



ECF Court Link

JANUARY 8, 2016

VOLUME 11, ISSUE 1

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

<i>December, 2015</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>164</i>	<i>Ch. 7</i>	<i>2199</i>
<i>Ch. 11</i>	<i>3</i>	<i>Ch. 11</i>	<i>72</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>8</i>
<i>Ch. 13</i>	<i>364</i>	<i>Ch. 13</i>	<i>4722</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>531</i>	<i>Total</i>	<i>7001</i>

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- *On a Personal Note*
- *JNC - Court Staff Contact*
- *Judge's Initials*
- *Fee Applications*
- *Proposed Orders*
- *Written Opinions*
- *Financial Institutions*
- *Q&A*
- *ECF Contacts*

New Bankruptcy Judge Appointed

Joseph N. Callaway has been appointed as the new United States Bankruptcy Judge for the Eastern District of North Carolina. Judge Callaway took the oath of office in a Special Ceremonial Session of Court on January 4, 2016. He will be stationed in the Greenville office, and will be assigned cases for the Fayetteville and Greenville divisions. Please join us in congratulating Judge Callaway and welcoming him to our court family!

On a Personal Note

Claire Glover welcomed a baby boy just in time for the holidays! Walker Manning was born on December 10, 2015 at 11:03 pm. Congratulations to Claire and her husband Gray on the new addition to their family!

Please join the court in welcoming back Pamela McAfee, who began as staff attorney to Judge Callaway on Monday, January 4th! Also, welcome to Kerry Boehm, who began as law clerk to Judge Callaway on Monday, January 4th!

Courtroom Staff Update – Judge Callaway

Contact information for Judge Callaway’s courtroom staff is as follows:

Courtroom Deputy – Lisa Payne
Lisa_Payne@nceb.uscourts.gov

NCEBml_CourtroomStaff_JNC@nceb.uscourts.gov

Judge’s Initials on Documents/Orders

The court has completed case reassignment pursuant to the appointment of Judge Callaway. Please take note of the judge assigned to each case, and ensure that all pleadings filed with the court and all corresponding orders contain the correct judge’s initials.

Attorney for Trustee Fee Applications

Effective immediately, the court will no longer be scheduling hearings on attorney for trustee fee applications in excess of \$10,000 where there has been proper notice and no objections filed.

Proposed Orders

Proposed orders submitted to the court should not contain the terminology “So Ordered”. This language is already contained in the electronic signature stamp on the top of the first page of every order signed by the Judges. In addition, please recall that proposed orders should not reference “the undersigned” Judge, as this is also resolved by the electronic signature at the top of the order.

Written Opinions Report

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

Attention: Financial Institutions

We are requesting that all financial institutions please check their designated officer for service to ensure its accuracy. If any information needs to be updated, please notify the court as soon as possible.

QUESTIONS/ANSWERS:

Q. I need to file an amendment to schedules in a case filed prior to December 1, 2015. May I file it using the old forms?

A. No. The grace period for filing the old forms has ended. The new forms dated 12/15 must be filed in all cases, regardless of when the petition was filed.

ECF Contacts:

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

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ECF Court Link

MARCH 10, 2016

VOLUME 11, ISSUE 2

Eastern District
Of
North Carolina
CM/ECF
Newsletter

In this issue:

- Case Statistics
- On a Personal Note
- Mailing Matrices
- Form Changes
- Greenville Parking
- Secretary of State Website
- Q&A
- ECF Contacts

Case Statistics

<i>January, 2016</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>129</i>	<i>Ch. 7</i>	<i>129</i>
<i>Ch. 11</i>	<i>5</i>	<i>Ch. 11</i>	<i>5</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>0</i>
<i>Ch. 13</i>	<i>326</i>	<i>Ch. 13</i>	<i>326</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>460</i>	<i>Total</i>	<i>460</i>

<i>February, 2016</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>191</i>	<i>Ch. 7</i>	<i>320</i>
<i>Ch. 11</i>	<i>2</i>	<i>Ch. 11</i>	<i>7</i>
<i>Ch. 12</i>	<i>1</i>	<i>Ch. 12</i>	<i>1</i>
<i>Ch. 13</i>	<i>384</i>	<i>Ch. 13</i>	<i>710</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>578</i>	<i>Total</i>	<i>1038</i>

On a Personal Note

Stephanie Goodbar has welcomed a baby boy! Noah Gregory was born on January 15, 2016 at 11:50 pm. Congratulations to Stephanie and her husband Aaron on the new addition to their family!

Mailing Matrices

Please ensure that you are double-checking mailing matrices for compliance with Rule 1007 when filing a petition.

Upcoming Form Changes

Several Official and Director's bankruptcy forms will be changing effective April 1, 2016. These changes are related to automatic adjustments to dollar amounts in the Bankruptcy Code and apply to cases filed on or after April 1st. Further information may be found by clicking on the below link.

<http://www.uscourts.gov/rules-policies/pending-rules-amendments/pending-changes-bankruptcy-forms>

Greenville Parking

Parking tickets in downtown Greenville could be double or triple the usual \$5 for repeat offenders. The City Council voted to increase the penalty in response to drivers choosing to park illegally rather than paying to park in the new parking deck. Now drivers will be subject to a \$5 fee for the first ticket, \$10 for the second and \$20 for the third. Late fees will also be assessed, and can increase tickets up to \$50. Parking in the Fourth Street parking deck is free until further notice, and all-day parking will be allowed, rather than the 2 hour limit.

In addition, please inform your clients that there is no parking allowed in the restaurant parking lots adjacent to the Greenville courthouse. Cars that are illegally parked in these lots will be towed.

Secretary of State Website Domain

The N.C. Secretary of State's official website and email have changed domain names. It's now SOSNC.gov rather than SOSNC.com for both the Secretary of State's website and all official email addresses. The old .com addresses will work for a while, but to avoid confusion later, the Secretary of State's office encourages you to change your bookmarks now.

QUESTIONS/ANSWERS:

Q. What is the most efficient method for contacting the CM/ECF Helpdesk?

A. The Court encourages the use of our Live Chat feature in order to reach the CM/ECF Helpdesk. You will get an answer to your question in real time, without having to wait for a response to a voicemail or email.

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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ECF Court Link

APRIL 11, 2016

VOLUME 11, ISSUE 3

Eastern District
Of
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Newsletter

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- [Motions to Seal](#)
- [BB&T – DIP Accounts](#)
- [POC's filed by Debtor/Trustee](#)
- [Q&A](#)
- [ECF Contacts](#)

Case Statistics

March, 2016		Year to Date	
Ch. 7	228	Ch. 7	548
Ch. 11	7	Ch. 11	14
Ch. 12	0	Ch. 12	1
Ch. 13	413	Ch. 13	1123
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	648	Total	1686

On a Personal Note

Please join us in congratulating Stephanie Edmondson, Clerk of the Bankruptcy Court for the Eastern District of North Carolina, on her marriage to Bill Butler on Sunday, April 10th!

Please note that Stephanie's email address has changed. Her new email address is as follows:

Stephanie_Butler@nceb.uscourts.gov

Form Changes

Local Schedule C-1 has been updated to conform to the new National Forms effective April 1, 2016. Husband, Wife and Joint have been changed on the form to D-1 (Debtor 1), D-2 (Debtor 2) and J (Joint). The software vendors have been notified and are in the process of updating their systems.

New Procedure re: Sealed Documents

ATTENTION: Effective immediately, the Judges have asked to see any document requested to be sealed before ruling on a Motion to Seal. After a Motion to Seal is filed, the document to be sealed should be emailed directly to the appropriate Operations Analyst for the case, so it may be forwarded to the Judge for review. The contact information for each Analyst is below.

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
<i>Donna Skinner 00-31</i>	<u>Donna_Skinner@nceb.uscourts.gov</u>	(252)917-6119
<i>Kelly Shum-Drake 32-63</i>	<u>Kelly_Shum-Drake@nceb.uscourts.gov</u>	(919)334-3806
<i>Wendy Parker 64-99</i>	<u>Wendy_Parker@nceb.uscourts.gov</u>	(919)334-3865

BB&T - New Debtor In Possession (DIP) Accounts

The court shares this information at the request of the Bankruptcy Administrator. Pursuant to a letter dated March 23, 2016, from Jack Hayes, Senior Vice President and BB&T Bankruptcy Department Manager, “BB&T will no longer take on any additional DIP accounts, but we will continue to handle those currently on hand and will continue to comply with the Depository Agreements that remain in effect.” Any questions related to this message should be directed to Jack Hayes, P.O. Box 1847, Wilson, NC 27894; (252) 296-7171.

Proofs of Claim Filed by Debtor/Trustee

It is no longer necessary for the debtor’s attorney or trustee to notify the court if they file a Proof of Claim on behalf of a creditor in a case. The court is now following up on these claims.

QUESTIONS/ANSWERS:

Q. I have a pleading to file that is both a motion and a response to a motion previously filed on the docket. How do I file this document, when it falls under both Motions/Applications and Objection/Response?

A. A motion and response cannot be filed as one document, since they fall under separate categories in CM/ECF. In this situation, two separate pleadings should be filed, so both events are properly recorded.

ECF Contacts:

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ECF Court Link

MAY 24, 2016

VOLUME 11, ISSUE 4

Eastern District
Of
North Carolina
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Newsletter

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Case Statistics

<i>April, 2016</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>246</i>	<i>Ch. 7</i>	<i>798</i>
<i>Ch. 11</i>	<i>7</i>	<i>Ch. 11</i>	<i>21</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>1</i>
<i>Ch. 13</i>	<i>366</i>	<i>Ch. 13</i>	<i>1485</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>619</i>	<i>Total</i>	<i>2305</i>

On a Personal Note

Anna Brock has welcomed a baby boy! Graham Michael was born on May 3, 2016 at 12:52 am. Congratulations to Anna, her husband Michael and big sister Olivia on the new addition to their family!

NCBJ Conference

The National Conference of Bankruptcy Judges will be hosting its annual conference in San Francisco, October 26 - 29, 2016. Attorneys, CPAs, insolvency professionals, professors, law students, and others are encouraged to attend. Please visit <http://www.ncbjmeeting.org/> for more details and to register.

Motions for Disbursement

Please ensure that all motions for disbursement of attorney fees in unconfirmed Chapter 13 cases, as well as the corresponding proposed orders, contain a provision regarding payment of the trustee's administrative fee. Also, please note that the correct administrative fee is \$375, not \$125. The fee increased pursuant to an Administrative Order entered on November 16, 2015.

Local Rules Amendments

Pending amendments to Local Rules have been published for comment on the court's website. Click [here](#) for more information.

Please submit any comments to

[Stephanie Butler@nceb.uscourts.gov](mailto:Stephanie.Butler@nceb.uscourts.gov) by June 17, 2016.

Reminder: Emergency Text Alerts from the Court

This should serve as a reminder that emergency text alerts from the court are now available. You can 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.*

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

Online Forms

When using form motions obtained from the court's website, please ensure that the footnotes are removed prior to filing. These are for informational purposes for the attorneys only.

QUESTIONS/ANSWERS:

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

A. Yes. Consent of the affected party should be obtained prior to filing any Motion to Extend Time, and this should be stated in the motion. Otherwise, it should be stated that you were unable to obtain consent.

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ECF Court Link

JULY 1, 2016

VOLUME 11, ISSUE 5

Eastern District
Of
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Newsletter

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- Case Statistics
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- On a Personal
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Courtroom
- Motions to Seal
- Proposed Rule
Amendments
- Fillable Ballot
- Q&A
- ECF Contacts

Case Statistics

<i>May, 2016</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	200	<i>Ch. 7</i>	1000
<i>Ch. 11</i>	6	<i>Ch. 11</i>	27
<i>Ch. 12</i>	2	<i>Ch. 12</i>	3
<i>Ch. 13</i>	352	<i>Ch. 13</i>	1835
<i>Ch. 9</i>	0	<i>Ch. 9</i>	0
<i>Ch. 15</i>	0	<i>Ch. 15</i>	0
Total	560	Total	2865

<i>June, 2016</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	185	<i>Ch. 7</i>	1185
<i>Ch. 11</i>	5	<i>Ch. 11</i>	32
<i>Ch. 12</i>	0	<i>Ch. 12</i>	3
<i>Ch. 13</i>	375	<i>Ch. 13</i>	2210
<i>Ch. 9</i>	0	<i>Ch. 9</i>	0
<i>Ch. 15</i>	0	<i>Ch. 15</i>	0
Total	565	Total	3430

Local Rules

An updated version of the Local Rules, effective June 27, 2016 has been published, and can be found by clicking the below link.

<http://www.nceb.uscourts.gov/court-info/local-rules-and-orders>

On a Personal Note

Heather Nichols, Administrative Specialist in the Raleigh Division, has welcomed a baby girl! Adeline Leigh was born on June 28, 2016 at 3 pm. Congratulations to Heather, her husband Dean, big sisters Graison and Avery, and big brother John Lawton on the new addition to their family!

Also, please join us in congratulating Pamela W. McAfee, staff attorney for Judge Joseph N. Callaway, who is a 2016 recipient of the NCBA Citizen Lawyer Award! The award was established in 2007 to recognize lawyers who provide exemplary public service to their communities. Honorees include elected and appointed government officials, coaches, mentors and voluntary leaders of nonprofit civic and community organizations. The honorees were recognized at the 2016 NCBA Annual Meeting in June.

New Evidence Presentation and Sound System in Century Station 2nd Floor Courtroom

The bandages are off and the second floor courtroom's facelift is complete. All of the previous functionality still exists, but with updated technology. You'll notice new touch screen monitors on counsel tables and the witness stand; these monitors include the ability to annotate images with your fingertips. Attorneys may now present evidence from their laptops from each counsel table, in addition to the center lectern. Tablets will also work with the new system if you bring your own VGA adapter. An assisted listening system has been added; it even has a unit that works with TT coil hearing aids. Larger gallery monitors, a portable videoconferencing unit, and a new sound system (with extra speakers at counsel tables and the witness stand) will enhance the experience for everyone. Yes, everyone -- the new system is sensitive and may pick up whispered conversations at counsel tables.

There is a new control panel for attorneys at the center lectern. If you plan to use the new evidence presentation system, please arrive early to court for instruction, or set up an appointment with Allyson McNeill, Courtroom Deputy.

(Allyson_McNeill@nceb.uscourts.gov)

Motions to Seal

The court's procedure regarding sealed documents has changed pursuant to updated Local Rule 5005-4(6). When a Motion to Seal is filed, a proposed order should be uploaded with a copy of the document to be sealed attached. After entry of the order allowing the motion, the clerk's office will electronically file the document under seal. Please be advised that this procedure does not apply if the document to be sealed has already been filed on the docket.

Proposed Amendments to Bankruptcy Rules

The Judicial Conference Advisory Committee on Bankruptcy Rules has proposed amendments to Bankruptcy Rule 3015 and adoption of a new Bankruptcy Rule 3015.1, and has asked that they be circulated to the bench, bar, and public for comment. The proposed amendments and the Advisory Committee on Bankruptcy Rules report explaining the proposed changes are posted on the Judiciary's website, which may be viewed by clicking [here](#).

The public comment period ends October 3, 2016.

Fillable Ballot Form

A fillable ballot form has been posted on the court's website under local forms. This form may be used by attorneys to email ballots to parties in a Chapter 11 case. Instructions for completing the ballot form are also included. You can access the local forms page by clicking the below link.

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

QUESTIONS/ANSWERS:

Q. I have a question regarding proper notice and service requirements for a pleading I need to file. Should I contact the CM/ECF Helpdesk?

A. No. The Helpdesk is for CM/ECF related inquiries only (errors in filing, questions regarding how to docket a particular pleading, account updates, etc.). Case specific questions should be directed to the Case Administrator, and hearing related matters should be directed to the court staff for the appropriate Judge.

ECF Contacts:

Helpdesk Line: (919)334-3850

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ECF Court Link

SEPTEMBER 6, 2016

VOLUME 11, ISSUE 6

Eastern District
Of
North Carolina
CM/ECF
Newsletter

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- Consent Orders
Under 4001(d)
- CBA Seminar
- Motions for
Hardship
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- On a Personal
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- Q&A
- ECF Contacts

Case Statistics

July, 2016		Year to Date	
Ch. 7	174	Ch. 7	1363
Ch. 11	5	Ch. 11	36
Ch. 12	1	Ch. 12	4
Ch. 13	367	Ch. 13	2574
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	547	Total	3977

August, 2016		Year to Date	
Ch. 7	180	Ch. 7	1542
Ch. 11	6	Ch. 11	42
Ch. 12	1	Ch. 12	5
Ch. 13	390	Ch. 13	2965
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	577	Total	4554

Trustee Announcement

Richard Stearns has announced that he will retire effective March 31, 2017. He has served as a Chapter 13 trustee in the Eastern District of North Carolina for 36 years, appointed to that position by the Honorable Thomas M. Moore in 1980. We thank him for his exceptional service to our district and will miss his leadership and guidance.

After a considered review of the level of Chapter 13 filings in this district, the Judges of our court have elected not to fill Mr. Stearns' Chapter 13 vacancy at this time. Also, the Judges have determined that our district is best served by the selection of two new Chapter 12 case trustees. Richard Sparkman and John Bircher will be serving in this capacity.

Consent Orders – 4001(d)

The Judges have decided that they would like 4001(d) enforced for every chapter, rather than just Chapter 11 cases as we have done in the past, as this rule is also applicable in chapter 7, 9, and 13 cases. Therefore, effective immediately, if a proposed consent order is uploaded with no corresponding motion, and is relating to relief from the automatic stay, prohibiting or conditioning the use, sale or lease of real property, providing adequate protection, use of cash collateral or obtaining credit, it will be sent through to the judge so he or she may determine if a motion to approve is required to be filed.

CBA Seminar

The ABJA is sponsoring a Certified Bankruptcy Assistant (CBA) Seminar and Exam on October 18 & 19, 2016, along with a Professional Skills Seminar on October 20 & 21, in Albuquerque, New Mexico.

The two-day certification program includes training workshops with an exam administered at the end of each day. The exam has four sections, each consisting of 25-50 questions, on grammar usage and writing, the Bankruptcy Code and Rules, ethics, and research and legal citation. The University of New Orleans, numerous judges, professionals, and practitioners in the bankruptcy field, in cooperation with the ABJA, developed a study guide that is provided to registered participants in advance of the program.

With the CBA title comes the responsibility to maintain a high degree of knowledge and proficiency in the bankruptcy field by obtaining a minimum of .6 Continuing Education Units (which is equivalent to 6 classroom hours) every two years to maintain certification. More information is available at the following website:

<http://www.abja.org/content/certified-bankruptcy-assistants-cba-program>

Motions for Hardship Discharge

Effective immediately, an affidavit signed either by the debtor(s) or debtor(s) attorney is required with all Motions for Hardship Discharge.

On a Personal Note

Bobby Boone, IT Programmer in the Raleigh Division, retired effective August 31st. Please join us in congratulating Bobby and wishing him a wonderful retirement!

QUESTIONS/ANSWERS:

Q. I am filing a Notice of Appearance in a case on behalf of the following creditor. Is it necessary for me to enter the full name when adding the creditor to the case?

Seterus, Inc., as authorized servicer for Fannie National Mortgage Association ("Fannie Mae"), a corporation organized and existing under the laws of the United States of America...

A. No. The court prefers that the creditor be entered into the database without servicers, successors, etc. Also, quotations should be omitted, as they create issues with the online Proof of Claim feature. In this case, entering the creditor as Seterus, Inc. is sufficient.

ECF Contacts:

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

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ECF Court Link

OCTOBER 14, 2016

VOLUME 11, ISSUE 7

Eastern District
Of
North Carolina
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Newsletter

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- [Amended Ch. 11 Plans](#)
- [Median Income](#)
- [New Event](#)
- [Proposed Amendments](#)
- [On a Personal Note](#)
- [Q&A](#)
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Case Statistics

September, 2016		Year to Date	
Ch. 7	188	Ch. 7	1738
Ch. 11	8	Ch. 11	49
Ch. 12	1	Ch. 12	6
Ch. 13	376	Ch. 13	3334
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	573	Total	5127

Important: Flood Related Procedures

A General Order, signed by the judges of this court, was entered on October 12, 2016 with regard to flood procedures in response to Hurricane Matthew. To view the order, please click [here](#).

Fee Applications

Please be advised that every effort should be made to ensure that all end-of-year fee applications are filed with the court in a timely manner. Orders on late-filed applications will not be treated as urgent by the clerk's office.

Chapter 11 Attorney Fees

A General Order, signed by the judges of this court, was entered on September 1, 2016 with regard to flat fees for attorneys in Chapter 11 cases. To view the order, please click [here](#).

Local Rules

The newest edition of the Local Rules for the Eastern District of North Carolina has been posted to the court's website. You may click on the below link to view:

<http://www.nceb.uscourts.gov/sites/nceb/files/local-rules.pdf>

If you have any questions or concerns, please contact the Clerk of Court at stephanie.butler@nceb.uscourts.gov.

Debtor's Electronic Noticing (DeBN)

*When reviewing the new Local Rules as indicated above, please take notice of Rule 9036-1. Effective **December 1, 2016**, each debtor who files a voluntary petition with our court will be required to contemporaneously file a completed DeBN request form, indicating whether or not he or she chooses to participate in electronic noticing. Debtors who choose to participate must provide a valid email address, as well as proof of identity. Please be advised that DeBN applies only to court-issued notices and orders, and all other pleadings in the case will be served in the customary manner.*

Bankruptcy Form Changes

*Several Official Bankruptcy Forms will be amended effective **December 1, 2016**. This includes changes to Form 420A (Notice of Motion/Objection), Form 420B (Notice of Objection to Claim) and Form 410S2 (Notice of Postpetition Mortgage Fees, Expenses and Charges). Please click [here](#) to view the details.*

Appellate Rule Changes

*Significant changes are also being made to the Federal Rules of Appellate Procedure, effective **December 1, 2016**. To review the specific details and the effect of these changes on appellate practice, please click [here](#).*

Chapter 13 Meeting of Creditors

Over the next few weeks, 341 meetings in Chapter 13 cases will change to a new start time. The meetings will begin at 10:30 am instead of 11:45 am. Please pay close attention to your 341 notices, as this transition will vary by meeting location and trustee.

Amended Chapter 11 Plans

This should serve as a reminder that Local Rule 4002-1(c)(12) requires submission of a red-lined copy of any Amended Chapter 11 Plan filed with the court. Please ensure that you are either attaching the red-lined copy to the amended plan, or filing it separately using the Supplement to Filing event under Miscellaneous.

Median Income Data

Updated Census Bureau Median Family Income Data is now available on the U. S. Census Bureau website. The data applies to bankruptcy petitions filed on or after November 1, 2016. Click the below link for more information:

<https://www.census.gov/topics/income-poverty/income.html>

New CM/ECF Event

A new event is available in CM/ECF under the Schedules category entitled "Supplemental Schedule". This event is to be used only for filing (1) a supplemental Schedule I or Schedule J to show postpetition Chapter 13 income or expenses as of a certain date or (2) a 1007(H) notice to report interests acquired or arising after the petition.

Proposed Amendments

The Judicial Conference Advisory Committees on Appellate, Bankruptcy, Civil, and Criminal Rules have proposed amendments to their respective rules and forms and have asked that they be circulated to the bench, bar, and public for comment. The proposed amendments and the Advisory Committee on Bankruptcy Rules report explaining the proposed changes are posted on the Judiciary's website at:

<http://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>

The comment period ends on February 15, 2017.

On a Personal Note

Please join the court in welcoming Doug Lockamy, who recently began work in the Raleigh office as CourtSpeak Programmer.

QUESTIONS/ANSWERS:

Q. I have a motion to sell property to a specific buyer pursuant to an Offer to Purchase and Contract. Does this get filed using the Sell event?

A. No. If the motion discloses a specific buyer and purchase price, then the Private Sale event must be used.

ECF Contacts:

Helpdesk Line: (919)334-3850

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

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ECF Court Link

NOVEMBER 22, 2016

VOLUME 11, ISSUE 8

Eastern District
Of
North Carolina
CM/ECF
Newsletter

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- Case Statistics
- Miscellaneous Fees
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- Form Changes
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- Motions to Approve C/O
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- Q&A
- ECF Contacts

Case Statistics

October, 2016		Year to Date	
Ch. 7	169	Ch. 7	1911
Ch. 11	4	Ch. 11	52
Ch. 12	0	Ch. 12	6
Ch. 13	366	Ch. 13	3697
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	539	Total	5666

Adjustments to Miscellaneous Fees

At its September 2016 session, the Judicial Conference approved inflationary adjustments to fees on the appellate, district, and bankruptcy court miscellaneous fee schedules, as well as on the Court of Federal Claims and the Judicial Panel on Multidistrict Litigation miscellaneous fee schedules. The below changes will become effective on **December 1, 2016**.

Item	Current Fee	New Fee
Exemplification	\$21	\$22
Audio Recording	\$30	\$31
Amended Schedules	\$30	\$31
Record Search	\$30	\$31
Miscellaneous Proceeding	\$46	\$47
Motion for Relief from Stay	\$176	\$181
Motion to Abandon	\$176	\$181
Motion to Withdraw Reference	\$176	\$181
Motion to Sell Free & Clear	\$176	\$181

Reminder: Local Rules

If you have not already done so, please review the newest edition of the Local Rules for the Eastern District of North Carolina (revised as of October 3, 2016), which has been posted to the court's website. You may click on the below link to view:

<http://www.nceb.uscourts.gov/sites/nceb/files/local-rules.pdf>

If you have any questions or concerns, please contact the Clerk of Court at [stephanie butler@nceb.uscourts.gov](mailto:stephanie_butler@nceb.uscourts.gov).

Reminder: Debtor's Electronic Noticing (DeBN)

*Please take notice of Local Rule 9036-1, effective **December 1, 2016**. Each debtor who files a voluntary petition with our court will be required to contemporaneously file a completed DeBN request form, indicating whether or not he or she chooses to participate in electronic noticing. Debtors who choose to participate must provide a valid email address, as well as proof of identity. Please be advised that DeBN applies only to court-issued notices and orders, and all other pleadings in the case will be served in the customary manner.*

A deficiency notice will be issued in any case in which the petition is filed without the DeBN form. The software vendors have been notified, and the form will be available on the court's website under Local Forms.

Reminder: Bankruptcy Form Changes

*This should serve as a reminder that several Official Bankruptcy Forms will be amended effective **December 1, 2016**. This includes changes to Form 420A (Notice of Motion/Objection), Form 420B (Notice of Objection to Claim) and Form 410S2 (Notice of Postpetition Mortgage Fees, Expenses and Charges). We will continue to use our local forms, which will be updated in accordance with the changes.*

Attention: Response Deadlines

*Please be advised that effective **December 1, 2016**, response deadlines will no longer appear on the public docket.*

Motions to Approve Consent Order

A motion to approve consent order should always be accompanied by an order allowing the motion, in addition to uploading the proposed consent order.

Proofs of Claim and Appearance

Please note that the filing of a Proof of Claim in a case does not constitute an appearance in that case by the attorney for the creditor. The creditor will need to be served directly in order for service to be considered proper.

QUESTIONS/ANSWERS:

Q. When I file a Motion to Seal a document that has not yet been filed on the docket, should I email a copy of the document to be sealed to the court?

A. No. The document to be sealed should be uploaded as an attachment to the proposed order to seal via Order Upload.

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ECF Court Link

DECEMBER 15, 2016

VOLUME 11, ISSUE 9

Eastern District
Of
North Carolina
CM/ECF
Newsletter

Case Statistics

November, 2016		Year to Date	
Ch. 7	158	Ch. 7	2070
Ch. 11	2	Ch. 11	54
Ch. 12	1	Ch. 12	7
Ch. 13	349	Ch. 13	4045
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
Total	510	Total	6176

In this issue:

- Case Statistics
- On a Personal Note
- 2017 Holidays
- Holiday Closures
- Attorney Leave
- Admin Expense Multiplier
- Exhibits at Hearing
- DeBN
- Q&A
- ECF Contacts

On a Personal Note

Please join us in congratulating Allyson McNeill, Courtroom Deputy for Judge Humrickhouse, who married Jack Howard on November 12th! Take note of Allyson's new email address below:

Allyson.Howard@nceb.uscourts.gov

2017 Court Holidays

Monday, January 1st - New Year's Day
Monday, January 16th - Birthday of Martin Luther King, Jr.
Monday, February 20th - President's Day
Monday, May 29th - Memorial Day
Tuesday, July 4th - Independence Day
Monday, September 4th - Labor Day
Monday, October 9th - Columbus Day
Friday, November 10th - Veteran's Day
Thursday, November 23rd - Thanksgiving Day
Monday, December 25th - Christmas Day

Holiday Office Closures

The clerk's office for the Eastern District of North Carolina will be closed on Friday, December 23rd and Monday, December 26th for the Christmas holiday. We will reopen for business on Tuesday, December 27th. Additionally, the clerk's office will be closed on Monday, January 2nd for New Year's Day.

Attorney Scheduled Leave

Please inform the courtroom staff of your scheduled leave for 2017 as soon as possible to help avoid any potential scheduling conflicts. Contact information is as follows:

Judge Warren:

NCEBml_CourtroomStaff_DMW@nceb.uscourts.gov

Judge Humrickhouse:

NCEBml_CourtroomStaff_SWH@nceb.uscourts.gov

Judge Callaway:

NCEBml_CourtroomStaff_JNC@nceb.uscourts.gov

Administrative Expense Multiplier Increase

The Administrative Office of the Courts has increased the administrative expense multiplier to be used in all Chapter 13 cases filed in the Eastern District of North Carolina on or after October 1, 2016 to 8%. Click [here](#) for more information.

Exhibits Presented at Hearing

Attorneys should ensure that they bring adequate copies of exhibits to all hearings. Copies should be provided to the court, law clerk, opposing counsel, trustee/attorney for trustee, Bankruptcy Administrator (if applicable) and any witnesses. Also, exhibits should be properly marked prior to the hearing.

Debtor Electronic Noticing Request

Local Rule 9036-1(1), requiring the filing of an electronic noticing request with every petition, went into effect on December 1st. The software vendors were notified of this requirement and are updating their software accordingly. The court is allowing a grace period through January 1st, to allow law firms to download the updated software. After this date, deficiency notices will be sent if the form is not filed.

When completing the form, please ensure that one of the boxes is checked. If an account is being activated, the debtor's email address should be provided at the bottom. If the debtor is declining, the email field should be left blank. The "Request re: Debtor Electronic Notice" event under Miscellaneous should be used for filing, which is a private entry.

QUESTIONS/ANSWERS:

Q. I have a pleading to file that is both a motion and a response to a motion previously filed on the docket. How do I file this document, when it falls under both Motions/Applications and Objection/Response?

A. A motion and response cannot be filed as one document, since they fall under separate categories in CM/ECF. In this situation, two separate pleadings should be filed, so both events are properly recorded.

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