



ECF Court Link

SEPTEMBER 7, 2018

VOLUME 13, ISSUE 6

Eastern District
Of
North Carolina
CM/ECF
Newsletter

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Case Statistics

<i>July, 2018</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>203</i>	<i>Ch. 7</i>	<i>1353</i>
<i>Ch. 11</i>	<i>4</i>	<i>Ch. 11</i>	<i>38</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>3</i>
<i>Ch. 13</i>	<i>315</i>	<i>Ch. 13</i>	<i>2418</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>522</i>	<i>Total</i>	<i>3812</i>

<i>August, 2018</i>		<i>Year to Date</i>	
<i>Ch. 7</i>	<i>175</i>	<i>Ch. 7</i>	<i>1531</i>
<i>Ch. 11</i>	<i>10</i>	<i>Ch. 11</i>	<i>48</i>
<i>Ch. 12</i>	<i>0</i>	<i>Ch. 12</i>	<i>3</i>
<i>Ch. 13</i>	<i>363</i>	<i>Ch. 13</i>	<i>2779</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>548</i>	<i>Total</i>	<i>4361</i>

On a Personal Note

William Curtis began serving as Judge Callaway's new term law clerk in the Greenville office on September 3, 2018. Please join us in welcoming William to our court family!

Chapter 13 Confirmations

The court has become aware that many cases filed between December 1, 2017 and June 30, 2018 have not been confirmed because of procedural and operational problems arising from the amendments to the Federal Rules of Bankruptcy Procedure implemented last year. In an effort to resolve this issue, the court is modifying the confirmation procedure for this limited number of cases only.

Effective immediately, the following procedures will apply for Chapter 13 cases filed December 1, 2017 through June 30, 2018 only:

Trustee will file a Motion to Confirm with required amendments to the plan incorporated, attach a copy of the original plan and serve on all creditors.

If objections are filed, a hearing will be immediately scheduled.

If there are no objections filed, the court will enter an Order Confirming Plan with the amendments set out in the Trustee's Motion for Confirmation. The order will reference the docket entry of the Motion for Confirmation that contains the original plan and amendments.

Please note: the confirmation procedure remains the same for cases filed July 1, 2018 and after.

Chapter 13 Dismissals

Effective immediately, all Motions to Dismiss filed in Chapter 13 cases will be scheduled for hearing. Exceptions are as follows:

- (1) 521(i) automatic dismissal*
- (2) Debtor's motions for voluntary dismissal*
- (3) consent orders that clearly state that the case will be dismissed without a hearing if the debtor fails to comply*

Additionally, when the trustee files a Report of Noncompliance regarding a prior order/consent order on a Motion to Dismiss, the court will now hold it for 7 days before entering an order of dismissal.

Proposed Amendments

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

Appellate Rules: 35 and 40

Bankruptcy Rules: 2002, 2004, and 8012

Civil Rules: 30

Rules of Evidence: 404

The proposed amendments and the advisory committees' reports explaining the proposed changes are posted on the Judiciary's website and may be viewed by clicking [here](#).

The public comment period closes on February 15, 2019.

Bankruptcy Certification Program

The Association of Bankruptcy Judicial Assistants (ABJA) is sponsoring a Certified Bankruptcy Assistant (CBA) Seminar and Exam on October 16 & 17, 2018, along with a Professional Skills Seminar on October 18 & 19, in Indianapolis, Indiana. One of the primary objectives of the ABJA is the development of educational programs for its members, bankruptcy court staff and the bankruptcy legal community. To that end, they have developed the CBA Program for secretaries, Clerk's Office staff, and others in the bankruptcy legal profession to become certified as a bankruptcy assistant. To obtain more detailed information, view the program flyer and obtain the registration form, please visit

www.abja.org.

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.

The court's Administrative Guide also contains a service chart that may be used as a resource. It may be accessed by clicking the below link.

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

ECF Contacts:

Helpdesk Line: (919)334-3850

Kelly Shum-Drake

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Donna Skinner

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Also, please look for the below icon on our homepage in order to access our Live Chat feature!

