



# ECF Court Link

AUGUST 8, 2013

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*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>

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## **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 8<sup>th</sup>.*

## **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.

### **ECF Contacts:**

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