



# ECF Court Link

JANUARY 12, 2017

VOLUME 12, ISSUE 1

Eastern District

Of

North Carolina

CM/ECF

Newsletter

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## Case Statistics

<i>December, 2016</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>134</i>	<i>Ch. 7</i>	<i>2208</i>
<i>Ch. 11</i>	<i>3</i>	<i>Ch. 11</i>	<i>57</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>7</i>
<i>Ch. 13</i>	<i>300</i>	<i>Ch. 13</i>	<i>4341</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>437</i>	<i>Total</i>	<i>6613</i>

## Greenville Office

*Effective Tuesday, January 17, 2017, the Greenville office will no longer maintain a public counter. Greenville will continue to be a staffed divisional office, but only emergency filings will be accepted.*

## Trustee Transfer

*In anticipation of Richard M. Stearns' retirement effective March 31, 2017, the majority of his existing Chapter 13 cases were transferred to Joseph A. Bledsoe, III on January 6<sup>th</sup>. Debtors in these cases should now be mailing their payments to PO Box 2179, Memphis, TN 38101-2179. Notices and case related inquiries should be sent to PO Box 1618, New Bern, NC 28563.*

*A number of cases were also transferred to John F. Logan. Debtors in these cases should now be mailing their payments and sending notices/inquiries to PO Box 61039, Raleigh, NC 27661.*

*Please ensure that you pay close attention to the trustee assigned to each Chapter 13 case, so that the proper trustee is referenced in all pleadings filed with the court.*

### **Relief Under 4001(a)(3)**

*It is common practice for attorneys to request a waiver of the appeal period pursuant to 4001(a)(3) in the decretal portion of motions filed with the court. However, the court has found that in many cases, there is a failure to set out any specific argument in support of such a request. It is typically accompanied by a statement indicating that, "cause exists for the waiver of 4001(a)(3)", and then the waiver is simply allowed in the proposed order. Please be advised that the Judges will no longer allow these waivers without appropriate cause set out in the motion. Some examples may include: the debtor's proposed surrender of the collateral, lack of insurance, fear of theft, etc.*

### **Responses/Requests for Hearing**

*Local Rule 9014-1(f) requires that a response or objection filed with the court specifically set out the grounds for the party's position and the specific issues being contested. However, the Judges have found that responses filed with the court often state little more than "the party objects and requests a hearing", or similar language. Please be aware that effective immediately, responses stated in such a way will not be treated as responses, and the relief may be granted by the court without a hearing pursuant to the Local Rule.*

### **Pro Bono Program**

*The court is always in need of volunteers for its pro bono program. This program was established in order to provide representation free of charge to parties involved in Adversary Proceedings who are unable to employ and compensate an attorney on their own behalf. For more information regarding this worthwhile program, please click [here](#).*

## **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.*

## **Certified Mediators**

*If you are a certified mediator and would like to be added to the list of certified mediators on the court's website, please send an email to Stephanie Butler at the below email address. The email should contain your name, law firm, address, telephone number, email address and through whom you are certified.*

**[Stephanie Butler@nceb.uscourts.gov](mailto:Stephanie.Butler@nceb.uscourts.gov)**

*For those certified mediators who are already listed on the court's website, please review your information to ensure that it is accurate and notify Ms. Butler via the above email address if any necessary changes need to be made.*

## **Flood Related Procedures**

*A General Order, signed by the judges of this court, was entered on January 6, 2017 with regard to flood procedures in response to Hurricane Matthew. The order extends the provisions of the order previously entered on October 12, 2016. To view the order, please click [here](#).*

## **Local Rules Amendments**

*Pending amendments to the local rules have been published for comment. Details may be obtained by clicking [here](#). Please submit any comments to [stephanie.butler@nceb.uscourts.gov](mailto:stephanie.butler@nceb.uscourts.gov) by January 20, 2017.*

## **Service Agents**

*If your office represents a financial institution that has a service agent listed with the court pursuant to 7004(h), please contact that institution to verify that the service agent information that has been provided to the court is accurate.*

## **On a Personal Note**

*Please join us in welcoming Meghan Pridemore back to the court family! Meghan began serving as law clerk to Judge Humrickhouse on January 11<sup>th</sup>.*

### **QUESTIONS/ANSWERS:**

**Q.** I need to modify the email addresses on my CM/ECF account for receipt of the daily summary emails. Can I update my account on my own?

**A.** No, attorneys do not currently have access to this feature. Please contact the CM/ECF helpdesk via email with your request, and we will update the account accordingly.

### **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)917-6119

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



# ECF Court Link

FEBRUARY 17, 2017

VOLUME 12, ISSUE 2

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

In this issue:

- [Case Statistics](#)
- [Chapter 11 Plan Events](#)
- [Accurate Filings](#)
- [Case Assignments](#)
- [DeBN Reminders](#)
- [Q&A](#)
- [ECF Contacts](#)

## Case Statistics

January, 2017		Year to Date	
Ch. 7	147	Ch. 7	147
Ch. 11	13	Ch. 11	13
Ch. 12	0	Ch. 12	0
Ch. 13	315	Ch. 13	315
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
<b>Total</b>	<b>475</b>	<b>Total</b>	<b>475</b>

## Chapter 11 Plan Events

*There seems to be a great deal of confusion with regard to filing Chapter 11 plan related motions. To clarify, if an extension is sought in order to file the Plan and Disclosure Statement, the **Extend Time/Deadlines** event should be selected, and the “Time to File Chapter 11 Plan & Disclosure Statement” option should be checked. If an extension of the exclusivity period is sought, the **Extend/Limit Exclusivity/Acceptance Period** event should be selected. Please ensure that you are choosing the correct event when filing these motions.*

## Checking Filings for Accuracy

*All pleadings to be filed with the court should be reviewed prior to entry, in order to ensure that the information contained is correct. This includes dates of filing, hearing dates, and other references to the case docket. Deficiency notices will be sent for failure to provide accurate information, which may delay entry of orders.*

## Updated Case Assignments

Our case assignments have changed *effective immediately*. Please review the updated list for Case Administrators and Operations Analysts below. If you have any questions relating to a specific case, please contact the appropriate person based on the last two digits of the case number.

### Case Administrators:

<i>Ending with:</i>	<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
00-09	<i>Dawn Barnes</i>	<i>Dawn_Barnes@nceb.uscourts.gov</i>	<i>(919)334-3807</i>
10-19	<i>Christy Gurgone</i>	<i>Christy_Gurgone@nceb.uscourts.gov</i>	<i>(919)334-3848</i>
20-29	<i>Anna Brock</i>	<i>Anna_Brock@nceb.uscourts.gov</i>	<i>(919)334-3816</i>
30-43	<i>Brenna Kemp</i>	<i>Brenna_Kemp@nceb.uscourts.gov</i>	<i>(919)334-3860</i>
44-52	<i>Carrie Wiggins</i>	<i>Carrie_Wiggins@nceb.uscourts.gov</i>	<i>(919)334-3858</i>
53-61	<i>Donna Harris</i>	<i>Donna_Harris@nceb.uscourts.gov</i>	<i>(919)334-3804</i>
62-70	<i>Amy Bisette</i>	<i>Amy_Bisette@nceb.uscourts.gov</i>	<i>(919)334-3849</i>
71-80	<i>Roxanne Parker</i>	<i>Roxanne_Parker@nceb.uscourts.gov</i>	<i>(919)334-3803</i>
81-90	<i>Aileen Gibson</i>	<i>Aileen_Gibson@nceb.uscourts.gov</i>	<i>(919)334-3808</i>
91-99	<i>Sharon Angel</i>	<i>Sharon_Angel@nceb.uscourts.gov</i>	<i>(252)917-6123</i>

### Operations Analysts:

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
<i>Donna Skinner 00-29</i>	<i>Donna_Skinner@nceb.uscourts.gov</i>	<i>(252)917-6119</i>
<i>Kelly Shum-Drake 30-61</i>	<i>Kelly_Shum-Drake@nceb.uscourts.gov</i>	<i>(919)334-3806</i>
<i>Wendy Parker 62-99</i>	<i>Wendy_Parker@nceb.uscourts.gov</i>	<i>(919)334-3865</i>

## **DeBN Reminders**

*As you are aware, Local Rule 9036-1(1) requires that debtors file an electronic noticing request with every petition. The court has begun sending deficiency notices with regard to this form. In order to ensure that your office is filing these properly, please review the below tips.*

*When completing the form, please ensure that one of the boxes is checked. If an account is being activated, select “Initial Request” and include the debtor’s email address at the bottom. If the debtor is declining electronic notice, the “Decline” box should be checked, and the email field should be left blank. The “Update” section is only for debtors who already have an existing DeBN account and wish to change the email address or verify the account information. The “Deactivate” section is only for debtors with an existing account who wish to terminate the service.*

*The “Request re: Debtor Electronic Notice” event under Miscellaneous should be used for filing, which is a private entry. The appropriate radio button (Activate, Decline, Deactivate or Update) should be selected when docketing.*

### QUESTIONS/ANSWERS:

**Q.** What is the most efficient way to contact the CM/ECF Helpdesk?

**A.** The court encourages the use of our Live Chat feature in order to reach the CM/ECF Helpdesk. This allows you to get a response to your inquiry in real time, without having to wait for a response to a voicemail or email. Whether it be a request for deletion of a filing made in error, or a question about what event should be used to file a pleading, LiveChat will get you there faster!

**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)917-6119

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





# ECF Court Link

MARCH 20, 2017

VOLUME 12, ISSUE 3

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

In this issue:

- [Case Statistics](#)
- [Government Issued IDs](#)
- [Calendar Matters](#)
- [Amended Schedules](#)
- [Creditor Matrix](#)
- [Q&A](#)
- [ECF Contacts](#)

## Case Statistics

February, 2017		Year to Date	
Ch. 7	157	Ch. 7	304
Ch. 11	8	Ch. 11	21
Ch. 12	0	Ch. 12	0
Ch. 13	329	Ch. 13	644
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
<b>Total</b>	<b>494</b>	<b>Total</b>	<b>969</b>

## Attention: Government Issued IDs

*All attorneys must ensure that their clients are aware of the requirement to bring a government issued ID to the 341 Meeting of Creditors in order to gain access to the building.*

## Calendar Matters

*Often, attorneys will appear in court without having filed a Notice of Appearance in a case. In this situation, the court's calendaring program will not have the names of these attorneys, nor the parties they represent. This should serve as a reminder that if you do not file a Notice of Appearance in a case, you will not appear on the court's calendar.*

## **Amended Schedules**

*When filing amended schedules, please ensure that you are updating the statistical information for the case when prompted to do so. Also, the “Summary of Schedules” event should be selected if this form is included in the amendment, so that the statistical data may be properly updated.*

## **Creditor Matrix**

*Please let this serve as a reminder that the court, Bankruptcy Administrator and attorney for debtor(s) must be removed from the creditor matrix prior to uploading it with the petition.*

### **QUESTIONS/ANSWERS:**

**Q.** I need to file a Motion for Private Sale Free and Clear of Liens. What event should I use?

**A.** In this situation, you must select **both** the “Private Sale” and “Sell Free & Clear” events under the Motions category.

### **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)917-6119

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



# ECF Court Link

MAY 5, 2017

VOLUME 12, ISSUE 4

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

In this issue:

- Case Statistics
- On a Personal Note
- Cert re: Discharge/ DSO
- Notices of Motion
- Proposed Orders
- Q&A
- ECF Contacts

## Case Statistics

<i>March, 2017</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>244</i>	<i>Ch. 7</i>	<i>549</i>
<i>Ch. 11</i>	<i>6</i>	<i>Ch. 11</i>	<i>27</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>0</i>
<i>Ch. 13</i>	<i>357</i>	<i>Ch. 13</i>	<i>1000</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>607</i>	<i>Total</i>	<i>1576</i>

<i>April, 2017</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>207</i>	<i>Ch. 7</i>	<i>756</i>
<i>Ch. 11</i>	<i>10</i>	<i>Ch. 11</i>	<i>37</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>0</i>
<i>Ch. 13</i>	<i>335</i>	<i>Ch. 13</i>	<i>1335</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>552</i>	<i>Total</i>	<i>2128</i>

## On a Personal Note

*Tony Bryant and his wife Danielle welcomed a new baby girl in April. Please join us in congratulating Tony and Danielle on the beautiful new addition to their family!*

## **Certification re: Discharge & Domestic Support**

*Please let this serve as a reminder that pursuant to 1328(h), debtors must certify with regard to 522(q) exemptions, in addition to prior discharges and payment of domestic support obligations, in order to receive a discharge in a Chapter 13 case. The Director's Form for the certification is available on our website under Forms>Local Forms, or may be viewed by clicking [here](#). This should be used as a guide for all certifications filed with the court. Beginning on June 1, 2017, the court will send a deficiency notice if the 522(q) section is not included.*

## **Notices of Motion**

*There are a number of notices of motion still being filed with the following language:*

*“Pursuant to that Memorandum from Chief Bankruptcy Judge J. Rich Leonard, EDNC, dated February 24, 2005, attorneys practicing in the United States Bankruptcy Court for the Eastern District of North Carolina, including attorneys admitted pro hac vice, are required to file electronically all documents [including new bankruptcy petitions, motions, memoranda of law, and other pleadings, but excluding proofs of claim and documents to be placed under seal in accordance with Local Bankruptcy Rule 5005-4(6)]...Electronic filing may be done through the Court's web site.”*

*Please be advised that this language is no longer required and should be removed from notices of motion filed with the court.*

## **Proposed Orders**

*There are an increasing number of proposed orders that are needing to be returned for various reasons, from formatting issues to incorrect case numbers/chapters to spelling and grammatical errors. Please take time to review the order requirements for the EDNC by clicking [here](#), and ensure that all orders are thoroughly reviewed prior to uploading.*

## 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

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)917-6119

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



# ECF Court Link

JULY 10, 2017

VOLUME 12, ISSUE 5

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

## Case Statistics

May, 2017

Year to Date

Ch. 7	213	Ch. 7	967
Ch. 11	8	Ch. 11	45
Ch. 12	0	Ch. 12	0
Ch. 13	320	Ch. 13	1657
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
<b>Total</b>	<b>541</b>	<b>Total</b>	<b>2669</b>

In this issue:

- Case Statistics
- On a Personal Note
- Courtroom Staff Update
- Chapter 13 Plan
- BA – Chapter 13 Cases
- New CM/ECF Event
- Q&A
- ECF Contacts

June, 2017

Year to Date

Ch. 7	211	Ch. 7	1180
Ch. 11	1	Ch. 11	46
Ch. 12	1	Ch. 12	1
Ch. 13	367	Ch. 13	2022
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
<b>Total</b>	<b>580</b>	<b>Total</b>	<b>3249</b>

## On a Personal Note

*Shelia Morris, Case Administrator in the Raleigh office, retired effective June 2, 2017.*

*Anne Moell, Courtroom Deputy for Judge Warren, retired effective June 30, 2017.*

*Please join us in congratulating Shelia and Anne, thanking them for their years of service, and wishing them a wonderful retirement!*

*Dawn Barnes welcomed baby Abigail Grace on June 30<sup>th</sup>. Please join us on congratulating Dawn, Mark and big brother Ethan on the beautiful new addition to their family!*

## **Courtroom Staff Update – Judge Warren**

Contact information for Judge Warren's courtroom staff is as follows:

Courtroom Deputy – Sarah Donleycott

[Sarah\\_Donleycott@nceb.uscourts.gov](mailto:Sarah_Donleycott@nceb.uscourts.gov)

[NCEBml\\_CourtroomStaff\\_DMW@nceb.uscourts.gov](mailto:NCEBml_CourtroomStaff_DMW@nceb.uscourts.gov)

### **Chapter 13 Plan**

*Pending amendments to the Federal Rules of Bankruptcy Procedure Rule 3015(c) require the court to either adopt the official form for a plan filed in a Chapter 13 case or to adopt a local form plan pursuant to pending Rule 3015.1. The court has opted to draft a local form for use in this district. The proposed plan form that has been approved by the Local Rules Committee and judges of this court for publication and comment may be found by clicking the below link.*

<http://www.nceb.uscourts.gov/sites/nceb/files/Chapter13FormPlan.pdf>

*Please submit any comments regarding this form to Stephanie\_Butler@nceb.uscourts.gov on or before **July 31, 2017**.*

### **The BA and Chapter 13 Cases**

*Please be aware that the Bankruptcy Administrator is not automatically added as a party in Chapter 13 cases. Attorneys should check the party list to ensure that the BA is listed as a party prior to indicating on a certificate of service that her office was served with a pleading electronically.*

### **New CM/ECF Event**

***Notice of Waiver of Discharge** – This event is designed for the filing of a notice when a debtor is not eligible to receive a discharge. It may be found in the Bankruptcy>Miscellaneous category.*

## 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?

Wells Fargo Bank, N.A. Servicer for Wells Fargo Bank, N.A., successor by merger to Wachovia Bank, N.A. ("Wells Fargo Bank, N.A.")

**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 Wells Fargo Bank, N.A. is sufficient.

### **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)917-6119

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





# ECF Court Link

AUGUST 22, 2017

VOLUME 12, ISSUE 6

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

In this issue:

- Case Statistics
- LR 9011-4
- Administrative Expenses
- Case Assignments
- Adding Parties
- Proposed Amendments
- Q&A
- ECF Contacts

## Case Statistics

July, 2017		Year to Date	
Ch. 7	158	Ch. 7	1338
Ch. 11	4	Ch. 11	49
Ch. 12	2	Ch. 12	3
Ch. 13	338	Ch. 13	2361
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
<b>Total</b>	<b>502</b>	<b>Total</b>	<b>3751</b>

## Local Rule 9011-4

*Please let this serve as a reminder that all documents, including orders, submitted to the court should comply with Local Rule 9011-4.*

### Rule 9011-4 SIGNATURES

All documents signed by an attorney pursuant to Rule 9011 of the Federal Rules of Bankruptcy Procedure and filed with the court shall contain the individual name, firm name, address, telephone number, facsimile number, where applicable, of the signing attorney(s).

## Administrative Expenses

*Effective immediately, all requests for Administrative Expenses must be filed as applications, and must provide 14 days notice to the debtor, debtor's attorney and trustee. This applies to all chapters.*

## Updated Case Assignments

*Our case assignments will change **effective September 1, 2017**. Please review the updated list for Case Administrators and Operations Analysts below. If you have any questions relating to a specific case, please contact the appropriate person based on the last two digits of the case number.*

### *Case Administrators:*

<i>Ending with:</i>	<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
00-02	<i>Dawn Barnes</i>	<i>Dawn_Barnes@nceb.uscourts.gov</i>	<i>(919)334-3807</i>
03-16	<i>Sharon Angel</i>	<i>Sharon_Angel@nceb.uscourts.gov</i>	<i>(252)917-6123</i>
17-30	<i>Donna Harris</i>	<i>Donna_Harris@nceb.uscourts.gov</i>	<i>(919)334-3804</i>
31-33	<i>Christy Gurgone</i>	<i>Christy_Gurgone@nceb.uscourts.gov</i>	<i>(919)334-3848</i>
34-47	<i>Carrie Wiggins</i>	<i>Carrie_Wiggins@nceb.uscourts.gov</i>	<i>(919)334-3858</i>
48-61	<i>Anna Brock</i>	<i>Anna_Brock@nceb.uscourts.gov</i>	<i>(919)334-3816</i>
62-75	<i>Amy Bisette</i>	<i>Amy_Bisette@nceb.uscourts.gov</i>	<i>(919)334-3849</i>
76-85	<i>Roxanne Parker</i>	<i>Roxanne_Parker@nceb.uscourts.gov</i>	<i>(919)334-3803</i>
86-99	<i>Aileen Gibson</i>	<i>Aileen_Gibson@nceb.uscourts.gov</i>	<i>(919)334-3808</i>

### *Operations Analysts:*

<i>Contact Person:</i>	<i>Email Address:</i>	<i>Phone:</i>
<i>Donna Skinner 00-30</i>	<i>Donna_Skinner@nceb.uscourts.gov</i>	<i>(252)917-6119</i>
<i>Kelly Shum-Drake 31-61</i>	<i>Kelly_Shum-Drake@nceb.uscourts.gov</i>	<i>(919)334-3806</i>
<i>Wendy Parker 62-99</i>	<i>Wendy_Parker@nceb.uscourts.gov</i>	<i>(919)334-3865</i>

## **Adding Parties in CM/ECF**

*When you need to add a party to a case during the docketing process, you must first enter the name of the party and search the database for a possible match prior to adding a brand new party. **Please** review the entire list of search results to see if the party is already in the CM/ECF database with the appropriate contact information. Only if the party does not already exist in the database should you click on the “Add/create new party” link.*

## **Proposed Amendments for Public Comment**

*The Judicial Conference Advisory Committees on Appellate, Bankruptcy, Criminal and Evidence Rules have proposed amendments to the following rules and forms and have asked that they be circulated to the bench, bar, and public for comment.*

Appellate Rules: 3, 13, 26.1, 28, and 32  
Bankruptcy Rules: 2002, 4001, 6007, 9036, 9037, and Official Form 410  
Criminal Rules: New Criminal Rule 16.1, Rule 5 of the Rules Governing Section 2254 Cases, and Rule 5 of the Rules Governing Section 2255 Proceedings  
Rules of Evidence: 807

*The proposed amendments and the advisory committees’ reports explaining the proposed changes may be viewed by clicking [here](#). The public comment period closed on February 15, 2018.*

### **QUESTIONS/ANSWERS:**

**Q.** I’ve just made an error in filing a pleading. Is the court able to remove it from the docket?

**A.** Yes, the entry can be removed if you contact the CM/ECF helpdesk during the court’s regular business hours (8:30 am – 4:30 pm). Entries may only be removed on the same day they are filed. Filings made after hours cannot be removed, and a corrective entry will be required.

**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)

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# ECF Court Link

SEPTEMBER 18, 2017

VOLUME 12, ISSUE 7

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

In this issue:

- Case Statistics
- On a Personal Note
- Fayetteville 341's
- Motions to Approve C/O
- Objections to Claim
- CM/ECF Accounts
- Q&A
- ECF Contacts

## Case Statistics

	August, 2017		Year to Date
Ch. 7	175	Ch. 7	1516
Ch. 11	5	Ch. 11	53
Ch. 12	0	Ch. 12	3
Ch. 13	342	Ch. 13	2701
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
<b>Total</b>	<b>522</b>	<b>Total</b>	<b>4273</b>

## On a Personal Note

*Please join the court in welcoming Landon Van Winkle, who began serving as law clerk to Judge Callaway on September 4<sup>th</sup>.*

*Please be advised that Kerry Boehm now serves as law clerk to Judge Humrickhouse.*

## Fayetteville 341's

*341 Meetings will resume in the Fayetteville location beginning in October. The first meeting date for Chapter 7 cases is October 11<sup>th</sup>. The first meeting date for Chapter 13 cases is October 20<sup>th</sup>.*

## **Motions to Approve Consent Order**

*A motion to approve consent order under Rule 4001(d) should either (1) attach the proposed consent order to the motion, or (2) recite the relevant terms in the body of the motion. The court is receiving motions to approve without being provided with the ability to review the terms of the consent order. This means that creditors are not receiving notice of the terms either. Please ensure that one of the above two requirements are met with every motion to approve consent order filed with the court.*

## **Objections to Claim**

*The court has found that the Local Form for Notice of Objection to Claim is not being used by the majority of filers in the EDNC. Effective **December 1, 2017**, the national rule will require the use of a notice substantially in compliance with the Official Form. Therefore, attorneys are encouraged to begin using the Local Form as soon as possible in preparation for this requirement. The form may be viewed on the court's website at:*

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

## **CM/ECF Account Updates**

*This should serve as a reminder that the information contained in CM/ECF attorney accounts must always be kept current. All address, phone or email changes must be updated with the court in a timely manner. This includes law firm changes, retirements and withdrawals from practice. Contact the helpdesk via email at **[kelly\\_shum-drake@nceb.uscourts.gov](mailto:kelly_shum-drake@nceb.uscourts.gov)** or **[donna\\_skinner@nceb.uscourts.gov](mailto:donna_skinner@nceb.uscourts.gov)** in order to request modifications to your contact information. Please be advised that these requests cannot be taken via telephone or live chat.*

## QUESTIONS/ANSWERS:

**Q.** I need to file a Motion to Redact/Restrict Public Access with regard to a Notice of Mortgage Payment Change. Do I need to upload a proposed order?

**A.** Yes. The court uses a form order for redacting Proofs of Claim only. All other documents require a proposed order to be uploaded.

## **ECF Contacts:**

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

Telephone Number: (919)334-3806

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# ECF Court Link

OCTOBER 27, 2017

VOLUME 12, ISSUE 8

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

In this issue:

- [CM/ECF Downtime](#)
- [Case Statistics](#)
- [New Event](#)
- [Rules and Forms Changes](#)
- [Motion to Sell Free & Clear](#)
- [On a Personal Note](#)
- [Q&A](#)
- [ECF Contacts](#)

## CM/ECF Downtime

Please be advised that CM/ECF will be unavailable beginning **Saturday, November 4<sup>th</sup> through Sunday, November 5<sup>th</sup>** for a scheduled upgrade. If the system becomes available prior to this time, a notice will be sent out. We apologize for any inconvenience this may cause.

## Case Statistics

September, 2017		Year to Date	
Ch. 7	167	Ch. 7	1685
Ch. 11	7	Ch. 11	61
Ch. 12	0	Ch. 12	3
Ch. 13	338	Ch. 13	3038
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
<b>Total</b>	<b>512</b>	<b>Total</b>	<b>4787</b>

## New CM/ECF Event

Although debtor attorneys have always had the ability to file their own motions to confirm Chapter 13 cases, they previously had to request the Generic Motion event in order to do so. In order to accommodate these filings, the following event has been created under the Motions/Applications category:

*Confirm Plan (Ch 13 – By Debtor)*



## **December 1<sup>st</sup> Rule and Form Changes**

*ATTENTION: Please see below for significant upcoming changes to the Bankruptcy Rules and Forms!*

### ***Bankruptcy Forms Amendments***

*On September 12, 2017, the Judicial Conference approved several amendments to Official Forms. These amendments will go into effect on **December 1, 2017**. The affected forms are as follows:*

*Official Form 101 (Voluntary Petition – Individuals)  
Official Form 309F (Notice of Chapter 11 Case – Corporations)  
Official Form 309G (Notice of Chapter 12 Case – Individuals)  
Official Form 309H (Notice of Chapter 12 Case – Corporations)  
Official Form 309I (Notice of Chapter 13 Case)  
Official Form 425A (Chapter 11 Plan – Small Business)  
Official Form 425B (Disclosure Statement – Small Business)  
Official Form 425C (Chapter 11 Monthly Report – Small Business)  
Official Form 426 (Periodic Report on Entities)*

### ***Chapter 13 Plan Form***

*In addition, a package of Chapter 13 amendments will be effective **December 1, 2017**. This affects existing Bankruptcy Rules 2002, 3002, 3007, 3012, 3015, 4003, 5009, 7001 and 9009, and adopts new Rule 3015.1, which requires use of a new form for Chapter 13 Plans (Official Form 113). The EDNC has decided to adopt a local form for Chapter 13 Plans that meets the requirements set out in the new Rule. The form is currently being created in PDF fillable format and will be posted on the court's website as soon as it is available.*

*Details on all of the upcoming December 1<sup>st</sup> changes may be viewed by clicking [here](#).*

## **Motions to Sell Free & Clear**

*Please be advised that the notice time for Motions to Sell Free and Clear of Liens is being updated to from 14 days to 21 days. The Administrative Guide will be updated accordingly.*

## **On a Personal Note**

*Please join the court in welcoming Ahrona Crossman, who began work as an Assistant Case Administrator in the Raleigh office on October 2<sup>nd</sup>.*

### **QUESTIONS/ANSWERS:**

**Q.** I filed a petition on behalf of a debtor, and it includes an application to pay the filing fee in installments. How do I only pay a portion of the filing fee at this time?

**A.** Under the Miscellaneous category, select the "Pay Fee – Installments" event for the applicable case chapter. The event will ask you for the dollar amount you wish to pay. Once you submit the entry, an internet payment will be generated in that amount for you to pay through Utilities.

### **ECF Contacts:**

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# ECF Court Link

NOVEMBER 30, 2017

VOLUME 12, ISSUE 9

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

## CM/ECF Downtime

Please be advised that CM/ECF will be unavailable beginning **Thursday, November 30<sup>th</sup> at 7:00 PM** for updates related to the upcoming rule and form changes. We will notify you when the system becomes available again on **Friday, December 1<sup>st</sup>**. We apologize for any inconvenience this may cause.

In this issue:

- [CM/ECF Downtime](#)
- [Case Statistics](#)
- [Applications to Employ Realtor](#)
- [Rules and Forms Changes](#)
- [Associated Cases](#)
- [New Event](#)
- [Q&A](#)
- [ECF Contacts](#)

## Case Statistics

October, 2017		Year to Date	
Ch. 7	184	Ch. 7	1874
Ch. 11	8	Ch. 11	69
Ch. 12	1	Ch. 12	4
Ch. 13	346	Ch. 13	3380
Ch. 9	0	Ch. 9	0
Ch. 15	0	Ch. 15	0
<b>Total</b>	<b>539</b>	<b>Total</b>	<b>5327</b>

## Applications to Employ Realtor

Effective immediately, all applications to employ a realtor should include a 21 day notice and service on all creditors. The Administrative Guide will be updated accordingly.

## **Reminder: December 1<sup>st</sup> Rule and Form Changes**

*This should serve as a reminder that the following changes will take effect on **December 1, 2017**:*

### **Rule Changes**

*The rule changes may be viewed by clicking [\*\*here\*\*](#).*

### **Bankruptcy Forms Amendments**

*Official Form 101 (Voluntary Petition – Individuals)  
Official Form 309F (Notice of Chapter 11 Case – Corporations)  
Official Form 309G (Notice of Chapter 12 Case – Individuals)  
Official Form 309H (Notice of Chapter 12 Case – Corporations)  
Official Form 309I (Notice of Chapter 13 Case)  
Official Form 425A (Chapter 11 Plan – Small Business)  
Official Form 425B (Disclosure Statement – Small Business)  
Official Form 425C (Chapter 11 Monthly Report – Small Business)  
Official Form 426 (Periodic Report on Entities)*

### **Chapter 13 Plan Form**

*The EDNC has adopted a local form for Chapter 13 Plans that meets the requirements set out in the new Rule. The form has been created in PDF fillable format and will be posted on the court's website as soon as it is available. Software vendors have already been notified. **The new Chapter 13 Plan form will be required for all cases filed on or after December 1<sup>st</sup>.** The old form may be used for any plan amendments in cases filed prior to this date.*

### ***\*\*Important Note With Regard to Service of the Chapter 13 Plan\*\****

*The plan is **not** required to be served on all creditors upon filing. Pursuant to Local Rule, the plan will be served on all creditors with the Motion for confirmation.*

## **Associated Cases**

*Official Form 101/201 requires that debtors list “any bankruptcy cases pending or being filed” that are associated with the filing. The court now asks that you also include any **prior** cases by the debtor on the form. Additionally, please contact the Case Administrator or CM/ECF Helpdesk to notify us that an associated case is being filed.*

## **New CM/ECF Event**

*The following event has been created under the Adversary Motions/Applications category:*

*In Limine*

### **QUESTIONS/ANSWERS:**

**Q.** I am filing amended schedules, and I need to add creditors. However, the text box isn't large enough. I run out of space after adding only a few creditors. What is wrong?

**A.** This is most likely a browser issue. CM/ECF is only compatible with Internet Explorer 8 and 9, or Firefox. File the amendment using one of these browsers. If you have a version of Internet Explorer higher than 9, try going to the Tools menu and putting the browser in Compatibility View. This should fix the problem.

### **ECF Contacts:**

Helpdesk Line: (919)334-3850

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# ECF Court Link

DECEMBER 15, 2017

VOLUME 12, ISSUE 10

Eastern District  
Of  
North Carolina  
CM/ECF  
Newsletter

In this issue:

- [Case Statistics](#)
- [General Order](#)
- [Motions to Incur Debt](#)
- [2018 Holidays](#)
- [Office Closures](#)
- [Attorney Leave](#)
- [Q&A](#)
- [ECF Contacts](#)

## Case Statistics

<i>November, 2017</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>170</i>	<i>Ch. 7</i>	<i>2043</i>
<i>Ch. 11</i>	<i>3</i>	<i>Ch. 11</i>	<i>73</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>4</i>
<i>Ch. 13</i>	<i>332</i>	<i>Ch. 13</i>	<i>3714</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>505</i>	<i>Total</i>	<i>5834</i>

## General Order

*A General Order was entered on Monday, December 11<sup>th</sup> regarding applicability of the amendments to the Federal Rules of Bankruptcy Procedure, effective December 1, 2017. The order may be viewed on the court's homepage or by clicking [here](#).*

## Motions to Incur Debt

*Motions to Incur Debt should specifically state how a debtor is going to be able to afford the proposed payment, with actual numbers. For example, the previous car payment was \$300, and the new payment will be approximately \$325. Or, if the debtor has gotten an increase in income, provide specific details as to what that increase is. If this information is not included in the motion, these matters will continue to be set for hearing.*

## **2018 Court Holidays**

*Monday, January 1<sup>st</sup> - New Year's Day*  
*Monday, January 15<sup>th</sup> - Birthday of Martin Luther King, Jr.*  
*Monday, February 19<sup>th</sup> – President's Day*  
*Monday, May 28<sup>th</sup> – Memorial Day*  
*Wednesday, July 4<sup>th</sup> – Independence Day*  
*Monday, September 3<sup>rd</sup> - Labor Day*  
*Monday, October 8<sup>th</sup> – Columbus Day*  
*Monday, November 12<sup>th</sup> – Veteran's Day*  
*Thursday, November 22<sup>nd</sup> - Thanksgiving Day*  
*Tuesday, December 25<sup>th</sup> – Christmas Day*

## **Holiday Office Closures**

*The clerk's office for the Eastern District of North Carolina will be closed on Monday, December 25<sup>th</sup> and Tuesday, December 26<sup>th</sup> for the Christmas holiday. We will reopen for business on Wednesday, December 27<sup>th</sup>. Additionally, the clerk's office will be closed on Monday, January 1<sup>st</sup> for New Year's Day.*

## **Attorney Scheduled Leave**

*Please inform the courtroom staff of your secured leave for 2018 as soon as possible to help avoid any potential scheduling conflicts. Contact information is as follows:*

*Judge Warren:*

**[NCEBml\\_CourtroomStaff\\_DMW@nceb.uscourts.gov](mailto:DMW@nceb.uscourts.gov)**

*Judge Humrickhouse:*

**[NCEBml\\_CourtroomStaff\\_SWH@nceb.uscourts.gov](mailto:SWH@nceb.uscourts.gov)**

*Judge Callaway:*

**[NCEBml\\_CourtroomStaff\\_JNC@nceb.uscourts.gov](mailto:JNC@nceb.uscourts.gov)**

## QUESTIONS/ANSWERS:

**Q.** I need to update the contact information on my CM/ECF account, but I don't see where I can do that under Utilities. How do I accomplish this?

**A.** The EDNC does not provide attorneys access to modify accounts. Please contact the CM/ECF Helpdesk via email, and we will update the information for you.

### **ECF Contacts:**

Helpdesk Line: (919)334-3850

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