



# ECF Court Link

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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
<b>Total</b>	<b>770</b>	<b>Total</b>	<b>2039</b>

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## On a Personal Note

*Heather Nichols, Administrative Specialist, welcomed a baby boy, John Lawton, on April 9<sup>th</sup> 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 20<sup>th</sup>. 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 20<sup>th</sup> at 8:00 am in order to complete this upgrade. It will not be available again until 8:30 am on Monday, April 22<sup>nd</sup>.***

*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](mailto: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:**

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

Telephone Number: (919)334-3806

E-Mail Address: [Kelly\\_Shum-Drake@nceb.uscourts.gov](mailto:Kelly_Shum-Drake@nceb.uscourts.gov)

Donna Skinner

Telephone Number: (252)206-5194

E-Mail Address: [Donna\\_Skinner@nceb.uscourts.gov](mailto:Donna_Skinner@nceb.uscourts.gov)