

Frequently Asked Questions - Electronic Filing of Proof of Claim

Updated: 09/17/09

1. **Can I file an electronic proof of claim in any chapter case?**
Yes. The North Carolina Eastern District Bankruptcy Court began accepting electronic claims in all cases, including Chapter 13 cases, effective February 5, 2007.
2. **Do I need to attach the B10 claim form as an attachment?**
No. The fillable form will create the B10 form. Any attachments should consist of supporting documentation to the Proof of Claim.
3. **Is a signature required on the Proof of Claim?**
Yes. Type the name and title, if any, of the person authorized to file the claim on behalf of the creditor. A copy of the power of attorney, if any, should be attached to the claim.
4. **Can I include a separate mailing address for payments?**
Yes. Check the box indicating that the Payment Address is different from the Notice Address. An additional address field will appear for this alternate address for payments.
5. **Can I get a stamp-filed acknowledgment of the Proof of Claim?**
Yes. The Court's claim number will display with a link to the electronically file-stamped proof of claim upon submitting the proof of claim. The claim will be file stamped as of the entry date. It is recommended that the claim be printed or saved at this time.
6. **I am a creditor's attorney and will be filing a claim on behalf of my client. How do I record the creditor address and my address as attorney?**
When filing the claim, there is a drop-down box on the first screen which allows you, the filer, to select who is submitting the claim. The options are: Creditor; Creditor's Attorney; Debtor; Debtor's Attorney; or Trustee. If the attorney is the filer, you will be able to add the attorney name and address and select the creditor's name from the listing of creditors in the case or if the creditor is not listed or listed incorrectly, you are able to add the correct creditor. Both names and addresses will be added to the mailing matrix and displayed on the Proof of Claim and Claims Register. **Note:** You will not receive a notice of electronic filing of the proof of claim unless you have made an appearance on behalf of the party you represent in the case before filing your proof of claim.
7. **I filed a claim and my attachments did not properly attach to the claim filed. How do I get the supporting documentation filed?**
 - a) Ensure that the attachment(s) is in PDF format and is being submitted in black and white (no color documents).
 - b) Confirm that each PDF document being attached is less than 4 MG in size.
 - c) File an amended claim and attach the correct PDF images.
 - d) When filing the amended claim, check the box on the form that designates

that the claim is amended. Select the claim number of the claim to be amended.

- e) Attachments must be added by the process above. Amendments cannot be faxed or mailed to the Trustee's office.

8. When will the claim appear on the claims register?

The claim will immediately appear on the claims register upon submitting the proof of claim.

9. Will the Trustee be served with the Proof of Claim?

Yes. The Trustee will receive notification of the claim filed. You do not need to file a separate paper claim with the Trustee's office.

10. I need to amend a claim. How do I do this?

When completing the fillable claim form, check the box (above Item 1. On the form) to indicate that the claim amends a previously filed claim. You can then enter the Court claim number and/or date of the previous claim.

11. I need to amend a claim that was originally filed with the Chapter 13 Trustee's office. When I check the box on the form to indicate the amendment, the claim number assigned to the original claim by the Trustee's office does not appear in the box. What do I do?

All Chapter 13 claims filed before **February 5, 2007**, are on record in the Chapter 13 Trustee's office but may not be recorded on the Court's claims registers. If you know the date your original claim was filed with the Trustee's office, you may enter that information. If not, simply check the box to indicate the amendment. A new claim number will be assigned and the claims register will indicate that the claim is an amendment. The Trustee's office will be able to reconcile the amendment with the claim on file in that office.

12. If my claim has been paid, should I file a Withdrawal of Claim?

No. A withdrawal of claim is typically filed when the claim was filed in error and there are no funds due the creditor from the estate.. If you file a withdrawal of claim in a case where you have received distributions from the Trustee, the Trustee's office will contact you regarding a refund of those funds.

13. If needed, how do I withdraw a previously filed proof of claim?

If you have a CM/ECF login, you would electronically file the withdrawal but if not, you would mail it to the court.