

To: File
From: Ken Gardner
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Ref: Consumer Bankruptcy Attorneys Final Report

START DATE: April 2010

METHODOLOGY:

Conducted elicitation sessions with local bar associations and made presentations at ABI meetings. Consolidated survey input for Consumer Bankruptcy Attorneys from the 'ASFRG Bankruptcy Survey'.

BACKGROUND:

Consumer Bankruptcy attorneys represent the largest group of CM/ECF filers. Many file in more than one jurisdiction, which creates their most pressing issues as consistency across court jurisdictions is non-existent. They would like to see a system that looks and feels similar in all districts. This will in turn create a more accurate record and limit the amount of errors based on a more standardized approach to filing.

RECOMMENDATIONS

NEW OR UNIQUE RECOMMENDATIONS

1. Provide a beta program for filers to test prior to design finalization.
2. Develop a way to program a user-side application to automatically download all attachments on an NEF, rather than having to do it manually.
3. Develop ability to file numerous cases in consecutive numerical order.

RECOMMENDATIONS THAT SUPPORT EXISTING REQUIREMENTS

Access

1. Single sign on and standardization of ECF events, including the look and feel of the system from one court to another was the most requested requirement from this group.
2. Allow attorneys to designate staff access with limited filing capability (like filing certificate of services and creditor address changes), or have an additional login for others in the office that is tied to the attorney.
3. Develop ability for attorneys to have more than one login.

Noticing

4. E-mail notice management is a nightmare. There is no identifying subject in the e-mail line, which causes the filer to open every e-mail to determine content. Need the ability to efficiently process court NEF's, and standardize the message content to make them useful.

5. Allow courts to provide notice when amendments are filed, instead of having the attorney's office do it.
6. Attorneys, who file in a large case, but only have a small matter, get every NEF. Develop a way to allow the attorney to designate which NEF's they will receive.

Docketing

7. Develop easier way to be removed from cases.
8. Develop an optional "wizard" tool for filing.
9. Develop a more user friendly application for infrequent filers.
10. Need to display a list of documents being filed and view the filings prior to submission
11. Eliminate file size requirements, or at least increase the size so documents don't have to be broken apart and filed separately.
12. Menu structure needs to be more intuitive and follow the life of a case, to make it easier to identify and utilize the proper docket event code. Only those docket entries that can be utilized should be available for entry. Docket events that cannot be used (a new petition, for instance, can't be used once the original petition has been filed, only an amendment) should be grayed out.
13. Create a favorites menu for most frequently used events for each filer.
14. Display the title of any event on the screen when filing a document.
15. Allow filer to name documents with key words that describe the motion being filed, and then have the system suggest the proper event.
16. Cross-index common events. For example, Change of address and Address change.
17. Standardize the grouping of filing categories so they do not appear differently from court to court.
18. Develop an easier search mechanism for event codes and make the event codes more uniform across court districts.
19. Event selection needs to be standardized for the primary events used by filers across districts.
20. If standardized event, or perhaps a national form, allow fill-able data fields to create the document instead of uploading a PDF.
21. Provide better descriptions of the events and how to use.
22. Develop a printable list of events.
23. Develop ability to add exhibits to an order.
24. When linking to a previously filed document, create the ability to insert and link to the docket number entry from that filing, instead of having a pic list of events.
25. Allow previously filed documents and exhibits to be linked to future filings to eliminate duplicity in the system.
26. Ability to file attachments to previously filed documents.
27. Provide the ability to correct filings that are noticed by the filer prior to final acceptance with the court. If necessary, provide an audit trail of corrected submissions.
28. Provide the filer with the ability to correct an event instead of having to re-file the pdf, exhibits and attachments with the new event.
29. Track all amendment submissions, similar to version tracking in Word.

30. Ability to “flag” an emergency motion so it is immediately brought to the courts attention.
31. Functionality needs to match requirements. For example, when attaching multiple files for pay advices the window is too small and it is hard to keep track of which document has been attached.
32. Develop a single information entry screen instead of multiple pages.
33. Develop ability to drag and drop pdf files when uploading.
34. Preview documents prior to upload or download.
35. Develop ability to upload financial documents to a website or directly with a trustee.
36. Create process that allows batch docketing of several pleadings at the same time.
37. Reduce or eliminate number of screens it takes to actually file a document in a case once you have accessed the case.

Claims Filing

38. Develop easier way to change creditor addresses.
39. Claims docket information needs to be standardized and made more useful. Currently, each claim must be clicked on to view the necessary information.
40. Need to be able to preview a claim.
41. Need to be able to “batch” print claims from a case.

Calendar

42. Add docket number information to court calendars to eliminate any confusion when multiple matters for one case are being heard on the same call.
43. Calendar should show dates that judge is “not sitting.”
44. System should provide the ability to cancel future dates for §341 meetings.
45. When §341 meeting notice is distributed, the e-mail information should be added to contact information already provided.

Search/Query/Display

46. Develop advanced search for wider range of parties, for example by creditor or attorney.
47. Need to create a new report that would show all filings performed by a specific user within a date range.

System

48. Create and expand the ability to pull data from the system using a standardized database interface such as XML.
49. More efficient screen draws and fewer clicks to navigate the system. There are too many “next” buttons.
50. Log in fields should be at the top, and then the place warnings/messages below.
51. Develop support for hand-held devices.
52. Make it I-Pad compatible.
53. Ability to have auto-fill boxes.
54. Allow tab and return keys to be used to navigate the system instead of mouse clicking.

55. Cursor should already be in place and blinking when a new page is drawn to the most utilized field in the screen.
56. Develop ability to navigate back to the previous screen instead of starting over.
57. Provide access to preferred addresses for creditors using the BNC to reduce returned mail.
58. Increase performance of system between 'peak' filing hours, so filing does not get bogged down.
59. Provide greater compatibility with 3rd party software vendors. Also make upload easier for these third party providers.
60. Provide 24/7 help desk support, with the ability to do on line "chat."

Dashboard

61. Dashboard concept is not as critical to the larger and mid-sized filers, but would benefit the smaller, individual filers. If a dashboard is developed as a tool for their use, it needs to include the information from each court to be useful, be customizable and easy to use. Develop customizable reports for the user that include: list of open cases, filing and calendar deadlines for open cases, link to docket from report of open cases, list of closed cases, current pacer usage, list of upcoming court and other hearings (i.e. §341 meeting), daily calendar, identify claims agents, on-line chat or Instant Messaging, case flags, initial upload to file a BK case, important messages for filers from the court, and automatic reminders about upcoming deadlines.

Comments

1. Identify which browsers are "certified" to be used with the product.
2. Properly filing a document using the correct event can be difficult.
3. Eliminate Declaration for Electronic Filing.