



ECF Court Link

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Eastern District

Of

North Carolina

CM/ECF

Newsletter

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Case Statistics

<i>May, 2015</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>176</i>	<i>Ch. 7</i>	<i>932</i>
<i>Ch. 11</i>	<i>9</i>	<i>Ch. 11</i>	<i>39</i>
<i>Ch. 12</i>	<i>1</i>	<i>Ch. 12</i>	<i>6</i>
<i>Ch. 13</i>	<i>385</i>	<i>Ch. 13</i>	<i>2019</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>571</i>	<i>Total</i>	<i>2996</i>

New Text Orders/Notices

Effective immediately, the following order and notice events have been modified to text format:

Notice to Trustee of Pending Motions
Order to File Plan and Disclosure
*Order Extending Time to File Schedules***
Order Converting Case to Chapter 13
Order Allowing Interrogatories
Order Closing Reopened Case

You will no longer receive a PDF form for these documents. The order/notice language and any applicable deadlines will be contained within the docket entry. The text orders will need to be served on any applicable parties who do not receive electronic notice.

***A new motion event, "Extend Time to File Schedules", has also been created to coincide with the new text order. Please ensure that this event is used rather than the "Extend Time" event.*

CM/ECF Online Training Available!

An online CM/ECF training course is now available for attorneys and staff members who will be filing documents with the court electronically. It is no longer necessary to contact the court to schedule CM/ECF training. Instead, please visit the below link:

<http://www.nceb.uscourts.gov/cmecf-online-training>

Training videos are provided, as well as a link to the registration forms, which should be filled out upon completion of the course. Also, a link to our CM/ECF Helpful Hints and Attorney Training Manual are provided. Questions regarding the training may be directed to Tina Roberson at tina_roberson@nceb.uscourts.gov.

Requests for Certified Copies

It is no longer necessary to contact the court by email or phone in order to request certified copies. A new event has been created in CM/ECF under the Miscellaneous category entitled “Request for a Certified Copy”. The event will ask the filer to refer to the document in a case for which a certified copy is being requested, as well as where the certified document should be sent. Also, the applicable fee will be charged to be paid through pay.gov.

Reminder: Debtor Electronic Bankruptcy Noticing (DeBN)

This should serve as a reminder that the court is now using the Debtor Electronic Bankruptcy Noticing (DeBN) program. This program allows debtors to receive orders and notices sent by the Court via email through the BNC. The registration form is located on our website under Local Forms and debtors are being notified via the Order & Notice to Debtor.

If you would like to obtain further information about this program, please click on the link below.

<http://www.nceb.uscourts.gov/debtor-electronic-bankruptcy-noticing>

Motions to Avoid Lien

For those of you who attended EBI, you heard Judge Warren announce that the court has created forms to use when filing Motions to Avoid Lien on real property pursuant to 11 U.S.C. § 522(f). Those forms were made available on the court website under Local Forms last week, and we encourage you to use them when drafting these motions. The forms mirror the language of § 522(f) and include a table that applies the mathematical formula outlined in the statute. Footnotes are included to walk practitioners through filling out the form. Please ensure that all footnotes and other extraneous information is deleted before submitting the motion.

Movants will be responsible for preparing and submitting proposed orders allowing the requested relief pursuant to E.D.N.C. LBR 9072-1. The form Motions should serve as a guide, whereby the applicable pleadings are stated as findings in the proposed order.

Please note that there are different versions of the form, depending on the tenancy, exemption and level of avoidance (full versus partial avoidance). The forms can be obtained from the court's website by clicking the below link.

<http://www.nceb.uscourts.gov/local-forms>

*Please contact Carolyn Baker at **carolyn_baker@nceb.uscourts.gov** or Tina Roberson at **tina_roberston@nceb.uscourts.gov** if you have any questions regarding these forms.*

Adding Creditors in CM/ECF

Please do not include quotation marks (“ ”) in the name or address fields either on the creditor mailing matrix or when adding creditors to a case in CM/ECF. This creates filing issues with the online Proof of Claim program.

Emergency Text Alerts from the Court.

You can now sign up to be notified by text message when the court announces a closure or delay due to inclement weather. To enroll in this service, click [here](#) and follow these instructions:

- *Change the **Subscription Type** from "Email" to "**SMS/Text Message**".*
- *Enter your mobile phone number with area code in the **Wireless Number** box and click Submit.*
- *On the following screen, you will be asked to confirm your wireless number by entering it in the **Confirm Wireless Number** box. Confirm your number by re-entering it and click Submit. You will receive a confirmation text message on your mobile device.*

You may also unsubscribe from these messages in one of three different ways:

- *By replying to any text message received from this service with the word "STOP".*
- *By visiting the link included in the confirmation text message you receive.*
- *By visiting the [registration URL](#) (Note: You'll need to enter your mobile number and click Submit. You'll see a message that you are already subscribed. Click "Subscriber Preferences" and you will be given the option to unsubscribe from any mailing lists.)*

There is no cost from the court for this service; however, your wireless carrier's standard message and data rates may apply.

Deadlines Regarding Interim Orders

After a hearing in which a matter is continued by interim order, the courtroom deputy is only setting a 14 day deadline regarding submission of the interim order, rather than the standard 30 days typically provided. The reason that less time is being given for interim orders is because the matter being continued will be set on the next motions or trustee date, which is approximately 30 days out. This ensures that the interim order is received and entered prior to the next hearing date.

Attorney General

Effective April 27, 2015, Loretta Lynch is the new Attorney General. Please update your records to ensure proper service as indicated below.

*The Honorable Loretta Lynch
U.S. Department of Justice
950 Pennsylvania Ave. NW
Washington, DC 20530*

QUESTIONS/ANSWERS:

Q. I received a deficiency notice stating that my Motion to Extend Time did not state whether or not the affected party consents. Is this a requirement?

A. Yes. Local Rule 9006-1 requires that Motions for Extension of Time indicate whether there is consent of other affected parties, including the Bankruptcy Administrator in Chapter 11 cases.

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