the main bankruptcy case.

Creditor Processing

- When adding a new creditor, ECF 3.0 replaces the separate name and address boxes with a single text box into which multiple name/address blocks can be pasted from a matrix. Although each line in the box provides fifty (50) characters in order to accommodate the name, only forty (40) characters of address data will be saved.

- On all screens for adding creditors, the selection list previously labeled "Type" is now labeled "Creditor Type".

- The Notice of Electronic Claims Filing, displayed after a claim is filed, now includes links for the Claims Register at the top of the page and for filing another claim at the bottom of the page.

- Claim Filing. In addition to "Add Creditor," attorneys will see a link on the screen to "**Edit Creditor**."

  Note: Attorneys **will not be able to edit/delete creditors** at this time even though there is a link for this option. **If you attempt to edit a creditor, you will receive the following error message:**

  o **"Security Violation: You do not have access rights to this program (CreditorEdit.pl). Please contact the Systems Administrator if you feel this is in error. This access attempt has been logged."**

Docketing

- When a party is being added,
  ➢you can search by first and middle names as well as last name;
  ➢the party's pro se status is set automatically based on whether or not an attorney was entered; and
  ➢you will see a Corporate Parent button on the Party Information screen for linking a corporate parent to the party (an existing parent or a new one).

- An event that records the transfer of claims will now allow the transfer of multiple claims from different transferors to one transferee. The Claims Register will show the claims' history and include a link to transferor name/address.

- Multiple submissions of a transaction. When the system was slow and you clicked "Submit" more than once, a duplicate docket entry was sometimes being recorded. This has been corrected.

- For a multi-part motion, the parts are now in the order in which you select them. You can now select connecting phrases to be inserted into text between the parts.

Example:

```
Docket Text: Modify as Appropriate.
```
```
[        ▼]Motion to Allow[          ] ,
[and,    ▼] [          ▼]Motion for Relief from
Stay [          ]       filed by John Miller on behalf of
Elaine Venice. (Miller, John)
```

Notices

- Form B9G has been revised (as of 10/01/06, the title of this version of Form 9 will be "Chapter 12 Individual or Joint Debtor Family Farmer or Family Fisherman"). In the *Meeting of Creditors* paragraph, the line which begins "The court, after notice and a hearing...." has been removed.

Payment of Filing Fees over the Internet

- When the charges are displayed, if you are not paying the fee immediately, be sure to use the "Continue filing" button rather than closing or minimizing the window. Similarly, you should neither close nor minimize any other window related to Internet payments.

Query

- The "Type" column in the Filer's screen now shows the description of party role rather than a code.

- The Query menu now includes options for the Claims Register and the Creditor Mailing Matrix.

Reports

Claims Register

- The report now displays the most recent status of a claim. Statuses from earlier docket entries are shown under "History."

- The report now displays the date of entry and the date of last modification for each claim, and the type of person who filed the claim.

- The report now includes a *Claims History* section, which lists the filing of, and any amendments to, the claim, plus docketed events that relate to the claim such as transfers. A link to view the history of edits to the creditor data has been added.

- Docket Report. The party type labels (*e.g.*, Debtor, Trustee) now appear above rather than below the party's name and address.

- Docket Activity Report. This now appears on the Reports menu.

- Creditor Mailing Matrix. A transaction receipt is now displayed after the matrix when you select the "3-column" option, but the charges on the receipt may not be what you expect. Before you see the matrix, data is sent to the National Creditor Registration Service (NCRS) so that addresses on file at the NCRS can be substituted for those recorded in CM/ECF; charges are based on the amount of data sent, rather than the number of pages returned.

- Written Opinions Report. You can search for opinions by case, party name, etc., and view them via links in the report.

Utilities

- Clear Default PACER Login. Attorneys will now see a link on the screen under Utilities. This new option removes the association between your CM/ECF login and your default PACER account so that you can set a new default. Removing the default is useful if you have multiple PACER accounts, so that you will be prompted each time you log in.

Miscellaneous

- Release 3 is designed to work with Netscape 7.2 and Internet Explorer 6, and may not function correctly with earlier versions of these browsers. Note that the default settings for Netscape 7.2 suppress pop-up windows. You must change this to allow pop-up windows if the Legal Research options are to work [Edit/Preferences, Privacy & Security, Pop-up Window Controls].

- To meet a USPS requirement that the full name of the country be provided on international mail, 40 characters can now be entered for country. Also, the application components that print addresses for mailing (*e.g*., noticing) have been changed so that any country other than the U.S. will be displayed as the last line of the address, in upper-case letters.

- The label for a party's last name has been changed to "Last/Business name" on query and data entry screens.

- PACER billing. Previously, charges were limited to 30 pages for all PDF documents. There is now no limit on charges made for transcripts (not subject to the 30-page "cap") and judges' written opinions may be viewed without charge. In addition, the Notice of Electronic Filing, the Billing Transaction Receipt, and messages issued before documents are displayed have been changed so that the language regarding charges is appropriate for the type of document.

- The software that verifies a PDF document when it is uploaded has been updated so that it will correctly handle PDF documents created by the more recent versions of Acrobat. Also, it now rejects a document if it has attachments or embedded files/scripts.

- You may now receive a Notice of Electronic Claims Filing (NECF) if a claim is edited, or a Notice of Electronic Filing when various edits are made, *e.g*., when a document is added to a docket entry. The notice is sent only to active attorneys/trustees and any additional addresses specified for their accounts. The recipient can view any documents linked to the edited claim/docket entry without charge for 15 days after the edit is made. The NECF can be viewed by clicking the silver ball on the Claims Register (the notice for the filing of a claim is available as well).