



Bankruptcy **CONFIDENTIAL**

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This fall brings busy times to the Southern District of California Bankruptcy Court. This newsletter summarizes the upcoming events taking effect in November and December of this year, which include:

- Changes you will notice when CM/ECF is updated to Release 4.2 on November 26, 2011. Several other enhancements that will be made available at a later date will be mentioned as well.
- New Bankruptcy Rules taking effect on December 1, 2011.
- Also included is a list of recent filing errors and how to be sure YOU never make these mistakes again!

CM/ECF Release 4.2 - November 26, 2011

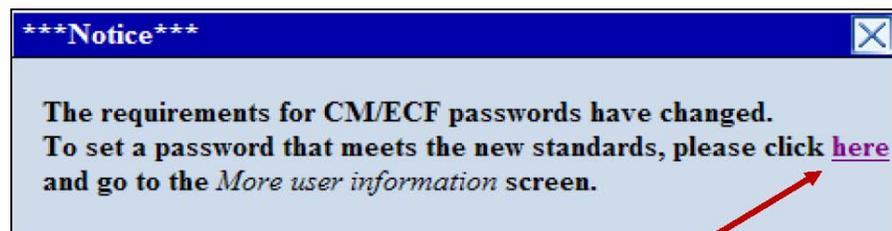
On November 26 the new 4.2 version of the CM/ECF system will be available for use. Descriptions of the changes follow, and follow...

Password Security

All CM/ECF Users will be required to update their passwords to a higher security level which must be a minimum of 8 characters, and must include both upper and lower case alphabetic characters and at least one digit or special character [e.g., 0-9, @, #, +, :].

In addition, users will have the ability to reset their passwords by going through a series of prompts, should you forget your passwords, or if it becomes compromised.

The first time you log in, you will see the following message:



Click the link within the message to change your password.

CM/ECF Will Be Down

*From Wednesday,
Nov 23 at 7 pm until
Saturday, Nov 26 at 6 am
to accommodate loading
Release 4.2.*

CM/ECF Release 4.2 continued...

Release 4.2 was tested and works correctly with Firefox 3.5, and Internet Explorer 7 and 8; Mozilla Firefox 2 and Internet Explorer 6 are no longer supported.

Secondary Email Addresses

After the upgrade, you will need to enter your primary and secondary email addresses twice for validation purposes. If you wish to have more than one secondary email address you must separate the addresses by commas. In the past you were allowed to enter them on multiple lines but this is no longer permitted.

Email information for a creditor

Primary email address  Reenter primary email address

Secondary email address  Reenter secondary email address

Send the notices specified below

to my primary email address

to the secondary addresses 

Send notices in cases in which I am involved

Send notices in these additional cases

Send notices for adversary proceedings in which I am directly involved and their related bankruptcy cases

Send notices for adversary proceedings in which I am directly involved but not their related bankruptcy cases

Send a notice for each filing

Send a Daily Summary Report

Format notices HTML

Text

Get Email Notification for Adversaries Only

You now have the option to choose whether you want notification in the main bankruptcy case when your appearance is only entered in the Adversary case.

Access the Email information screen by selecting *Utilities* on the blue bar, then click on the 'Maintain Your ECF Account' hyperlink, and select the Email Information button on the bottom of the screen.

More CM/ECF Release 4.2...

Noticing

BNC Certificates of Notice will display all parties noticed in a case, regardless of the form of notice. The BNC Certificate of Notice becomes a single place to look for service/notice whether parties were sent an NEF in lieu of paper, received Electronic Bankruptcy Notices (EBN) or those that were physically mailed the notice or document.

Adversary Case Opening

Previously, an attorney opening an adversary complaint was prompted to create an association with the plaintiff in the case. Now CM/ECF will automatically add the plaintiff's attorney of record when an adversary proceeding is filed and the attorney/plaintiff association is automatically created.

If the adversary proceeding is a Notice of Removal or a Miscellaneous Proceeding, a "Counsel for" selection appears to allow the attorney to indicate which party is represented: if the default "Plaintiff" is selected, the filing attorney is automatically associated with the plaintiff; if "Defendant" is selected, the filer may make the attorney association during docketing.

The BNC Certificate of Notice becomes a single place to look for service/notice.

Query

When a name search is made, additional information is now displayed on the results page to allow a user to select the correct case. For each name result, a row of information is displayed to the screen for each case in which that person is involved, as shown below:

Select a Case						
There were 7 matching persons.						
There were 8 matching cases.						
Name	Case No.	Case Title	Chapter / Lead BK case	Date Filed	Party Role	Date Closed
Dairy, Russell (pty) (1 case)	89-09614-Ja11	Harry A. Schmidt and Blanche N. Schmidt	11	12/13/89	Creditor	06/30/94
Dairy Farm (pty) (1 case)	10-00135-PB12	Dairy Farm	12	08/12/10	Debtor	N / A

Still more on CM/ECF Release 4.2...

Reports

Cases Report

An option to filter the report by attorney name or Bar ID now appears on the selection screen. When a name is entered, a list of matching attorney names is displayed, of which you may select one or more. Check boxes allow you to search for attorneys by party role: debtors, plaintiffs, defendants, creditors, or all. Alternatively, you can choose to view only cases with pro se filers.

Cases Report

Warning: you will be billed for the total number of pages (this report is not subject

Office: Greenbelt, Baltimore

Case Type: ap, bk

Chapter: 7, 9

Trustee: Albert, Marc E., Almy, Monique D.

Attorney

Last name: mason

First name: perry

Bar ID:

Found, click to select

Search

Attorneys for:

Debtors Plaintiffs Defendants

Creditors All

Selected, click to remove

Mason, Perry (Bar Id: 000001)

The report is now limited to a range of 31 days which prevents internet users from unintentionally requesting a large data set, which could slow down the system for all users.

Email Addresses

CM/ECF Release 4.2 has clickable mailto links. When you run a report, click on the email address to open up your email program.

For users who do not have access to sealed cases, limited sealed case information is displayed on the Cases report. This report displays the case number, entered and filed dates, office, and generic case title text according to case type: "SEALED" for bankruptcy cases, "SEALED v. SEALED" for adversary and miscellaneous proceedings.

Docket Activity

The report is now limited to a range of 31 days. This prevents internet users from unintentionally requesting a large data set, which could slow down the system for all users.

Almost done with CM/ECF Release 4.2...

More Ways to Pay

Now you may choose to pay some or all of the fees in a given transaction. This allows you to use more than one credit card to pay fees due. Fees must still be paid in full on the date incurred.

To avoid problems with pop-up blockers among various browsers, the pop-up window previously generated by a pay.gov transaction is now displayed as a panel. This panel appears as a part of the original application window, so it is not affected by pop-up blocker settings.

On the "Internet Payments Due" screen, all outstanding fees are displayed, along with a check box for each fee. To select the fees to pay, the user should check the boxes next to the desired fees, and then click the Next button. After confirming the selected fees to pay, you are asked for payment information to pay the total of selected fees by credit card.

'ENTER' Key Works!
 Pressing the Enter key now gives the same result as clicking the button that submits the screen. Pressing the space bar also works if the focus is on the button that submits the screen.

Internet Payments Due

Select all

Check Fees to Pay	Date Incurred	Description	Amount
<input type="checkbox"/>	2008-07-22 08:29:23	Voluntary Petition (Chapter 7)(08-10079-7) [caseupld,1027u] (200.00)	\$ 200.00
<input type="checkbox"/>	2008-07-25 12:25:50	Voluntary Petition (Chapter 7)(08-10082-7) [caseupld,1027u] (200.00)	\$ 200.00
<input type="checkbox"/>	2009-08-31 09:33:34	Voluntary Petition (Chapter 7)(09-01092) [misc,volp7a] (200.00)	\$ 200.00

Next Clear

Tracking Filing Fee Balance

Presently, the Installment Report allows for the tracking of final fee installment due dates for Bankruptcy Cases filed in a specific date range. The 4.2 version of ECF offers an additional option for tracking as a new "Filing Fee" selection available under Query on the blue bar.

Effective for cases filed after November 26, this option displays a screen listing the filing fee amount, details on any payments that have been made, and the outstanding balance due. An additional section displays any related adversary proceedings with deferred filing fees.

Finally, the last of CM/ECF Release 4.2...

Claims/Creditors

Claim Filing - Proof of Claim

The official B10 Claim Form was revised in April 2010 and this CM/ECF release now reflects the new revision. Proof of Claim notices/receipts previously did not show the types of claim amounts requested. Now the amounts provided are as follows: Amount Claimed, Amount Secured, and Amount Priority.

Additionally, the amount claimed is no longer calculated. Instead, the "Amount claimed" field constitutes the total of the various amounts claimed; the user enters the total in this field, and no additional total is calculated.

The "File another claim" hyperlink was previously displayed at the bottom of the Proof of Claim receipt. Now the hyperlink has been moved to the top of the receipt for easier access.

Claims Activity

For any closed case, the case closed date is displayed below the case number on the report output.

Now, when a claim is transferred via a Transfer Agreement, the original filer name is displayed for the original claim, and the filer to whom the claim was transferred is listed for subsequent claim actions.

Try Out Release 4.2 on the CM/ECF Test Database

The new version of CM/ECF is available in our Test database at <https://ecf-test.casb.uscourts.gov/>. Use one of the six logins and passwords for attorneys listed below. If you log in and the system says that you are already logged in, this means that someone else is in the system with that login. Please go back and use a different login and password.

Name	Login	Password
Attorney One	Atty1	AttyOne*
Attorney Two	Atty2	AttyTwo*
Attorney Three	Atty3	AttyThr3
Attorney Four	Atty4	Atty*Four
Attorney Five	Atty5	AttyFive!
Attorney Six	Atty6	AttySix6

Beware!! The credit card payment is turned on so that you can see what the new payment screen looks like; however, do not attempt to make a payment because it may actually go through to the Treasury!

*Release Notes for
CM/ECF Versions 4.0,
4.1 & 4.2 can be found
on the PACER website at
[www.pacer.gov/cmecf/re
notes.html](http://www.pacer.gov/cmecf/release/notes.html)*

CM/ECF – In the Future...

Filing Agents for Attorneys and Trustees

In the future, office staff, such as paralegals in an attorney's office may be issued a unique login and password that will be linked to the attorney's CM/ECF account. This allows for multiple staff to work on the attorney's cases all at the same time. The attorney will continue to be the responsible holder of the CM/ECF account and the signer of all documents pursuant to Fed. R. Bankr. P. 9011.

Online Payment Option

In the future, attorneys will have the option to pay online filing fees by direct bank account debit.

Sealed Documents

In the future, attorneys will be able to file sealed documents electronically once the Motion to Seal and Order has been granted.

Limited Filer Notice of Electronic Filing

In the future, Limited Creditor Users will have the option to receive email notification of filings.

December 1, 2011 – New Bankruptcy Rule 3002.1 and Forms

Notice of Mortgage Payment Change

New Bankruptcy Rule 3002.1 provides a process for the Chapter 13 trustee, debtor, and holder of the mortgage claim to ensure payments on a primary home mortgage are cured during the case.

The associated document events and procedures will be available in the Attorney/Trustee Online Manual by December 1, 2011.

More New Rules and Updated Forms

Other rules and forms will be changing on December 1, 2011. For more information, please access the Pending Rules Amendments link under the Rules & Policies link at www.uscourts.gov website. Updated forms will be published on our website on December 1, 2011.

November 1, 2011 – New Fee Schedule

*This new fee schedule is
available on our court's
website at
www.casb.uscourts.gov.*

Mistakes and How to Fix 'Em!

Sealed Documents

Currently sealed documents can only be filed over the counter at the Bankruptcy Court. As a reminder, please be sure to seal the original and the judge's copy in separate envelopes with a copy of the title page and a copy of the Order attached to the front of each envelope. Copies to be conformed need not be placed in sealed envelopes. More details can be found in our Administrative Procedures and Guidelines for Electronic Filing - CSD 1800.

All the changes with CM/ECF Release 4.2 will be documented in the Online Attorney/Trustee Manual.

Access our Online Manual by clicking on 'Manual' on the Menu Bar once logged in or through our Court website at www.casb.uscourts.gov

Application for Confirmation of Plans: Order Confirming Plan and Allowing Attorney's Fees

LBR 3015-9 requires the Attorney for the Debtor to prepare and upload the proposed Order Confirming the Chapter 13 Plan to the Chapter 13 Trustee at the conclusion of the §341(a) meeting. If a hearing on an objection to confirmation results in the plan being confirmed, Debtor's Attorney is required to upload the proposed Confirmation Order to the Chapter 13 Trustee at the conclusion of the hearing.

The Order Confirming the Plan is also a fee application; therefore the Chapter 13 Trustee will not submit an order to the Court that provides for fees in excess of the U.S. Trustee guidelines. If the order provides for fees in excess of the guidelines fees, the order will be returned to the Attorney for the appropriate correction(s). If no order is received that can be submitted to the Court, the Trustee will upload an order confirming the plan that is silent as to a fee award and the Attorney will then be required to bring an appropriate fee application.

Please review the Court's website and online CM/ECF Manual on instructions for the uploading (or electronic filing) of Confirmation Orders. Forms CSD 1177 or 1178 should be used as updated by the Court on April 20, 2011 and May 19, 2010 respectively.

A Checklist for E-Application for Confirmation & Fees is available on the Law Library page of the Court's website at:
http://www.casb.uscourts.gov/html/law_library.htm

Use Your Own Login

If you are the attorney of record, you should use your own log in when filing in CM/ECF. The Registered User login and password serve as the user's signature on all electronic documents filed with the Court. The login and password also serve as a signature for purposes of Fed. R. Bankr. P. 9011 of the Federal Rules of Bankruptcy Procedure, the Local Rules of this Court, and any other purpose for which a signature is required in connection with proceedings before the Court.

Get your own login by registering and completing the training available online at our website:
http://www.casb.uscourts.gov/html/cmecf/Training_page.htm