

ECF Informer

ISSUE 8

JANUARY 2007

The New Internet Explorer 7 and CM/ECF

Microsoft has released the latest version of Internet Explorer. This will usually come as an update to your Windows system, and you may be informed that the update is ready to be installed, or you may have your system set to update automatically. The main question that will come up will be "Can I use version seven with CM/ECF?"

I played a little with IE7 by opening a new bankruptcy case, filing a motion, objecting to a motion, filed the creditor matrix, notice of appearance, and an electronic order. In filing those cases, I found that I could move through the individual events without a problem, just as I could with version 6.

When I used the back button, I did get

the white screen with the error message that the page had expired when the next page back was the document upload screen. Hitting the back button again took me to the document upload page and a blank upload field. You will need to reattach the document file and then use the next button on the bottom of the page from there.

Version 7, also now called Window Internet Explorer, requires Windows XP with Service Pack 2. The browser will be the standard browser included with Windows Vista (the replacement for XP). If you would like a brief explanation of version 7, one may be found at Wikipedia (http://en.wikipedia.org/wiki/Internet_Explorer).

Generic Motion/Application Retired

The court has retired two commonly used events even though they still appear on the event list – the generic motion and application. These events have been retired in lieu of motion and application events that more closely represent the events that need to be filed. When using a generic motion, you will now get the error that the "event has been retired and no longer capable of being used".

CM/ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

File a Pleading:

[06-20301 Nigel Smythe](#)

Type: bk Chapter: 7 v Office: 2 (Salt Lake City)
Assets: n Case Flag: PetFeeDue

Please note: This event has been retired and is no longer capable of being used. PLEASE SELECT THE SPECIFIC EVENT TITLE FOR THE DOCUMENT YOU ARE FILING!

If you are unsure about the event that should now be used, there is an updated events list on the courts web site at <http://www.utb.uscourts.gov/training.htm> Click on [Alphabetical List of Events for Attorneys](#). You can also email Jared or Michelle at the court and we will gladly email you a current list of events. You may also call the court if you are having a hard time determining how your motion or application should be filed.

INSIDE THIS ISSUE:

Adding New Creditors to a Case	2
Claims Register Report Changes	2
Summary of Schedules Screen	3
Payment Advices	3
Bankruptcy Court Fee Schedule Effective Jan. 1	4
Corporate Parent	4
Using <i>Application for Compensation by Atty/ Debtor(s)</i> (Ch13 only) Saves Time	4

Three New Events

The CM/ECF system has three new events. Two of the new events are found under Motions/ Applications: Retain and Retain Tax Refund.

The third new event, Objection to Professional Fees found under Objection/Response in the Bankruptcy Events and under Answers...Motion/ Application in the Adversary Events.

Change to Pay.Gov: Internet Fees Due

☞ Pay.gov will now require the use of the security code located on the back of your card beginning February 1st. This will be inserted on the same page as your card information.

Adding New Creditors to a Case

With the latest upgrade to the ECF system, came the capability to allow registered filers to add creditors, that had been excluded from the original matrix. In the past, new creditors were added by court staff.

This process presented some problems for counsel sending notices to new creditors or when a proof of claim needed to be filed before a deadline. The new enhancements to the system now allows creditors to be added during the process of filing certain events and will be added to the case immediately, without any processing delays.

SELECTING THE PROPER EVENT

Creditor's counsel wishing to add their clients to the matrix do not incur a fee, so counsel may add the new creditor by filing a Creditor's Request for Notice or a Notice of Appearance. Since **attorney for debtor is required to pay a fee when adding new creditors to schedules D, E or F and the matrix**, they may add creditors to the system through the process of filing the correct docketing event, **Amended Matrix** and/or **Amended Schedule events with fees**. The required fees will be added automatically, through the use of the proper event. Should an improper docketing event selection be made and the fee does not get attached to the attorney's account, the clerk's office will enter and send a notice of fees due to the attorney.

WHAT THE ADD CREDITOR SCREEN LOOKS LIKE

New screens will appear and allow the user to type in the new creditor's information or select a name and address from list of common creditors (See Figure). **What does Common Creditor Mean?** The Common Creditor field



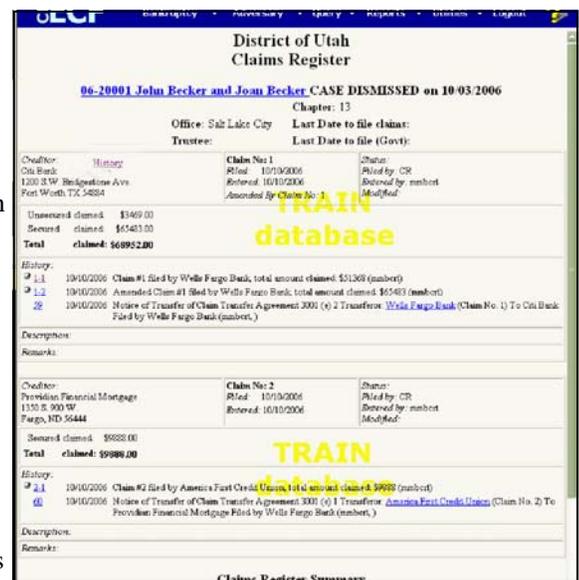
lists creditors that appear or file documents frequently in cases. The list is simply a shortcut for the user and saves them the time of having to type addresses already listed. You may check one or both boxes to add creditors to the case. The filer may list several creditors at once or even copy from another text list. **If the user bypasses the add creditor screens, then the new creditor will not be added to the case, proper notice will not occur and proof of claims cannot be filed until the new creditor is formally added to the case.**

Claims Register Report Changes

With the latest version of ECF (3.1), the claims register has been enhanced to show a claims history section which includes amendments to the claim and also docketed events related to the claim such as Transfer of Claim (Future docketed events may also be included such as Withdrawal of Claim and Objection to Claim). Images for the docketed events can now be viewed from the claims register.

Users should be aware that amendments no longer receive a sequential claim number. The amended claim will be listed below the original claim, and assigned an extension number of the original claim. Amendments are noted as "Amended" under history. Amended dollar amounts for each of class of claim (Unsecured, Secured, Priority, etc.) will **OVERWRITE** the original class amount and change the total.

A hyperlink to view the "history" of edits to the creditor address is also now available. The register now displays the date of entry of the claim, any modification date and the person who entered it. The Notice of Electronic Filing of the claim (silver bullet) is now available. It is located to the side of the claim number.



Summary of Schedules Screen

One of the more noticeable changes to the ECF system is the Summary of Schedules screen. The appearance and necessity of this screen will primarily affect attorneys representing debtors. This screen resembles page 1 of a two page Form 6, Summary of Schedules. See Figure below.

In most cases, the third party software used by firms, already provides for the information required in these fields. Attorneys should ensure that the software is providing the required information. The screen appears upon the opening of a new case and is also presented when other documents are filed that may change or amend the required figures originally entered.

The information necessary to complete these fields is clearly indicated. The figures for this screen are taken from various documents filed in a case. If you are filing an original case without all forms or schedules, you may bypass this screen and it will be presented again, upon the filing of other remaining documents, such as Statements and Schedules or a Means Test. You will also find a specific event in the OTHER category in ECF, for Summary of Schedules and/or Statistical Summary, if filing or amending just Form 6.

The figures must be entered in the appropriate fields, if they are available at the time of the filing. If some figures are not available, then you should enter the figures that

are known and enter a zero in the fields that are not known. Calculations are made based on the figures that are entered. **If the screen is not properly completed, the calculations for the case will not take place.** Often times amendments to documents will affect and may alter the figures originally submitted.

The figures should be updated as the changes occur and properly prepared amended documents should be attached to substantiate the updated figures. The court will not do any mathematical calculations for you. You must update the figures and attach the proper images that validate your entry, such as a properly completed schedule F and a new Summary of Schedules Form 6 with the updated figures.

SUMMARY OF SCHEDULES			
Report the totals from Schedules A, B, D, E, F, I, J, Form 22, and Nondischargeable Debt in the boxes provided.			
NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
A - Real Property	107757.00		
B - Personal Property	829107.00		
D - Creditors Holding Secured Claims		195256.00	
E - Creditors Holding Unsecured Priority Claims		0.00	
F - Creditors Holding Unsecured Nonpriority Claims		50305.02	
Average Income (from Schedule I, Line 16)			5967.80
Average Expenses (from Schedule J, Line 18)			5345.00
Current Monthly Income (from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20)			6667.05
TOTAL Type of Liability from Form 6, Statistical Summary (Generally Nondischargeable Debt -- 28 USC 159)		0.00	
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E, F, or nondischargeable debt is not known.		245561.02	

CM/ECF Notes



PAYMENT ADVICES

This is a quick reminder to everyone that if an Order to Show Cause Re: Payment Advices is entered in your case, you need to file the attached certificate(s) that are sent to you with the OSC. This needs to be accomplished within 45 days of the case being filed, or the case may very well be dismissed via an order or notice pursuant to Section 521, Title 11 of the United States Code.

Also, when filing Payment Advices for your client(s), please be aware of the possible existence of information that should be redacted from pay stubs that are submitted to the Court (e.g. Social Security number(s)).

United States Bankruptcy Court
District of Utah

Honorable Glen Clark
Chief Judge

David Sime
Clerk of Court

Glenn Gregorcy
Chief Deputy Clerk of Court
801.524.6561

Glenn_gregorcy@utb.uscourts.gov

Brenda Dowler
CM/ECF Program Manager
801.524.6635
Brenda_dowler@utb.uscourts.gov

Jared Johnson
Multimedia Trainer
801.524.6592
Jared_johnson@utb.uscourts.gov

Michelle Bugni
Training Specialist
801.524.6639
Michelle_bugni@utb.uscourts.gov

Helpdesk: 801.450.3443

Fax: 801.526.1193

We're on the web at
www.utb.uscourts.gov



Bankruptcy Court Fee Schedule Effective January 1

The Judicial Conference at its September 2006 session, approved changes to the Bankruptcy Court Miscellaneous Fee Schedule and the Court of Appeals Miscellaneous Fee Schedule relating to implementation of the Bankruptcy Abuse Prevention and Consumer Protection Act (BAPCPA). All changes are effective January 1, 2007.

The changes to the Bankruptcy Court Miscellaneous Fee Schedule are set out below:
Item (10) New fee for converting a case from a chapter with a lower filing fee to a chapter with a higher filing fee; fee to be the difference between the two filings fees:

Motion/Notice to Convert Chapter 13 to Chapter 7	\$ 25
Motion/Notice to Convert Chapter 12 to Chapter 7	\$ 60
Motion to Convert Chapter 12 to Chapter 13	\$ 35
Motion to Convert Chapter 12 to Chapter 11	\$800

Item (11) Motion to Reopen a Chapter 7	\$260
Motion to Reopen a Chapter 13	\$235

The exemption from paying the fee to reopen a case can be applied in two situations: (1) reopening a case to permit a party to file a complaint to obtain a determination under Rule 4007(b); or (2) reopening a case when a creditor is violating the terms of the discharge under 11 U.S.C. Section 524.

Item (15) Direct Appeal to Court of Appeals	\$200
--	-------

This fee is in addition to the \$255 fee to file a notice of appeal and is payable upon notice from the court of appeals that a direct appeal from the bankruptcy court has been authorized.

Item (19) Motion to Split Ch 7	\$260
Motion to Split Ch 13	\$235

Item (21) Direct Cross Appeal to Court of Appeals	\$200
--	-------

This fee is in addition to the \$255 fee to file a notice of cross appeal and is payable upon notice from the court of appeals that a direct cross appeal from the bankruptcy court has been authorized.

For details on the fee changes or to view the complete Bankruptcy Miscellaneous Fee Schedule, please visit the court's website at www.utb.uscourts.gov

Corporate Parent

A new addition to "Open Voluntary Bk Case" and "Open an Adversary Proceeding" was introduced in October 06.

Users are now required to insert any corporate parent information during the filing.

This data should be consistent with any statement filed with a petition or complaint pursuant to Bankruptcy Rule 7007.1 and 1007(a)(1).

County	Salt Lake	<input type="button" value="v"/>
Phone	<input type="text"/>	
E-mail	<input type="text"/>	
Party text	<input type="text"/>	
<input type="button" value="Alias..."/> <input type="button" value="Corporate parent..."/> <input type="button" value="Review..."/> <input type="button" value="Add before"/>		
<input type="button" value="Submit"/> <input type="button" value="Cancel"/> <input type="button" value="Clear"/>		

Using Application for Compensation by Atty/Debtor(s) (Ch13 only) Saves Time

Previously ran in Issue 5 (October 05)

As you all know, filing an Application for Compensation can be somewhat of a chore; inputting figures and numerous screens are the norm when using this event code.

In Chapter 13 cases, the Attorney for Debtor can avoid this by using the event code "Application for Compensation by Atty/Debtor(s)(Ch13 only)". This can be found in "Debtor Events" category, and is substantially less complicated than the standard "Application for Compensation" found in the motion category.

Please remember to use this code **ONLY** in Chapter 13 cases.