



ECF Court Link

JANUARY 16, 2013

VOLUME 8, ISSUE 1

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

<i>December, 2012</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>170</i>	<i>Ch. 7</i>	<i>2820</i>
<i>Ch. 11</i>	<i>9</i>	<i>Ch. 11</i>	<i>164</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>8</i>
<i>Ch. 13</i>	<i>459</i>	<i>Ch. 13</i>	<i>6116</i>
<i>Ch. 9</i>	<i>0</i>	<i>Ch. 9</i>	<i>0</i>
<i>Ch. 15</i>	<i>0</i>	<i>Ch. 15</i>	<i>0</i>
<i>Total</i>	<i>638</i>	<i>Total</i>	<i>9108</i>

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On a Personal Note

Congratulations to Bess and Matt Hilliard on the birth of their second child! Daughter Ella Grace was born on December 30th.

Congratulations are also in order for Linsy and Pat Aul, who welcomed a baby girl, Ellery Rose, on January 6th!

In addition, please join the court in welcoming David Herring, who began as temporary law clerk to Judge Doub on December 17th.

Fax Number for IRS

The fax number for the Internal Revenue Service, Centralized Insolvency Operation (CIO) changed effective January 1st. The new fax number is (855)235-6787. The address and phone number remain the same.

Attorney Scheduled Leave

If you have not already done so, please inform the Courtroom Deputies of your scheduled leave for 2013 as soon as possible to help avoid any potential scheduling conflicts. Contact information is as follows:

Judge Doub: Dana_Sebastian@nceb.uscourts.gov

Judge Leonard: Anne_Moell@nceb.uscourts.gov

Judge Humrickhouse: Allyson_McNeill@nceb.uscourts.gov

Written Opinions Report

This is a reminder that you may opt to receive a scheduled report via email for all Written Opinions that are filed in cases before the court. Please contact Kelly Shum-Drake or Donna Skinner if you would like to be added to the list of recipients for this report.

Upcoming Procedure Change – Incorrect PDF's

*Many times pleadings are filed and the incorrect PDF document is inadvertently attached to the entry. Currently, the court issues a deficiency notice with instructions for the correct attachment to be submitted via email. Upon its receipt, court staff adds the corrected attachment to the docket. **Beginning February 2, 2013**, this procedure will change. It will become the filer's responsibility to docket the correct PDF attachment once the deficiency is issued. The event will be located in the Miscellaneous category and will be entitled "Corrected PDF Attachment." You will link it to the original entry that had the incorrect PDF. It will no longer be necessary to email the document to the court.*

Updated Case Assignments

Our case assignments have been updated effective Monday, January 14th. Please review the updated list for Case Administration below. If you have any questions relating to a specific case, please contact the appropriate person based on the last two digits of the case number.

<i>Ending with:</i>	<i>Contact Person:</i>	<i>Email Address:</i>
00-06	<i>Dawn Barnes</i>	<i>Dawn_Barnes@nceb.uscourts.gov</i>
07-12	<i>Brenna Wallace</i>	<i>Brenna_Wallace@nceb.uscourts.gov</i>
13-19	<i>Carrie Wiggins</i>	<i>Carrie_Wiggins@nceb.uscourts.gov</i>
20-29	<i>Donna King</i>	<i>Donna_King@nceb.uscourts.gov</i>
30-32	<i>Kathy Webb</i>	<i>Kathy_Webb@nceb.uscourts.gov</i>
33-39	<i>Anna Brock</i>	<i>Anna_Brock@nceb.uscourts.gov</i>
40-46	<i>Amy Bissette</i>	<i>Amy_Bissette@nceb.uscourts.gov</i>
47-53	<i>Christy Gurgone</i>	<i>Christy_Gurgone@nceb.uscourts.gov</i>
54	<i>Wendy Parker</i>	<i>Wendy_Parker@nceb.uscourts.gov</i>
55	<i>Sharon Angel</i>	<i>Sharon_Angel@nceb.uscourts.gov</i>
56	<i>Donna Skinner</i>	<i>Donna_Skinner@nceb.uscourts.gov</i>
57-62	<i>Donna Harris</i>	<i>Donna_Harris@nceb.uscourts.gov</i>
63-68	<i>Shelia Morris</i>	<i>Shelia_Morris@nceb.uscourts.gov</i>
69-74	<i>Lisa Payne</i>	<i>Lisa_Payne@nceb.uscourts.gov</i>
75-80	<i>Aileen Gibson</i>	<i>Aileen_Gibson@nceb.uscourts.gov</i>
81-82	<i>Pearl White</i>	<i>Pearl_White@nceb.uscourts.gov</i>
83-96	<i>Pamela Smith</i>	<i>Pamela_Smith@nceb.uscourts.gov</i>
97	<i>Duane Haddock</i>	<i>Duane_Haddock@nceb.uscourts.gov</i>
98	<i>Tina Roberson</i>	<i>Tina_Roberson@nceb.uscourts.gov</i>
99	<i>Kelly Shum-Drake</i>	<i>Kelly_Shum-Drake@nceb.uscourts.gov</i>

U. S. Bankruptcy Court
Eastern District of
North Carolina

1760-A Parkwood Blvd.
Wilson, NC 27893

Tel. 252-237-0248

300 Fayetteville St.
Room 209
Raleigh, NC 27602

Tel. 919-856-4752

First Revamped Forms Out for Public Comment

The Judicial Conference Committee on Rules of Practice and Procedure is asking for comment on the first proposed modernization of bankruptcy forms in two decades. The revised forms can be viewed by clicking the link below. Comments submitted by the public will be reviewed in the coming months and used to fine-tune the forms. Please note that the public comment period ends on February 15th.

<http://www.uscourts.gov/RulesAndPolicies/rules/proposed-amendments.aspx>

Coming Soon: Voice Over IP

In the near future, we will be updating our phone system to Voice Over Internet Protocol (VOIP). What this means is that all phone calls received by the court will be transported via the internet, rather than a traditional telephone network. When this transition occurs, only the Raleigh telephone number will be operational. The Wilson office number will be disconnected. An email will be sent by the Clerk at a later date, which will provide more detailed information, as well as an implementation date.

Orders Confirming Chapter 11 Plan

*As you are aware, during the course of a Chapter 11 case, the plan can be amended numerous times and in numerous ways. In addition, oftentimes there are amendments which are verbally announced at the confirmation hearing. In order to make the final terms of the confirmed plan easier for all parties to follow, the court now requires that a copy of the final confirmed plan, or restated plan, incorporating all terms approved at the final confirmation hearing, be attached to the order confirming the plan. This will allow parties to look in one place to determine the terms of the final approved plan instead of piecing together amendments and amended or modified plans that are strung throughout the docket. **This requirement is effective immediately.** If you have any questions or concerns, please feel free to contact the Clerk at [Stephanie Edmondson@nceb.uscourts.gov](mailto:Stephanie.Edmondson@nceb.uscourts.gov).*

Bankruptcy Seminar

Please be advised that the court is not planning to offer a legal seminar in calendar year 2013. We hope you will be able to join us when we have our next seminar, tentatively scheduled for April, 2014.

QUESTIONS/ANSWERS:

Q. Can both Debtors in a joint case file one Certification Regarding Discharges in Prior Cases and Payment of Domestic Support Obligations, signed by both parties?

A. No, separate Certifications must still be signed and filed for each Debtor in a joint case.

ECF Contacts:

Kelly Shum-Drake

Telephone Number: 919-856-4752 ext 174

E-Mail Address: Kelly_Shum-Drake@nceb.uscourts.gov

Donna Skinner

Telephone Number: 252-237-0248 ext 164

E-Mail Address: Donna_Skinner@nceb.uscourts.gov



ECF Court Link

FEBRUARY 22, 2013

VOLUME 8, ISSUE 2

Eastern District
Of
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CM/ECF
Newsletter

In this issue:

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Case Statistics

January, 2013		Year to Date	
Ch. 7	187	Ch. 7	187
Ch. 11	8	Ch. 11	8
Ch. 12	0	Ch. 12	0
Ch. 13	437	Ch. 13	437
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	653	Total	653

Reminder re: New Procedure for Incorrect PDF's

Incorrect PDF documents attached to docket entries should no longer be submitted to the ecf_pdf inbox in order for the court staff to make the correction. It is now the filer's responsibility to docket the correct PDF attachment when a deficiency is issued. The event is located in the Miscellaneous category and is entitled "Corrected PDF Attachment". Please link the event to the original entry that had the incorrect PDF.

New Telephone System

The court has transitioned to a VOIP telephone system. As a result, the clerk's office now has one consolidated phone number:

(919)856-4752

If you choose Option 4, you will have the opportunity to search our directory by name. In addition, all court staff members have been provided with new direct dial numbers, which may be viewed in the [employee directory](#) on our website.

Updated Contact Information - Case Administrators

Please review the updated contact information for Case Administration below. If you have any questions relating to a specific case, please contact the appropriate person based on the last two digits of the case number.

<i>Ending with:</i>	<i>Contact Person:</i>	<i>Email Address:</i>	<i>Direct Dial:</i>
00-06	<i>Dawn Barnes</i>	<i>Dawn_Barnes@nceb.uscourts.gov</i>	(252) 206-5180
07-12	<i>Brenna Wallace</i>	<i>Brenna_Wallace@nceb.uscourts.gov</i>	(252) 206-5189
13-19	<i>Carrie Wiggins</i>	<i>Carrie_Wiggins@nceb.uscourts.gov</i>	(252) 206-5169
20-29	<i>Donna King</i>	<i>Donna_King@nceb.uscourts.gov</i>	(252) 209-5175
30-32	<i>Kathy Webb</i>	<i>Kathy_Webb@nceb.uscourts.gov</i>	(252) 206-5176
33-39	<i>Anna Brock</i>	<i>Anna_Brock@nceb.uscourts.gov</i>	(252) 206-5166
40-46	<i>Amy Bisette</i>	<i>Amy_Bisette@nceb.uscourts.gov</i>	(252) 206-5179
47-53	<i>Christy Gurgone</i>	<i>Christy_Gurgone@nceb.uscourts.gov</i>	(252) 206-5160
54	<i>Wendy Parker</i>	<i>Wendy_Parker@nceb.uscourts.gov</i>	(252) 206-5172
55	<i>Sharon Angel</i>	<i>Sharon_Angel@nceb.uscourts.gov</i>	(252) 206-5187
56	<i>Donna Skinner</i>	<i>Donna_Skinner@nceb.uscourts.gov</i>	(252) 206-5194
57-62	<i>Donna Harris</i>	<i>Donna_Harris@nceb.uscourts.gov</i>	(919) 334-3804
63-68	<i>Shelia Morris</i>	<i>Shelia_Morris@nceb.uscourts.gov</i>	(919) 334-3810
69-74	<i>Lisa Payne</i>	<i>Lisa_Payne@nceb.uscourts.gov</i>	(919) 334-3807
75-80	<i>Aileen Gibson</i>	<i>Aileen_Gibson@nceb.uscourts.gov</i>	(919) 334-3808
81-82	<i>Pearl White</i>	<i>Pearl_White@nceb.uscourts.gov</i>	(919) 334-3816
83-96	<i>Pamela Smith</i>	<i>Pamela_Smith@nceb.uscourts.gov</i>	(919) 334-3847
97	<i>Duane Haddock</i>	<i>Duane_Haddock@nceb.uscourts.gov</i>	(919) 334-3805
98	<i>Tina Roberson</i>	<i>Tina_Roberson@nceb.uscourts.gov</i>	(919) 334-3800
99	<i>Kelly Shum-Drake</i>	<i>Kelly_Shum-Drake@nceb.uscourts.gov</i>	(919) 334-3806

Contact Information – Courtroom Staff and Law Clerks

Please review the updated contact information for courtroom staff and law clerks below.

Judge Doub

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Direct Dial:</i>
<i>Dana Sebastian Courtroom Deputy</i>	<i>Dana_Sebastian@nceb.uscourts.gov</i>	<i>(252) 206-5192</i>
<i>Lynn Boyd Court Reporter</i>	<i>Lynn_Boyd@nceb.uscourts.gov</i>	<i>(252) 206-5174</i>
<i>Linsy Aul Law Clerk</i>	<i>Linsy_Aul@nceb.uscourts.gov</i>	<i>(252) 206-5186</i>
<i>Andrew Perry Law Clerk</i>	<i>Andrew_Perry@nceb.uscourts.gov</i>	<i>(252) 206-5185</i>

Judge Humrickhouse

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Direct Dial:</i>
<i>Allyson McNeill Courtroom Deputy</i>	<i>Allyson_McNeill@nceb.uscourts.gov</i>	<i>(919) 334-3801</i>
<i>Sarah Donleycott Court Reporter</i>	<i>Sarah_Donleycott@nceb.uscourts.gov</i>	<i>(919) 334-3811</i>
<i>Tracy Davis Staff Attorney</i>	<i>Tracy_Davis@nceb.uscourts.gov</i>	<i>(919) 334-3817</i>
<i>Bess Hilliard Law Clerk</i>	<i>Bess_Hilliard@nceb.uscourts.gov</i>	<i>(919) 334-3818</i>

Judge Leonard

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Direct Dial:</i>
<i>Anne Moell Courtroom Deputy</i>	<i>Anne_Moell@nceb.uscourts.gov</i>	<i>(919) 334-3802</i>
<i>Belinda Witcher Court Reporter</i>	<i>Belinda_Witcher@nceb.uscourts.gov</i>	<i>(919) 334-3803</i>
<i>Joseph Frost Law Clerk</i>	<i>Joe_Frost@nceb.uscourts.gov</i>	<i>(919) 334-3822</i>
<i>Elizabeth Tramm Law Clerk</i>	<i>Elizabeth_Tramm@nceb.uscourts.gov</i>	<i>(919) 334-3821</i>

Updated Phone Numbers - Bankruptcy Administrator

The Bankruptcy Administrator has also transitioned to VOIP. Calling one of the main numbers (252-237-6854 for Wilson office and 919-856-4886 for Raleigh office) will ring to an auto attendant that will include a directory of the new direct dial numbers listed below.

<i>Contact Person:</i>	<i>Direct Dial:</i>
<i>Marjorie Lynch</i>	<i>(919)334-3885</i>
<i>Brian Behr</i>	<i>(919)334-3881</i>
<i>Parker Rumley</i>	<i>(919)334-3882</i>
<i>Karen Cook</i>	<i>(919)334-3888</i>
<i>Rick Hinson</i>	<i>(919)334-3883</i>
<i>Tanya Aycok</i>	<i>(919)334-3884</i>
<i>Scott Kirk</i>	<i>(252)206-2052</i>
<i>Lynn Tingen</i>	<i>(252)206-2051</i>
<i>Amanda Gaster</i>	<i>(252)206-2053</i>
<i>Lesley Cavanaugh</i>	<i>(252)206-2054</i>

New Teleconference Procedure

The court is in the process of implementing a new teleconference procedure. There is no charge for conference calls under this new program. Please pay close attention to the hearing notice for information regarding the correct dial in number and access code to use. If you have any questions or issues with this new procedure, please contact Christine Castelloe at (919)334-3824 or Christine.Castelloe@nceb.uscourts.gov.

Certification re: Discharge and Domestic Support

The Certification Regarding Discharges in Prior Cases and Payment of Domestic Support Obligations should not be signed and filed until after the Trustee has docketed the Notice to Clerk That Plan is Nearing Completion. It is not valid until plan payments have been completed and the court has been notified as such. Effective immediately, if the Certification is filed prior to the Trustee making his text entry, the attorney will be contacted by the court to withdraw the entry.

QUESTIONS/ANSWERS:

Q. I need to file a response to a motion in a case, but my document also includes a motion. How do I go about filing this, since I have to choose from two different categories?

A. There is no way to file this in CM/ECF. Motions and responses should always be filed as separate docket entries, and never within the same PDF document. As a general rule, if two pleadings fall into separate categories, they cannot be filed together.

ECF Contacts:

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

Telephone Number: (919)334-3806

E-Mail Address: Kelly_Shum-Drake@nceb.uscourts.gov

Donna Skinner

Telephone Number: (252)206-5194

E-Mail Address: Donna_Skinner@nceb.uscourts.gov



ECF Court Link

MARCH 18, 2013

VOLUME 8, ISSUE 3

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

February, 2013		Year to Date	
Ch. 7	189	Ch. 7	376
Ch. 11	13	Ch. 11	21
Ch. 12	0	Ch. 12	0
Ch. 13	434	Ch. 13	871
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	636	Total	1268

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- *Orders Confirming Plan*
- *Event Updates*
- *New Exhibit Events*
- *Motions to Extend/Impose Stay*
- *Q&A*
- *ECF Contacts*

Reminder: New Telephone Number

Please be advised that the clerk's office now has one consolidated phone number:

(919)856-4752

You will call this number regardless of whether you are attempting to contact the Raleigh office or the Wilson office. You may also opt to call staff members directly at our new direct dial numbers, which may be viewed in the [employee directory](#) on our website.

Orders Confirming Chapter 11 Plan

All orders confirming a Chapter 11 Plan should provide a 5 day deadline in order for the debtor's attorney to serve a copy of the order on all creditors and file a Certificate of Service with the court. The order should not contain a deadline exceeding 5 days.

CM/ECF Event Updates

Changes have been made to existing CM/ECF events as follows:

Motion to Convert Case 12 to 11, Motion to Convert Case 13 to 11 and Motion to Convert Case 7 to 11 have been removed from the Motions category and replaced with a single event entitled “Motion to Convert Case to Chapter 11”. This event can be used for converting a case under any chapter to a Chapter 11.

Motion to Convert Case 13 to 7, Motion to Convert Case 12 to 7 and Motion to Convert Case 11 to 7 have been removed from the Motions category and replaced with a single event entitled “Motion to Convert Case to Chapter 7”. This event can be used for converting a case under any chapter to a Chapter 7.

New CM/ECF Events Regarding Exhibits

Two new events are now in use by court staff as follows:

Notice Regarding Exhibits (Intent Due) – This event advises the attorney that exhibits are no longer needed by the court, and sets a deadline by which the attorney must docket the Statement Regarding Exhibits, indicating intent to have the exhibits either returned or destroyed.

Notice Regarding Exhibits (Retrieval Due) – If the Statement Regarding Exhibits indicates that the attorney wishes to have the exhibits returned, this event will set a deadline for the exhibits to be retrieved from the court.

Motions to Extend or Impose Automatic Stay

This should serve as a reminder that pursuant to Local Rule 4001-1(d), motions for continuance or imposition of the automatic stay require service on all creditors.

Automatic Adjustment of Dollar Amounts in Bankruptcy Code and Forms

On **April 1, 2013**, automatic adjustments to the dollar amounts stated in various provisions of the Bankruptcy Code and one provision in Title 28 of the United States Code will become effective. The amended dollar amounts will apply to cases filed on or after April 1, 2013.

Section 104 of the Code provides that the Judicial Conference make these adjustments at three-year intervals. They reflect the change in the Consumer Price Index for the three-year period ending December 31, 2012, and rounded to the nearest \$25. The amended dollar amounts will affect, among other matters:

- the eligibility of a debtor to file under chapters 12 and 13 of the Bankruptcy code
- certain maximum values of property that a debtor may claim as exempt
- the maximum amount of certain claims entitled to priority
- the calculation of the “means test” for chapter 7 debtors
- the duration of a chapter 13 plan
- the definition of a small business debtor
- the minimum aggregate value of claims needed to commence an involuntary bankruptcy
- the value of “luxury goods and services” deemed to be nondischargeable
- where the trustee may commence certain proceedings to recover a money judgment or property

The revised dollar amounts were published on February 21, 2013, at page 12,089 of the Federal Register. The chart may be viewed by clicking [here](#).

Pursuant to the adjustment, the following forms will be amended April 1, 2013 in order to reflect changes to the affected dollar amounts:

- Form B1, Voluntary Petition
- Form B6C, Schedule C – Property Claimed as Exempt
- Form B6E, Schedule E – Creditors Holding Unsecured Priority Claims

- *Form B7, Statement of Financial Affairs*
- *Form B10, Proof of Claim*
- *Form B22A, Means Test (Ch. 7)*
- *Form B22C, Statement of Current Monthly Income (Ch. 13)*
- *Form B200, Required Lists, Schedules, Statements and Fees*
- *Form B283, Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q)*

You may view all of the above changes in more detail on the judiciary's website by clicking [here](#).

QUESTIONS/ANSWERS:

Q. I need to file Amended Schedules A, B, D and Summary of Schedules. May I select the "Schedules and Statements" event under the Schedules category?

A. No. The "Schedules and Statements" event is only for use when all of the missing schedules are being filed in order to cure the deficiency on an accelerated petition. Otherwise, each individual schedule event should be selected by holding down the Control key.

ECF Contacts:

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

Telephone Number: (919)334-3806

E-Mail Address: Kelly_Shum-Drake@nceb.uscourts.gov

Donna Skinner

Telephone Number: (252)206-5194

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ECF Court Link

APRIL 12, 2013

VOLUME 8, ISSUE 4

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

March, 2013		Year to Date	
Ch. 7	274	Ch. 7	652
Ch. 11	6	Ch. 11	28
Ch. 12	0	Ch. 12	0
Ch. 13	490	Ch. 13	1359
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	770	Total	2039

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- Upgrade Highlights
- Changes to Service Chart
- Claims Transfer Fee
- Event Updates
- POC's Filed by Debtor/Trustee
- Deceased Debtors
- Q&A
- ECF Contacts



On a Personal Note

Heather Nichols, Administrative Specialist, welcomed a baby boy, John Lawton, on April 9th at 8:50 am. Congratulations to Heather and her husband Dean on the new addition to their family!

CM/ECF Upgrade

Please be advised that the court will be upgrading to the latest version of CM/ECF on April 20th. The new version will have very little impact to users outside of the court. However, if any questions or issues arise, please feel free to contact a member of the CM/ECF staff.

Downtime Alert! – CM/ECF will be unavailable beginning on Saturday, April 20th at 8:00 am in order to complete this upgrade. It will not be available again until 8:30 am on Monday, April 22nd.

A brief outline of the new features included in the upgrade is included on the next page.

CM/ECF – Upgrade Highlights

- *The new version has been tested and works correctly with Firefox and Internet Explorer 8 and 9 browsers.*
- *Two new menu items under Utilities will allow you to navigate more easily between CM/ECF and PACER.*
- *CM/ECF will allow the entry of up to 5 social security and tax ID numbers for each debtor.*
- *Additional dates and deadlines will appear at the top of the docket: plan confirmed date, 341 meeting date, deadline for filing claims/government claims, deadline for objecting to discharge and deadline for Financial Management in a Chapter 7.*
- *There will be a new option on the docket report entitled “Page counts for documents”, which will provide the number of pages for each document in a case.*
- *The Docket Activity Report will include time filters, so it can be run in time increments rather than for an entire day.*
 - *The Cases Report will have more options on the selection screen: split cases, transferred cases, reopened cases, type of debtor, nature of debt, county of residence and nature of business can be searched.*
- *You will be able to view claims with multiple attachments as one PDF file, just as you currently can on the docket report.*
- *A new “Claims Summary Report” will be available that provides a condensed overview of the claims in the case without having to view the entire claims register.*
- *The Query screen will have three new options: filed date, last entry date and nature of suit.*
- *If an attorney can certify they have no controversy before the court, and the client consents, they will be able to withdraw from a case and be automatically terminated. (Note: attorney for debtor(s) will not have this option.)*
- *Currently, when you file a pleading, you are prompted with a checkbox to indicate whether the attorney and filing party should be associated in the case. This box is now unchecked, but will be checked by default.*
- *If a fee is due regarding a pleading, and the fee is mistakenly not paid, the court will have the ability to generate a fee record that will allow the attorney to pay through pay.gov. A text entry will be made on the docket that will send an email notification to the attorney.*
 - *This upgrade will also include an update to our e-Orders program. You will now have the ability to add attachments to an order, if necessary.*

Changes to Service Chart

Please be advised that the following changes have been made to the service chart in the Administrative Guide:

Motion to Transfer Title or Property – 21 days notice with service required on all creditors

Motion to Continue 341 (Chapter 11 cases) – service required on 20 largest unsecured creditors, all secured creditors and the BA

New Fee for Assignments of Claim

Effective May 1, 2013, the bankruptcy courts will begin charging a new fee of \$25.00 for each claim transferred. This fee was approved by the Judicial Conference at its September 2012 session. In considering this fee, the committee recognized the impact a transfer of claim has on the workload of the bankruptcy courts, including impact on court time and resources. Bankruptcy Rule 3001(e) requires the clerk of court to notice a transferred claim, and provides additional notice and hearing requirements if an objection to a transfer is made.

The \$25.00 fee will be assessed upon the filing of the claim transfer, whether it is filed by a transferee or transferor, and will apply to partial claims transfers as well. In the event multiple claims transfers are filed at one time by one entity, the fee will be charged for each individual claim transferred. The fee must be paid by credit card upon filing in CM/ECF using pay.gov or ACH debit card.

An entity that electronically handles claims transfers must ensure that the individual filing a transfer is authorized to pay this fee by credit card. Entities that transfer claims should be aware that courts may be reviewing user accounts, account access, and the number of accounts authorized for a particular entity in anticipation of this fee. For questions regarding the \$25.00 fee, please contact Beth Pittman at Beth_Pittman@nceb.uscourts.gov.

CM/ECF Event Updates

Changes have been made to existing CM/ECF events as follows:

The Motion to Reopen Chapter 7, 11, 12 and 13 events have been removed from the Motions category and replaced with a single event entitled “Motion to Reopen Case”. This event can be used for reopening a case under any chapter.

The Motion to Sever Chapter 7, 11, 12 and 13 events have been removed from the Motions category and replaced with a single event entitled “Motion to Sever Case”. This event can be used for severing a case under any chapter.

Proofs of Claim filed by Debtor/Trustee

This should serve as a reminder that the court should be notified if the debtor’s attorney or trustee files a claim on behalf of a creditor in a case. The “Request for Notice of Claim” event should be docketed so that the court may provide notice to the claimant.

Deceased Debtors

When a debtor is deceased, the “Notice of Death of Debtor (Text)” event should be docketed in the case so the court is made aware. In addition, if a Certification re: Prior Discharges and Domestic Support Obligations needs to be filed for a debtor who is deceased, and another party will be filing the document on their behalf, a copy of the death certificate should be attached to the filing.

QUESTIONS/ANSWERS:

Q. Must a Notice of Appearance be filed in conjunction with an attorney's initial pleading in a case?

A. No. Pursuant to FRBP 9010(b), an attorney appearing for a party in a case under the Code shall file a notice of appearance with the attorney's name, office address and telephone number, *unless the attorney's appearance is otherwise noted in the record.*

ECF Contacts:

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ECF Court Link

MAY 16, 2013

VOLUME 8, ISSUE 5

Eastern District
Of
North Carolina
CM/ECF
Newsletter

In this issue:

- [Case Statistics](#)
- [On a Personal Note](#)
- [Report Upon Conversion](#)
- [Mailing Matrix](#)
- [Text Deficiency Notices](#)
- [Q&A](#)
- [ECF Contacts](#)

Case Statistics

April, 2013		Year to Date	
Ch. 7	261	Ch. 7	912
Ch. 11	7	Ch. 11	35
Ch. 12	0	Ch. 12	0
Ch. 13	494	Ch. 13	1855
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	762	Total	2802

On a Personal Note

Judge J. Rich Leonard has been appointed as the next dean of Campbell University's Norman Adrian Wiggins School of Law, effective July 15, 2013. Please join the court in congratulating Judge Leonard on this wonderful opportunity!

Debtor's Report Upon Conversion

This should serve as a reminder that the attorney for debtor is responsible for adding creditor names and addresses to the matrix when the Debtor's Report Upon Conversion is filed. The court does not review the matrix to ensure that creditors have been properly added. If you are filing this document as part of the Notice of Conversion, you must choose both event codes under the Miscellaneous category in order to ensure that you are given the opportunity to add creditors.

Mailing Matrix

*When preparing a mailing matrix for service in a case, the court prefers that you generate it under **Utilities>Mailings>Mailing Matrix by Case**, as this list does not include the court's address. If you choose to generate the matrix under **Query>List of Creditors**, we ask that you mark the court's address off the list. The court should **NOT** be included for service by mail.*

Coming Soon: New CM/ECF Text Entries for Deficiency Notices and Orders

In the upcoming weeks, the court will be implementing text entries for all Deficiency Notices regarding petitions, documents and orders. Once we begin using the text entries, you will no longer receive a PDF document for a deficiency. The deficient items and appropriate deadlines will be contained within the docket entry itself.

In addition, the court will begin gradually migrating some of our standard orders to text format. The first of these you will see will be the Order Denying Motion (Failure to Cure Deficiency). Just as with the Deficiency Notice, there will be no PDF document attached. Rather, the order language will be contained within the docket entry. The text orders will need to be served on all applicable parties who do not receive electronic notice.

These measures are being taken in an effort to decrease the amount of paper documents generated by the court, as well as to make these entries more easily viewed.

QUESTIONS/ANSWERS:

Q. We have had some technical difficulties in our office, and did not receive our daily ECF summary emails. Is the court able to resend them?

A. No. The court is unable to resend summary emails. In order to obtain your ECF activity for a specific date, go under Reports and choose "Activity in My Cases". Simply enter the date and click "Run Report" to view the activity in all of the cases you are involved in.

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ECF Court Link

JUNE 7, 2013

VOLUME 8, ISSUE 5

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

May, 2013		Year to Date	
Ch. 7	231	Ch. 7	1145
Ch. 11	13	Ch. 11	48
Ch. 12	1	Ch. 12	1
Ch. 13	450	Ch. 13	2303
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	695	Total	3497

In this issue:

- Case Statistics
- New Mailing Address
- New Court Procedure
- Trustee Rec. Requirements
- Event Removed
- Certification re: Discharge and Domestic Support
- ECF Attorney Manual
- Service Agents
- 4th Circuit Filings
- Q&A
- ECF Contacts

New Mailing Address

Effective immediately, the new mailing address for the Clerk's office is P.O. Box 791, Raleigh, NC 27602. Any mail addressed to the old mailing address (P.O. Box 1441) will be forwarded to the new address; however, to avoid processing delays, please start using the new address as soon as possible. In addition, please discontinue mailings to the Wilson office address. All mail to the Clerk's office should be directed to the new Raleigh P.O. Box. If you have any questions, please contact Christine Castelloe at Christine.Castelloe@nceb.uscourts.gov.

New Court Procedure

From now on, counsel must request a hearing date from the court staff in reference to the following motions, prior to filing:

*Motions to Dismiss (Chapter 11 creditor's motion)
Motions to Extend Automatic Stay*

The hearing date provided should be included within the applicable notice attached to the motion. The comments section of the service chart in the Administrative Guide will be revised in order to reflect this new procedure.

New Trustee Recommendation Requirements

Motions for Interrogatories and Motions to Continue Meeting of Creditors (2nd or subsequent requests) in Chapter 7 and Chapter 13 cases will now be held for 10 days pending recommendation from the Trustee.

CM/ECF Event Removed

As a result of the new recommendation procedure outlined above, the batch Motion to Continue Meeting of Creditors event has been removed. If for any reason an attorney needs to file multiple motions at one time, please contact a member of the CM/ECF staff, who will open the event for first continuances of the 341 only.

Certification re: Discharge and Domestic Support

Please note the updates to this article featured in the February newsletter (highlighted in red):

*The Certification Regarding Discharges in Prior Cases and Payment of Domestic Support Obligations **should not be signed, dated or filed** until after the Trustee has docketed the Notice to Clerk That Plan is Nearing Completion. It is not valid until plan payments have been completed and the court has been notified as such. Effective immediately, if the Certification is filed prior to the Trustee making his text entry, the attorney will be contacted by the court to withdraw the entry. **Additionally, pursuant to 11 USC Section 1328(a), the Certification is to be certified by the Debtor(s).***

CM/ECF Attorney Manual

The court has begun work on a procedural manual for attorneys to refer to when filing documents in CM/ECF. It will contain the step-by-step process for docketing each event, along with some other general information. The following page contains a sample for the Motion to Avoid Lien event, so you may view the format and get an idea of what will be contained in the manual. Any comments or suggestions are welcome, and should be directed to Kelly Shum-Drake at Kelly_Shum-Drake@nceb.uscourts.gov.

Avoid Lien

Summary: The Debtor(s) may avoid a lien on property to the extent that such lien impairs an exemption to which the Debtor(s) would have been entitled.

Notice: 14 days

Service: T, AP

Order Required: Yes

Filing:

- Select **Bankruptcy**
- Select **Motions/Applications**
- Enter case number
- Click *Next*
- Select **Avoid Lien** from available events
- Click *Next*
- If filing jointly with another attorney, check the box. If not, click *Next*.
- Select filing party from the list. If party does not appear on the list, select **Add/Create New Party** (*link to instructions on adding party*)
- Click *Next*
- Select response time provided in notice
- Click *Next*
- Enter service date of motion
- Click *Next*
- Response due date appears
- Click *Next*
- Attach PDF (*link to instructions on attaching PDF*)
- Click *Next*
- Prompt appear to add affected party, if applicable
- Click *Next*
- Add party (*link to instructions on adding party*)
- Enter name of creditor(s) in the text box
- Click *Next*
- Select the lien type from the drop down box
- Click *Next*
- Docket text appears for review and modification, if applicable
- Click *Next*
- Final text appears
- Click *Next*
- Notice of Electronic Filing is generated

Notes:

- Motions to Avoid Lien must contain a description of the property, the fair market value and the amount claimed as exempt.
- Motions to Avoid Lien must at minimum contain:
 1. The docket number of the civil case where the judgment is entered in the county clerk's office and the name of the county; and
 2. The physical address and/or legal description of the property.

Reminder: Service Agents

This should serve as a reminder to counsel who routinely represent banking institutions. Please keep the court updated regarding officers who are designated to receive service.

4th Circuit Filings

For your information, please see the final two pages of this newsletter, which contain a 4th Circuit comparison of filings and percentages by district.

QUESTIONS/ANSWERS:

Q. Our office has received deficiency notices recently that do not have a document attached to the entry. Is this in error?

A. No. As stated in the previous newsletter, the court has begun using text deficiency notices. A document will no longer be attached to the entry. Rather, the deficient items and applicable deadlines will be contained in the entry itself.

ECF Contacts:

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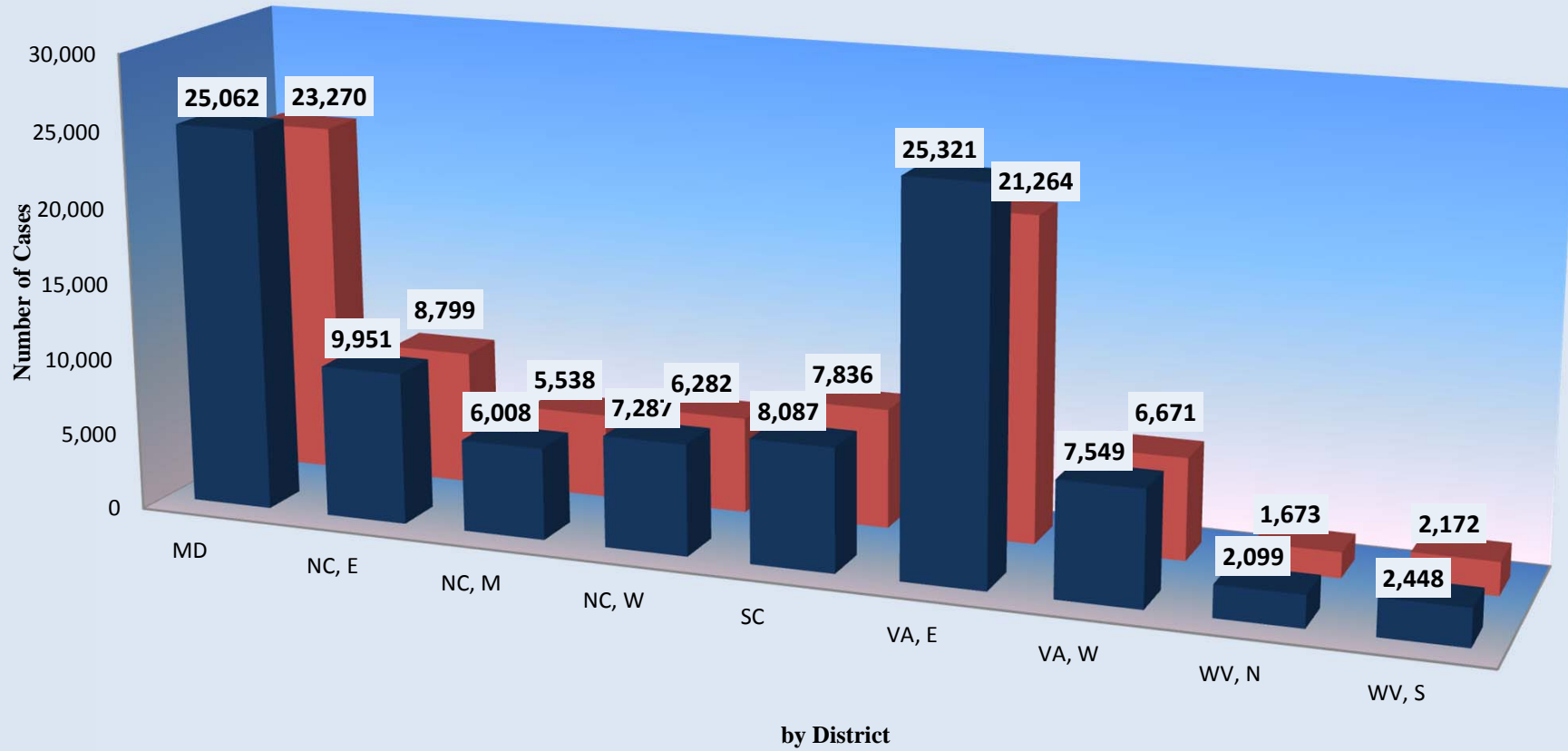
E-Mail Address: Kelly_Shum-Drake@nceb.uscourts.gov

Donna Skinner

Telephone Number: (252)206-5194

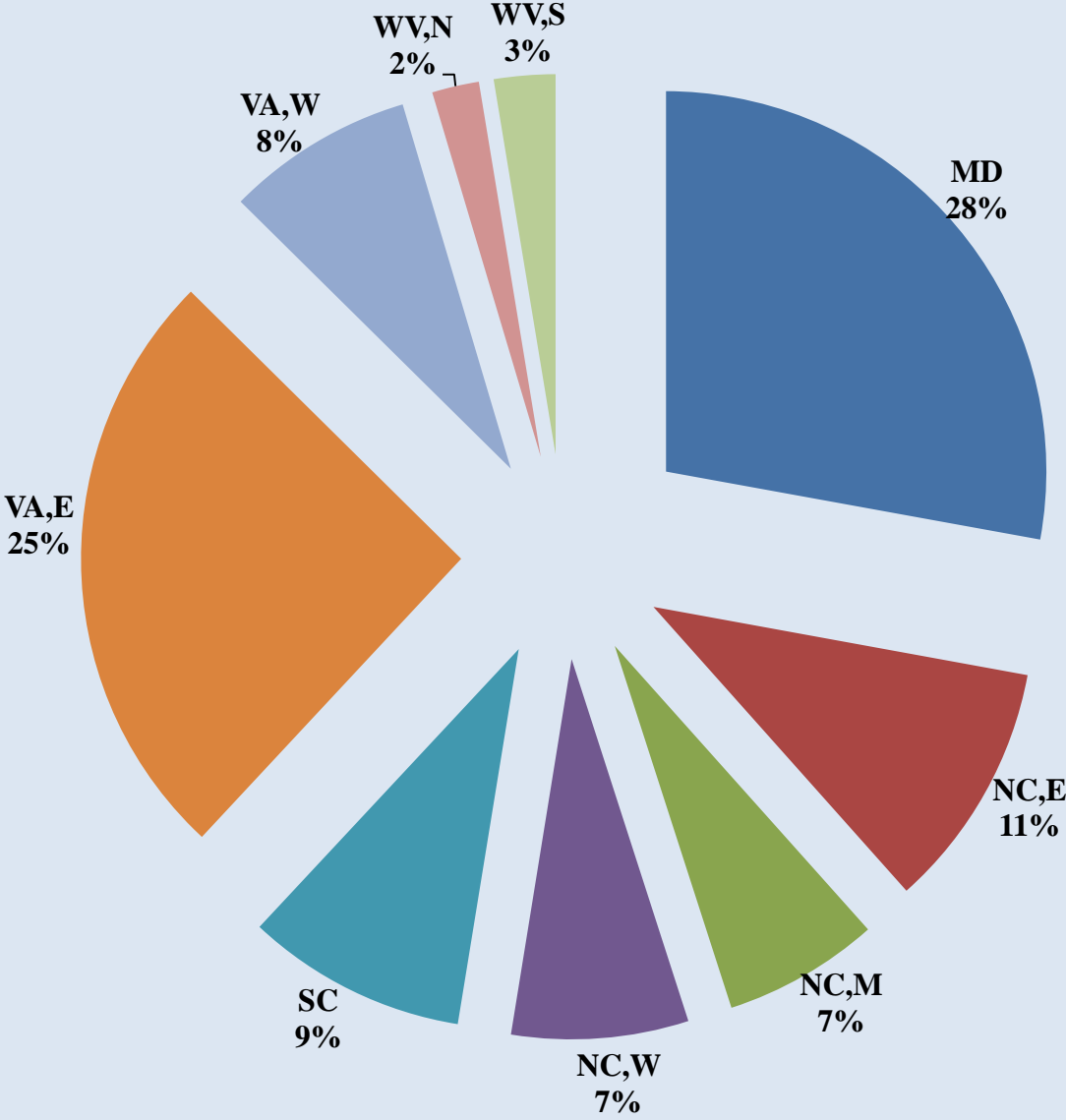
E-Mail Address: Donna_Skinner@nceb.uscourts.gov

4th Circuit Comparison of Filings for 12 months ending March 31



	MD	NC, E	NC, M	NC, W	SC	VA, E	VA, W	WV, N	WV, S
■ YR 2012	25,062	9,951	6,008	7,287	8,087	25,321	7,549	2,099	2,448
■ YR 2013	23,270	8,799	5,538	6,282	7,836	21,264	6,671	1,673	2,172

4th Circuit Bankruptcy Filings Percentages by District for the 12 months ending March 31, 2013





ECF Court Link

JULY 9, 2013

VOLUME 8, ISSUE 7

Eastern District
Of
North Carolina
CM/ECF
Newsletter

In this issue:

- [Case Statistics](#)
- [Internet Browsers](#)
- [Case Reassignment](#)
- [Trustee Changes](#)
- [Reminder: New Mailing Address](#)
- [Response to Notice of MPC](#)
- [Hearing Dates](#)
- [New Court Procedure](#)
- [Deceased Debtors](#)
- [Q&A](#)
- [ECF Contacts](#)

Case Statistics

<i>June, 2013</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>161</i>	<i>Ch. 7</i>	<i>1305</i>
<i>Ch. 11</i>	<i>7</i>	<i>Ch. 11</i>	<i>55</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>1</i>
<i>Ch. 13</i>	<i>408</i>	<i>Ch. 13</i>	<i>2712</i>
<i>Ch. 9</i>	<i>0</i>	<i>Ch. 9</i>	<i>0</i>
<i>Ch. 15</i>	<i>0</i>	<i>Ch. 15</i>	<i>0</i>
<i>Total</i>	<i>576</i>	<i>Total</i>	<i>4073</i>

CM/ECF Browser Compatibility

There have been numerous CM/ECF helpdesk contacts recently regarding the following issues: (1) filing an amendment but not being provided enough space to add all of the creditors, and (2) trying to attach a PDF, but all of the files are grayed out when browsing for the document.

Please be advised that these are browser compatibility issues. CM/ECF has been tested and works correctly with Firefox and Internet Explorer 8 and 9 browsers. If you are using a different browser (i.e. Google Chrome, Safari), there is no guarantee that all features within CM/ECF will perform properly. The court staff is not responsible for assisting in the filing of a document or completion of any required follow up when the filer is using an incompatible browser.

Case Reassignment

Due to Judge J. Rich Leonard's impending departure on July 12th, his caseload will be reassigned to the other judges at the end of the week. Judge A. Thomas Small will be returning on a limited basis to assist during this interim period. We ask for your patience during this transition, as it may take more time than usual for hearings to be scheduled.

Chapter 13 Trustee Changes

In anticipation of Mr. Robert Browning's retirement effective September 30th, his existing Chapter 13 cases were transferred to Mr. Richard Stearns on July 1st. Debtors in Mr. Browning's cases should be mailing their payments to P.O. Box 1939, Memphis, TN 38101-1939. Notices and case related inquiries should be sent to 1015 Conference Drive, Greenville, NC 27858. Please note that this does not apply to cases in which Mr. Browning is assigned as interim trustee, as he will continue to serve in this capacity for New Bern, Fayetteville and some Raleigh division cases.

Reminder: New Mailing Address

Effective immediately, the new mailing address for the Clerk's office is P.O. Box 791, Raleigh, NC 27602. Please discontinue mailings to the Wilson office address and direct all mail to the Clerk's office to the new Raleigh P.O. Box.

Responses to Notice of Mortgage Payment Change

This should serve as a reminder that an event exists under the Claim Actions category entitled "Response to Notice of Mortgage Payment Change". These documents should not be filed as Objections to Claim, nor should the standard "Response" event be used. A hearing will be scheduled upon filing.

Hearing Dates Contained Within Pleadings

Please be advised that if a hearing date is included in a motion, notice or consent order, it should be all inclusive of the date, time and location provided by the court.

New Court Procedure

Please note the updates to this article featured in the April newsletter (highlighted in red):

From now on, counsel must request a hearing date from the court staff in reference to the following motions, prior to filing:

*Motions to Dismiss (**Chapter 11 debtor's or creditor's motion**)
Motions to Extend Automatic Stay*

The hearing date provided should be included within the applicable notice attached to the motion. The comments section of the service chart in the Administrative Guide will be revised in order to reflect this new procedure.

Deceased Debtors

Please note the updates to this article featured in the April newsletter (highlighted in red):

*When a debtor is deceased, the "Notice of Death of Debtor (Text)" event should be docketed in the case so the court is made aware. In addition, if a Certification re: Prior Discharges and Domestic Support Obligations needs to be filed for a debtor who is deceased, and another party will be filing the document on their behalf, **the certification should be signed by an executor or administrator, and a copy of the death certificate should be attached OR a Motion from Exemption should be filed, and a copy of the death certificate should be attached.***

QUESTIONS/ANSWERS:

Q. What is Live Chat, and what can it be used for?

A. Live Chat is the most efficient way to communicate your questions to the CM/ECF staff. Clicking on the icon on the court's homepage will open a chat window. Simply enter your name and your question, and it will be answered in real time. Live Chat is for CM/ECF related inquiries only (ex. need generic event, error needs to be corrected, questions regarding how to file a document, what event code to use, etc.). Please do not use Live Chat for case related questions.

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ECF Court Link

AUGUST 8, 2013

VOLUME 8, ISSUE 8

*Eastern District
Of
North Carolina
CM/ECF
Newsletter*

Case Statistics

<i>July, 2013</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>241</i>	<i>Ch. 7</i>	<i>1548</i>
<i>Ch. 11</i>	<i>9</i>	<i>Ch. 11</i>	<i>64</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>1</i>
<i>Ch. 13</i>	<i>447</i>	<i>Ch. 13</i>	<i>3157</i>
<i>Ch. 9</i>	<i>0</i>	<i>Ch. 9</i>	<i>0</i>
<i>Ch. 15</i>	<i>0</i>	<i>Ch. 15</i>	<i>0</i>
<i>Total</i>	<i>697</i>	<i>Total</i>	<i>4770</i>

In this issue:

- *Case Statistics*
- *On a Personal Note*
- *Judge's Initials*
- *ABJA Programs*
- *Browser Compatibility*
- *Motions to Extend Stay*
- *Q&A*
- *ECF Contacts*

On a Personal Note

Congratulations to Judge J. Rich Leonard, who has been selected to receive a 2013 Gertrude S. Carraway Award of Merit from Preservation North Carolina "for his tireless work for the restoration of the Federal Building on Fayetteville Street". The Carraway awards are presented each year to people and organizations demonstrating genuine commitment through extraordinary leadership, research, philanthropy, promotion and/or personal participation in historic preservation.

Please join the court in welcoming Christopher Venters, who begins as temporary law clerk to Judge Doub on August 8th.

Judge's Initials on Documents/Orders

It is important to take note of the judge assigned to each case, due to case reassignment with the departure of Judge Leonard. Please ensure that all pleadings filed with the court and all corresponding orders contain the correct judge's initials.

Bankruptcy Certification Program

The Association of Bankruptcy Judicial Assistants (ABJA) is offering a two-day Bankruptcy Certification Program ("CBA") in Atlanta, Georgia on October 29th and 30th, 2013. It is geared toward secretaries and other support personnel who work in or have day-to-day contact with the bankruptcy courts. In conjunction with the Bankruptcy Certification Program, the ABJA will also be sponsoring two Professional Skills Seminars on October 31st and November 1st, 2013. To obtain more detailed information, you may view program flyers by clicking on the links below.

<http://www.abja.org/2013Conference/2013%20Atlanta%20CBA%20Flyer.pdf>

<http://www.abja.org/2013Conference/2013%20Atlanta%202%20day%20Advanced%20Flyer.pdf>

CM/ECF Browser Compatibility

The July newsletter included an article regarding browser compatibility issues. It stated, in part:

“CM/ECF has been tested and works correctly with Firefox and Internet Explorer 8 and 9 browsers. If you are using a different browser (i.e. Google Chrome, Safari), there is no guarantee that all features within CM/ECF will perform properly. The court staff is not responsible for assisting in the filing of a document or completion of any required follow up when the filer is using an incompatible browser.”

In addition to the browsers mentioned above, we have received numerous helpdesk contacts in the past month regarding issues with Internet Explorer 10. Some of these include inability to select multiple items from the event picklist, difficulty filing in batch and inability to select the correct case number when both a -5 and -8 case exist. If you file using IE 10, you can try clicking on your “Tools” and selecting “Compatibility View”. This may help with some features within CM/ECF, but not all.

Debtors' Affidavits Accompanying Motions for
Continuation of the Automatic Stay
by Linsy Aul and Andrew Perry, Law Clerks to Judge Doub

The Court noticed a recent increase in the number of Motions for Continuation of the Automatic Stay filed without (1) an affidavit of the debtor(s) accompanying the motion; and (2) service of the affidavit on all creditors. Local Rule 4001-1(d) requires all Motions for Continuation of the Automatic Stay to include an affidavit of the debtor(s) stating facts and circumstances in support of the motion. Subsection (d)(4) requires that the motion and the accompanying documents be served on all creditors. All motions will remain on the court calendar unless the motion and the debtor's affidavit are served on all creditors within five days of the petition date. Local Rule 4001-1(d):

- (d) MOTION FOR CONTINUANCE OR IMPOSITION OF THE AUTOMATIC STAY. The court may, in its discretion, rule on a motion for continuation or imposition of the automatic stay under 11 U.S.C. § 362(c)(3)(B) and § 362 (c)(4)(B) without hearing if:*
- (1) the debtor files a motion for continuation of the automatic stay within 5 days of the petition date;*
 - (2) no objection is filed by a party in interest;*
 - (3) the motion is accompanied by a notice of motion and the debtor's affidavit with sufficient facts to support the motion; and*
 - (4) the motion and accompanying documents are timely served on all creditors and the trustee, if one has been appointed, contemporaneous with the filing of the motion.*

QUESTIONS/ANSWERS:

Q. I currently receive my Notices of Electronic Filing (NEF's) from the court in a daily summary email. May I update my account to receive a notice for each individual filing in my cases?

A. No. Our court only provides the option of the daily summary email. This is what allows us to make edits and/or deletions to docket entries filed on the same day, and ensures all filings for the day go out accurately.

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ECF Court Link

SEPTEMBER 11, 2013

VOLUME 8, ISSUE 9

Eastern District
Of
North Carolina
CM/ECF
Newsletter

In this issue:

- Case Statistics
- On a Personal Note
- Division Changes
- Quarterly Fees
- Courtroom Reminders
- Service Issues
- Pro Bono Program
- Save the Date
- Q&A
- ECF Contacts

Case Statistics

August, 2013		Year to Date	
Ch. 7	210	Ch. 7	1762
Ch. 11	9	Ch. 11	71
Ch. 12	0	Ch. 12	1
Ch. 13	507	Ch. 13	3662
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	726	Total	5496

On a Personal Note

Jeffrey Elmore, Director of Information Technology, retired effective August 30th. His last day in the office was August 22nd.

Beth Pittman, Operations Supervisor for the Wilson office, will be retiring effective September 30th. Her last day in the office was September 6th.

Duane Haddock, Operations Analyst for the Raleigh office, will be retiring effective September 30th.

Please join us in congratulating Beth, Duane and Jeff on their years of service and wishing them a wonderful retirement!

Upcoming Division Changes

Effective October 1, 2013, the divisions of the U.S. Bankruptcy Court for the Eastern District of North Carolina will change. On that date, the Wilson division will cease to exist. Wilson, Edgecombe, Halifax, and Northampton Counties will move into the Greenville division. Wayne County will move into the New Bern division. The new map may be viewed by clicking [here](#).

Payment of Quarterly Fees

Pursuant to General Order entered on August 28, 2013, attorneys representing Chapter 11 debtors are required to remit quarterly fees to the clerk through pay.gov, effective September 3rd. The order may be viewed by clicking [here](#).

In order to pay the fees, simply docket the “Pay Quarterly Fees” event under the Bankruptcy Miscellaneous category. You will be asked to insert the amount of fees to be paid, and you will be prompted to pay online at the end of the docketing process.

Courtroom Reminders

The most efficient way to communicate with the courtroom staff is via email. A phone message may not be returned for several hours, whereas an email may be quickly responded to, especially if a hearing date is being requested.

Please email both the courtroom deputy and the ECRO on all calendar matters. If one of them is out of the office or away from their desk and they are the only one emailed, they may miss removing something from calendar.

This should serve as a reminder that the court’s phone conference procedure changed several months ago. Instructions containing the call in information are provided on the hearing notice. It is the attorney’s responsibility to call in for all phone conferences.

The current courtroom staff for each Judge is as follows:

Judge Doub

*Courtroom Deputy – Dana Sebastian / ECRO – Lynn Boyd
Additional Courtroom Contact – Kathy Webb*

Judge Humrickhouse

Courtroom Deputy – Allyson McNeill / ECRO – Belinda Witcher

Judge Small

Courtroom Deputy – Anne Moell / ECRO – Sarah Donleycott

Service!!
Did Someone Say Service??
by Duane Haddock and Wendy Parker

*What is it they say is certain in life? Death! Taxes!
And SERVICE ISSUES!!!!*

*A service question is always in the works at the court and the
latest one is concerning service on a county or city. Bankruptcy
Rule 7004(b)(6) says:*

(6) Upon a state or municipal corporation or other governmental organization thereof subject to suit, by mailing a copy of the summons and complaint to the person or office upon whom process is prescribed to be served by the law of the state in which service is made when an action is brought against such a defendant in the courts of general jurisdiction of that state, or in the absence of the designation of any such person or office by state law, then to the chief executive officer thereof.

*So what does the law of the state say, i.e. North Carolina? Well,
N.C.G.S. 1A-1, Rule 5(a) and (b) says:*

(5) Counties, Cities, Towns, Villages and Other Local Public Bodies. –

- a. Upon a city, town, or village by personally delivering a copy of the summons and of the complaint to its mayor, city manager or clerk; by mailing a copy of the summons and of the complaint, registered or certified mail, return receipt requested, addressed to its mayor, city manager or clerk; or by depositing with a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2) a copy of the summons and complaint, addressed to the mayor, city manager, or clerk, delivering to the addressee, and obtaining a delivery receipt. As used in this subdivision, "delivery receipt" includes an electronic or facsimile receipt.
- b. Upon a county by personally delivering a copy of the summons and of the complaint to its county manager or to the chairman, clerk or any member of the board of commissioners for such county; by mailing a copy of the summons and of the complaint, registered or certified mail, return receipt requested, addressed to its county manager or to the chairman, clerk, or any member of this board of commissioners for such county; or by depositing with a designated delivery service authorized pursuant to 26 U.S.C. § 7502(f)(2) a copy of the summons and complaint, addressed to the county manager or to the chairman, clerk, or any member of the board of commissioners of that county, delivering to the addressee, and obtaining a delivery receipt. As used in this subdivision, "delivery receipt" includes an electronic or facsimile receipt.

So all of that means:

Service on a county or city must be made by certified mail addressed as indicated to the proper parties. County parties would include the county manager or chairman, clerk or any member of the board of commissioners. City parties would include the mayor, city manager or clerk.

Pro Bono Program

The court is always in need of volunteers for its pro bono program. This program was established in order to provide representation free of charge to parties involved in Adversary Proceedings who are unable to employ and compensate an attorney on their own behalf. For more information regarding this worthwhile program, please click [here](#).

Save the Date

A date has been confirmed for the 2014 Eastern District Bankruptcy Seminar. It will be held on Wednesday, April 23, 2014 at Bill's Convention Center in Wilson. Additional details will be forthcoming in the fall.

QUESTIONS/ANSWERS:

Q. I received a deficiency notice stating that the incorrect PDF was attached to my docket entry. How do I get the correct PDF on the docket?

A. There is an event under the Miscellaneous category entitled "Corrected PDF Attachment". You should file the correct PDF using this event, and refer it back to the docket entry that contains the incorrect PDF. Please do not re-file the document using the same event as the original filing, and do not file as amended.

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ECF Court Link

OCTOBER 7, 2013

VOLUME 8, ISSUE 10

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

<i>September, 2013</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>183</i>	<i>Ch. 7</i>	<i>1949</i>
<i>Ch. 11</i>	<i>19</i>	<i>Ch. 11</i>	<i>91</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>1</i>
<i>Ch. 13</i>	<i>415</i>	<i>Ch. 13</i>	<i>4072</i>
<i>Ch. 9</i>	<i>0</i>	<i>Ch. 9</i>	<i>0</i>
<i>Ch. 15</i>	<i>0</i>	<i>Ch. 15</i>	<i>0</i>
<i>Total</i>	<i>617</i>	<i>Total</i>	<i>6113</i>

In this issue:

- *Case Statistics*
- *On a Personal Note*
- *Proposed Orders*
- *New BA Address*
- *New Case Assignments*
- *Exhibits*
- *Hearing Info in Pleadings*
- *Q&A*
- *ECF Contacts*

On a Personal Note

Please join the court in welcoming Stephen Carruthers, who began as law clerk to Judge Humrickhouse on September 23rd.

Proposed Orders

Pursuant to the division changes which took effect on October 1st, please ensure that the correct division is reflected on all proposed orders submitted to the court.

New Address for Bankruptcy Administrator - Raleigh

Renovations at the Raleigh Office of the Bankruptcy Administrator are complete, and the office is now open. The new mailing address is as follows:

*434 Fayetteville Street, Suite 640
Raleigh, NC 27601*

Updated Case Assignments

Our case assignments have been updated effective Tuesday, October 1st. Please review the updated list for Case Administrators and Operations Analysts below. If you have any questions relating to a specific case, please contact the appropriate person based on the last two digits of the case number.

Case Administrators:

<i>Ending with:</i>	<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
00-07	<i>Dawn Barnes</i>	<i>Dawn_Barnes@nceb.uscourts.gov</i>	<i>(252)206-5180</i>
08-15	<i>Brenna Wallace</i>	<i>Brenna_Wallace@nceb.uscourts.gov</i>	<i>(252)206-5189</i>
16-23	<i>Christy Gurgone</i>	<i>Christy_Gurgone@nceb.uscourts.gov</i>	<i>(252)206-5160</i>
24-33	<i>Donna King</i>	<i>Donna_King@nceb.uscourts.gov</i>	<i>(252)206-5175</i>
34-41	<i>Anna Brock</i>	<i>Anna_Brock@nceb.uscourts.gov</i>	<i>(252)206-5166</i>
42-49	<i>Amy Bissette</i>	<i>Amy_Bissette@nceb.uscourts.gov</i>	<i>(252)206-5179</i>
50-57	<i>Carrie Wiggins</i>	<i>Carrie_Wiggins@nceb.uscourts.gov</i>	<i>(919)334-3858</i>
58-65	<i>Donna Harris</i>	<i>Donna_Harris@nceb.uscourts.gov</i>	<i>(919)334-3804</i>
66-73	<i>Shelia Morris</i>	<i>Shelia_Morris@nceb.uscourts.gov</i>	<i>(919)334-3810</i>
74-81	<i>Lisa Payne</i>	<i>Lisa_Payne@nceb.uscourts.gov</i>	<i>(919)334-3807</i>
82-89	<i>Aileen Gibson</i>	<i>Aileen_Gibson@nceb.uscourts.gov</i>	<i>(919)334-3808</i>
90-99	<i>Pamela Smith</i>	<i>Pamela_Smith@nceb.uscourts.gov</i>	<i>(919)334-3847</i>

Operations Analysts:

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
<i>Wendy Parker 66-99 (SWH & ATS cases) 42-99 (RDD cases)</i>	<i>Wendy_Parker@nceb.uscourts.gov</i>	<i>(919)334-3865</i>
<i>Sharon Angel 00-41 (RDD cases)</i>	<i>Sharon_Angel@nceb.uscourts.gov</i>	<i>(252)206-5187</i>
<i>Kelly Shum-Drake 42-65 (SWH & ATS cases)</i>	<i>Kelly_Shum-Drake@nceb.uscourts.gov</i>	<i>(919)334-3806</i>
<i>Donna Skinner 00-41 (SWH & ATS cases)</i>	<i>Donna_Skinner@nceb.uscourts.gov</i>	<i>(252)206-5194</i>

Reminder: Exhibits

Please review Local Rule 9074-1(b), which sets out the proper procedure for labeling exhibits for court hearings.

Hearing Dates Contained Within Pleadings

This should serve as a reminder of the following article, which was featured in the July newsletter:

Please be advised that if a hearing date is included in a motion, notice or consent order, it should be all inclusive of the date, time and location provided by the court.

QUESTIONS/ANSWERS:

Q. What is the proper procedure for submitting Answers to Interrogatories to the court?

A. Answers to Interrogatories should not be filed with the court, and should never be attached to the Motion for Examination by Interrogatories. Rather, they should be submitted directly to the trustee and the entry "Answers to Interrogatories (Text)" under the Miscellaneous category should be made on the docket.

ECF Contacts:

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

Telephone Number: (919)334-3806

E-Mail Address: Kelly_Shum-Drake@nceb.uscourts.gov

Donna Skinner

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ECF Court Link

NOVEMBER 6, 2013

VOLUME 8, ISSUE 11

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

October, 2013		Year to Date	
Ch. 7	170	Ch. 7	2128
Ch. 11	3	Ch. 11	92
Ch. 12	0	Ch. 12	1
Ch. 13	516	Ch. 13	4581
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	689	Total	6802

In this issue:

- [Case Statistics](#)
- [Clerk's Office Relocation](#)
- [BA's Office](#)
- [New Court Website](#)
- [Browser Compatibility](#)
- [Live Chat](#)
- [Q&A](#)
- [ECF Contacts](#)

Clerk's Office Relocation

The Wilson divisional office closed to the public on October 30th in preparation for its move to Raleigh and Greenville. The Greenville divisional clerk's office, located at 150 Reade Circle, Greenville, NC will be open to the public on December 2nd, 2013.

*All mail to the court should be directed to the Raleigh office, which remains open during the move. **Please do not direct any mail to the Greenville address. Raleigh is now the official mailing address for all court mail.** The Raleigh office address is as follows:*

**U.S. Bankruptcy Court – EDNC
PO Box 791
Raleigh, NC 27602**

The main clerk's office telephone number remains the same – (919)856-4752.

We appreciate your patience during this time of transition.

Mailing Address for the Bankruptcy Administrator

The Wilson office of the Bankruptcy Administrator also closed to the public on October 30th in preparation for its move to Greenville. Until further notice, all mail for the Bankruptcy Administrator should be forwarded to the Raleigh office at the following address:

*434 Fayetteville Street, Suite 640
Raleigh, NC 27601*

New Court Website

The Bankruptcy Court for the Eastern District of North Carolina has a new and improved website! Please take some time to familiarize yourself with the website. As we transition all of our data over from the old site, some information may be temporarily unavailable. If you encounter any issues while using the new website, please send an email to the below address, and they will be resolved as quickly as possible:

[Rosalind Bates@nceb.uscourts.gov](mailto:Rosalind.Bates@nceb.uscourts.gov)

CM/ECF Browser Compatibility

The CM/ECF staff continues to receive a great deal of helpdesk contacts regarding the following issues, among others: (1) trying to enter a case number and nothing happens, (2) filing an amendment but not being provided enough space to add the creditors, and (3) being unable to view the items on the CM/ECF event picklist.

As stated in prior newsletters, these are browser issues. CM/ECF has been tested and works with Internet Explorer 8 and 9 and Firefox only. If you are using a different browser (i.e. IE 10, Google Chrome or Safari), there is no guarantee that all CM/ECF features will work properly. For those users who have already upgraded to Internet Explorer 10, selecting "Compatibility View" from the Tools menu may improve the performance of some features, but may not be 100% effective.

Live Chat

We are pleased to see that so many of you are taking advantage of the Live Chat feature in order to contact the CM/ECF helpdesk. Please let this serve as a reminder that Live Chat is for CM/ECF related inquiries only. For example:

- *you need assistance filing a pleading, are unsure of what event to use, or need the generic event opened*
- *you filed a document and need for it to be deleted, or an error has been made in filing that needs to be corrected*
- *an update needs to be made to your CM/ECF account*
- *you are experiencing technical difficulties with CM/ECF, or you have not received your daily summary emails*

Case specific questions or questions regarding notice or service requirements on a particular pleading should be directed to the Case Administrator assigned to the case.

QUESTIONS/ANSWERS:

Q. I am filing a new bankruptcy case, and the debtor does not have a middle name. Should I include "NMI" or "NMN" in place of the middle name on the petition?

A. No. If the debtor does not have a middle name, it should simply be left blank.

ECF Contacts:

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

Telephone Number: (919)334-3806

E-Mail Address: Kelly_Shum-Drake@nceb.uscourts.gov

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E-Mail Address: Donna_Skinner@nceb.uscourts.gov



ECF Court Link

DECEMBER 5, 2013

VOLUME 8, ISSUE 12

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

November, 2013		Year to Date	
Ch. 7	170	Ch. 7	2307
Ch. 11	7	Ch. 11	98
Ch. 12	0	Ch. 12	1
Ch. 13	436	Ch. 13	5010
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	613	Total	7416

In this issue:

- Case Statistics
- Greenville Office Open
- Office Closures
- December 1st Changes
- Subpoena Changes
- Updated Contact Info.
- 2014 Holidays
- Obtaining Hearing Dates
- Q&A
- ECF Contacts

Greenville Clerk's Office Open for Business

The Wilson divisional office staff have completed their move to the Raleigh and Greenville offices. The Greenville divisional clerk's office, located at 150 Reade Circle, Greenville, NC opened to the public on December 2nd. All mail to the court should continue to be directed to the Raleigh office at the below address. **Please do not direct any mail to the Greenville address. Raleigh is now the official mailing address for all court mail.**

U.S. Bankruptcy Court – EDNC
PO Box 791
Raleigh, NC 27602

Office Closures

Reminder: The clerk's office for the Eastern District of North Carolina will close at 12:00 pm on Tuesday, December 24th, and will remain closed through Thursday, December 26th for the Christmas holiday. We will reopen for business on Friday, December 27th. Additionally, the clerk's office will be closed on Wednesday, January 1st for New Year's Day.

Changes Effective December 1, 2013

Several bankruptcy rule, fee and form changes went into effect on December 1st. Highlights of these changes are listed below:

- *A \$176 fee will now be charged for filing of a Motion to Sell Free & Clear of Liens.*
- *Retrieval of one box of records from a Federal Record Center or National Archives will cost \$64. Each additional box will cost \$39.*
- *Financial Management Course Certificates may now be filed by an approved provider of the course. The court will be using an online program for filing of the certificate.*
- *The following official forms have been updated:*

B3A – Application to Pay Filing Fee in Installments

B3B – Application to Waive Ch. 7 Filing Fee

B6I – Schedule I

B6J – Schedule J

B6 – Summary of Schedules

B23 – Debtor’s Cert. of Completion of Fin Mgmt Course

B27 – Reaffirmation Agreement Cover Sheet

An informational packet containing a full explanation of the changes may be viewed by clicking [here](#). Updates have been made to CM/ECF and the court’s website in order to reflect these changes.

Procedures Governing Bankruptcy Subpoenas

On December 1st, amendments to Rule 45 of the Federal Rules of Civil Procedure also took effect. These amendments apply to all bankruptcy cases and proceedings by virtue of Rule 9016 of the Federal Rules of Bankruptcy Procedure. The amendments seek to make the process of issuing and serving a subpoena less complex.

There are also four new subpoena forms incorporating the amendments. More information regarding the amendments can be viewed by clicking [here](#).

Updated Contact Information for Clerk's Office Staff

Pursuant to our recent move, the contact information has changed for much of the clerk's office staff. Please review the updated contact information for Case Administrators, Operations Analysts and courtroom staff below.

Case Administrators:

<i>Ending with:</i>	<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
00-07	<i>Dawn Barnes</i>	<i>Dawn_Barnes@nceb.uscourts.gov</i>	<i>(252)917-6116</i>
08-15	<i>Brenna Wallace</i>	<i>Brenna_Wallace@nceb.uscourts.gov</i>	<i>(252)917-6121</i>
16-23	<i>Christy Gurgone</i>	<i>Christy_Gurgone@nceb.uscourts.gov</i>	<i>(252)917-6111</i>
24-33	<i>Donna King</i>	<i>Donna_King@nceb.uscourts.gov</i>	<i>(252)917-6114</i>
34-41	<i>Anna Brock</i>	<i>Anna_Brock@nceb.uscourts.gov</i>	<i>(252)917-6112</i>
42-49	<i>Amy Bissette</i>	<i>Amy_Bissette@nceb.uscourts.gov</i>	<i>(919)334-3849</i>
50-57	<i>Carrie Wiggins</i>	<i>Carrie_Wiggins@nceb.uscourts.gov</i>	<i>(919)334-3858</i>
58-65	<i>Donna Harris</i>	<i>Donna_Harris@nceb.uscourts.gov</i>	<i>(919)334-3804</i>
66-73	<i>Shelia Morris</i>	<i>Shelia_Morris@nceb.uscourts.gov</i>	<i>(919)334-3810</i>
74-81	<i>Lisa Payne</i>	<i>Lisa_Payne@nceb.uscourts.gov</i>	<i>(919)334-3807</i>
82-89	<i>Aileen Gibson</i>	<i>Aileen_Gibson@nceb.uscourts.gov</i>	<i>(919)334-3808</i>
90-99	<i>Pamela Smith</i>	<i>Pamela_Smith@nceb.uscourts.gov</i>	<i>(919)334-3847</i>

Operations Analysts:

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
<i>Wendy Parker 66-99 (SWH & ATS cases) 42-99 (RDD cases)</i>	<i>Wendy_Parker@nceb.uscourts.gov</i>	<i>(919)334-3865</i>
<i>Sharon Angel 00-41 (RDD cases)</i>	<i>Sharon_Angel@nceb.uscourts.gov</i>	<i>(252)917-6123</i>
<i>Kelly Shum-Drake 42-65 (SWH & ATS cases)</i>	<i>Kelly_Shum-Drake@nceb.uscourts.gov</i>	<i>(919)334-3806</i>
<i>Donna Skinner 00-41 (SWH & ATS cases)</i>	<i>Donna_Skinner@nceb.uscourts.gov</i>	<i>(252)917-6119</i>

Court Staff:

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
<i>Allyson McNeill Courtroom Deputy SWH</i>	<i>Allyson_Mcneill@nceb.uscourts.gov</i>	<i>(919)334-3801</i>
<i>Belinda Witcher ECRO - SWH</i>	<i>Belinda_Witcher@nceb.uscourts.gov</i>	<i>(919)334-3803</i>
<i>Dana Sebastian Courtroom Deputy RDD</i>	<i>Dana_Sebastian@nceb.uscourts.gov</i>	<i>(252)917-6118</i>
<i>Lynn Boyd ECRO – RDD</i>	<i>Lynn_Boyd@nceb.uscourts.gov</i>	<i>(252)917-6126</i>
<i>Anne Moell Courtroom Deputy ATS</i>	<i>Anne_Moell@nceb.uscourts.gov</i>	<i>(919)334-3802</i>
<i>Sarah Donleycott ECRO - ATS</i>	<i>Sarah_Donleycott@nceb.uscourts.gov</i>	<i>(919)334-3811</i>

2014 Court Holidays

Wednesday, January 1st - New Year's Day
Monday, January 20th - Birthday of Martin Luther King, Jr.
Monday, February 17th – President's Day
Monday, May 26th – Memorial Day
Friday, July 4th – Independence Day
Monday, September 1st - Labor Day
Monday, October 13th – Columbus Day
Tuesday, November 11th – Veteran's Day
Thursday, November 27th - Thanksgiving Day
Thursday, December 25th – Christmas Day
Thursday, January 1st, 2015 – New Year's Day

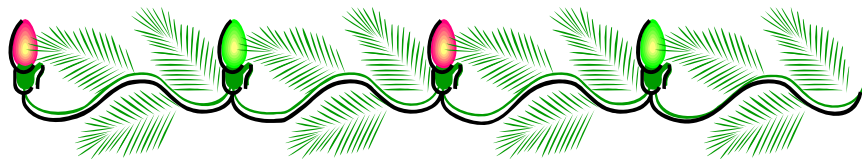
Reminder re: Obtaining Hearing Dates

All Motions to Extend Automatic Stay and Chapter 11 Motions to Dismiss now require a hearing date to be included in the filing. A hearing date should be obtained from the courtroom staff for the appropriate judge. This request should be made via email. The full hearing information should be included on the applicable Notice of Motion.

QUESTIONS/ANSWERS:

Q. I filed a motion on the docket that needs to be amended. Do I select the same event in CM/ECF that I filed the original motion under?

A. No. The motion must be filed using the “Amended/Amendment to Motion/Application” event under the Motions category, and it should be linked to the original motion.



Happy Holidays!!!

ECF Contacts:

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

Telephone Number: (919)334-3806

E-Mail Address: Kelly_Shum-Drake@nceb.uscourts.gov

Donna Skinner

Telephone Number: (252)917-6119

E-Mail Address: Donna_Skinner@nceb.uscourts.gov