

All FAQ (Frequently Asked Questions)

Published on United States Bankruptcy Court (<https://www.canb.uscourts.gov>)

The FAQ information presented here is accurate as of the date of publication, but it should not be cited or relied upon as legal authority. It is highly recommended that individuals consulting these FAQs obtain legal advice from a qualified attorney. For filing requirements, please refer to the [United States Bankruptcy Code \(Title 11, United States Code\)](#), the [Federal Rules of Bankruptcy Procedure](#), and the [Local Rules](#) for the United States Bankruptcy Court, Northern District of California.

General Bankruptcy

[What is the difference between bankruptcy cases filed under chapters 7, 11, 12 and 13?](#)

Answer:

Chapter 7: Often called the liquidation chapter, chapter 7 is used by individuals, partnerships, or corporations who are unable to repair their financial situation. In chapter 7 asset cases, the debtor's estate is liquidated under the rules of the bankruptcy code. Liquidation is the process through which the debtor's non-exempt property is sold for cash by a trustee and the proceeds are distributed to creditors.

Chapter 11: Often called the reorganization chapter, chapter 11 allows corporations, partnerships, and some individuals to reorganize, without having to liquidate all assets. In filing a chapter 11, the debtor presents a plan to creditors which, if accepted by the creditors and approved by the court, will allow the debtor to reorganize personal, financial or business affairs and again become a financially productive individual or business.

Chapter 12: Chapter 12 is designed for "family farmers" or "family fishermen" with "regular annual income." It enables financially distressed family farmers and fishermen to propose and carry out a plan to repay all or part of their debts. Under chapter 12, debtors propose a repayment plan to make installments to creditors over three to five years. Generally, the plan must provide for payments over three years unless the court approves a longer period "for cause."

Chapter 13: An individual with a regular income who is overcome by debts, but believes such debt can be repaid within a reasonable period of time, may file under chapter 13 of the bankruptcy code. Chapter 13 permits the debtor to file a plan in which the debtor agrees to pay a certain percentage of future income to the bankruptcy court trustee for payment to creditors. If the court approves the plan, the debtor will be under the court's protection while repaying such debts.

More information regarding the difference between chapters can be found in the [Bankruptcy Basics Manual](#).

[How do I find out who the trustee is in a case?](#)

Answer:

The name of the trustee assigned to a chapter 7, 12, or 13 bankruptcy case is printed on the *Notice of Bankruptcy, Meeting of Creditors and Deadlines*. Additionally, the trustee's name may be obtained by accessing the Multi-Court Voice Case Information System ([McVCIS](#)) or through Public Access to Court Electronic Records ([PACER](#)). The name of the trustee is also accessible via the public terminals in all divisional offices or you may call the divisional office where the case is pending or was closed.

[Where do I get procedural information?](#)

Answer:

Procedures posted on the Court website are divided into three sections: district, division and national. Please refer to [Rules and Procedures](#) section for further information.

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[What is a Creditor's Matrix?](#)

Answer:

The creditor's matrix is a list of the creditors in your case. It must be filed in the proper format so that it can be used by the court's automated noticing system. Please see [Amended General Order 13](#) for creditor matrix formatting instructions.

[What is Credit Counseling and Personal Financial Management?](#)

Answer:

Credit Counseling is conducted by a United States Trustee authorized credit counselor. ALL individual debtors must complete credit counseling **before** filing for bankruptcy. After completing credit counseling, the credit counselor will issue a certificate that must be filed with the bankruptcy court. When spouses file a bankruptcy case together (referred to as a jointly filed case) each spouse must complete credit counseling. Failure to timely file a properly issued credit counseling certificate will result in the dismissal of your bankruptcy case. If applicable, the credit counselor may issue a proposed budget and repayment plan (if one is prepared, it is to be filed along with the certificate).

Personal Financial Management is a course a debtor takes from an agency authorized by the United States Trustee **after** filing a bankruptcy case. Only chapter 7 and 13 individual debtors are required to take a personal financial management course. After completion of the course a debtor must file [Official Form B 423](#). If a personal financial management course certificate is provided it must be submitted at the time of filing the B 423 form. In chapter 7 cases, the certificate regarding completion of a financial management course must be filed within 60 days of the first scheduled 11 U.S.C. §341 Meeting of Creditors. In chapter 13 cases, the certificate of course completion is due prior to the completion of all plan payments so that a discharge may be obtained. The failure to timely file the certificate of course completion in either a chapter 7 or 13 case could result in a case being closed without the issuance of a discharge. If this occurs a fee must be paid to reopen the case.

Please visit the [United States Trustee](#) website for the most recent information on approved credit counseling agencies and personal financial management instructional course providers.

[How do I obtain a hearing date?](#)

Answer:

The process for setting a hearing varies depending on each judge. Please refer to the [calendaring procedure](#) of the judge assigned to your case for information regarding setting a hearing on the judge's calendar. Also, please refer to the [Local Rules](#) for more information regarding hearings on matters before the Court.

[How do I get copies of documents or certified copies?](#)

Answer:

There are two ways to get copies.

First, if you don't need certified copies, the easiest way is through the internet at PACER (Public Access to Court Electronic Records), an online service that lets you access, download, and print copies of case and docket information from all federal courts. You have to first register for a PACER account free of charge at www.pacer.gov. PACER then charges ten cents (\$0.10) per page for copies, the same that the court charges but without the trip to the courthouse or parking costs. For larger documents, the maximum charge per document is capped at \$3.00 (the equivalent of 30 pages). PACER also charges for name searches, reports, such as lists of cases, and transcripts of court proceedings (when available online). If your charges do not exceed \$15 in a quarter, your fees are completely waived, so copies printed that quarter are free.

Please Note: Restricted Access to Certain Documents in PACER

Judicial Conference privacy policy restricts PACER access to bankruptcy cases filed before December 1, 2003, and closed for more than one year. In these older closed cases, the docket sheet and docket information are available online through PACER, but access to other case documents is limited. For information on accessing documents in a closed, pre-December 1, 2003 case, please see "[Restricted Access to Certain Documents in PACER.](#)"

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Obtaining copies through PACER is simple and is strongly encouraged. However, if you need a certified copy, the court can provide both certified and non-certified copies of court documents. These documents may be obtained in person or by mail from a court divisional office. For information about the costs and types of payment the court accepts, please see "[Copy Request Procedure](#)."

[How do I obtain case information?](#)

Answer:

Bankruptcy cases are public records and are available for viewing in the Clerk's Office where the case was filed. Additionally, the court's Electronic Case Filing (ECF) system provides access to court files via the Internet. Basic information about a case is also available through the Multi-Court Voice Case Information System ([McVCIS](#)) or through Public Access to Court Electronic Records ([PACER](#)). Closed cases that pre-date 2005 may also be viewed at the [National Archives Records Administration](#) in San Bruno. Please contact the Clerk's Office for more information.

[How do I find out if someone has filed for bankruptcy?](#)

Answer:

[PACER](#) has a national index search tool called the [U.S. Party/Case Index](#). With a valid PACER account, you may search the entire country for a specific debtor. The results will give you the party name, case number and jurisdiction in which the case was filed. The report will allow access to a case's docket.

[Is bankruptcy information available to the public? Can anyone look at it?](#)

Answer:

Unless sealed, all documents filed in a bankruptcy case are available for public viewing. Information contained in bankruptcy case documents is a matter of public record. Documents may be accessed in the Clerk's Office during regular business hours, or 24 hours a day via internet access to [PACER](#). Debtors should note that filing a bankruptcy may adversely affect their credit rating. Credit reporting agencies regularly collect and disclose bankruptcy data to the public.

[A business or individual has filed for bankruptcy and owes us money. What do we do?](#)

Answer:

It is strongly recommended that you consult with a qualified bankruptcy attorney, and carefully read all information provided on case notices. If you wish to file a proof of claim in a case for money you assert is owed, please complete and file a proof of claim form with the Clerk's Office. Please note, Clerk's Office staff cannot provide any legal advice concerning your proof of claim or in regards to any case pending before the Court or other matter.

[What is a Proof of Claim?](#)

Answer:

A claim is any right to payment held by a person or entity against a person or entity that filed bankruptcy. A written statement filed in a bankruptcy case setting forth a creditor's claim is called a proof of claim. A proof of claim should include a copy of any documentation giving rise to the claim as well as any evidence in support of the claim, such as evidence of secured status if the claim is secured. Click here to obtain a blank [proof of claim form](#).

Attorneys and most others with an ECF login may file a proof of claim using ECF. Anyone however, with a computer connected to the Internet may electronically file a proof of claim by using the Electronic Proof of Claim (ePOC) system. ePOC is paperless and does not require a login, password or access to ECF. Click here to [File an Electronic Proof of Claim](#) using ePOC.

[Is there a deadline for filing a Proof of Claim?](#)

Answer:

In a chapter 7 "asset" case, the deadline (commonly referred to as the "bar date") to file a claim is stated in the *Notice of Chapter 7 Bankruptcy, Meeting of Creditors and Deadlines*. In a chapter 7 "no asset" case, if the trustee files a *Notice of Possible Dividends* a notice is sent stating the deadline by which a claim is due.

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In chapter 9 and chapter 11 cases, creditors receive a specific notice of the deadline by which a claim is due.

In a chapter 13 case, the deadline for creditors who have claims against the debtor is detailed in the *Notice of Chapter 13 Bankruptcy, Meeting of Creditors and Deadlines*.

In a chapter 12 case, the deadline for creditors who have claims against the debtor is noted on the *Notice of Meeting of Creditors*.

[I am a creditor. What should I do if my address changes from the address on my Proof of Claim?](#)

Answer:

You should file a *Notice of Change of Address* with the Court.

[I am a creditor in a chapter 7 asset case and received notice that I am to receive a payment from the Trustee. When will I receive payment?](#)

Answer:

Generally, trustees distribute funds to creditors six to eight weeks after they send out the notice of the Final Report and Accounting, however, sometimes the distribution of funds may take more time. If you have questions, please contact the [chapter 7 trustee](#) appointed in the case.

[I am a creditor in a chapter 11 case and the plan of reorganization has been approved. When will payments be distributed?](#)

Answer:

Each specific plan has different provisions pertaining to the time and amounts of creditor payments. Please consult the plan to find out the payment distribution schedule. If you have questions, please consult with your attorney or contact the debtor's attorney and ask when your class of creditors will be paid.

[How does an attorney get admitted to practice in the bankruptcy court?](#)

Answer:

To practice in the United States Bankruptcy Court for the Northern District of California, attorneys must be admitted to practice before the United States District Court for the Northern District of California. Please contact the [District Court](#) for further information.

[What is the function of the United States Trustee and where is it located?](#)

Answer:

The Office of the United States Trustee is an executive branch agency that is part of the Department of Justice. Its responsibilities include monitoring the administration of bankruptcy cases and detecting bankruptcy fraud. It is also responsible for appointing interim trustees to administer chapter 7 cases from a previously appointed panel of private individuals, lending support to and overseeing the debtor-in-possession in chapter 11 cases, and appointing and supervising standing trustees in chapter 13 cases.

The individuals appointed by the United States Trustee to serve as interim or standing trustees in individual bankruptcy cases changes over time. If you would like additional information regarding either the trustee program in general or individual trustees, you should contact the [Office of the United States Trustee](#) or the [Region 17 Office of the United States Trustee](#).

[What is a 341\(a\) Meeting of Creditors?](#)

Answer:

The meeting of creditors is a hearing all debtors must attend in any bankruptcy proceeding. The meeting of creditors is held outside of the presence of the judge and, depending upon the case chapter, usually occurs between 21 and 50 days after the filing of the petition. In chapter 7, 12, and 13 cases, the trustee assigned to the case conducts the meeting. In a chapter 11 case, a representative of the United States Trustee conducts the meeting.

The meeting permits the trustee or the representative of the United States Trustee to review the debtor's petition and schedules with the debtor. The debtor is required to answer questions under penalty of perjury (swearing or affirming to tell the truth) about the debtor's conduct, property,

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liabilities, financial condition, and any other matter that may affect the administration of the case or the debtor's right to discharge. In addition, the trustee or United States Trustee representative will ask questions to ensure that the debtor understands the bankruptcy process.

The meeting is referred to as a meeting of creditors because creditors are notified that they may attend and ask the debtor questions pertaining to assets or any other matter pertinent to the administration of the case. It is also referred to as a 341 meeting because it is mandated by Section 341 of the Bankruptcy Code. Creditors are not required to attend these meetings, and do not waive any rights if they do not attend. The meeting usually lasts only about ten to fifteen minutes and may be continued if the trustee or United States Trustee representative is not satisfied with the information presented.

If the debtor fails to appear and provide the information requested, the trustee or United States Trustee representative may request that the case be dismissed, or may seek other relief against the debtor for failure to cooperate. If the case involves spouses filing jointly, both spouses must appear at the meeting of creditors.

[Who do I notify about possible fraudulent activity in a bankruptcy case?](#)

Answer:

Complaints of criminal violations in the bankruptcy system are submitted to the [United States Trustee](#). Upon review, if the information furnished establishes a reasonable belief that a criminal violation has occurred the United States Trustee may refer the matter to the United States Attorney for possible investigation and prosecution. When submitting a complaint to the United States Trustee a clearly written statement along with copies of any available documentation will expedite this process.

The following information should be submitted with your complaint:

1. Name and address of the person or business you are reporting.
2. The name of the bankruptcy case, case number, and the location of where the case was filed.
3. Any identifying information you may have regarding the individual or the business.
4. A brief description of the alleged fraud, including how you became aware of the fraud and when the fraud took place. Please include all supporting documentation.
5. Identify the type of asset that was concealed and its estimated dollar value, or the amount of any unreported income, undervalued asset, or other omitted asset or claim.
6. Your name, address, telephone number, and email address. You are not required to identify yourself, though it is often helpful to do so if questions arise.

Submit a complaint by e-mail to USTP.Bankruptcy.Fraud@usdoj.gov, or to one of the following addresses:

Office of the United States Trustee

450 Golden Gate Avenue, 5th Floor #05-0153
San Francisco, CA 94102
Tel: (415) 705-3333
Fax: (415) 705-3379

Office of the United States Trustee

280 S. First Street, Room 268
San Jose, CA 95113
Tel: (408) 535-5525
Fax: (408) 535-5532

Office of the United States Trustee

1301 Clay Street, Room 200
Oakland, CA 94612
Tel: (510) 637-3200
Fax: (510) 637-3220

Executive Office of the United States Trustee

Office of Criminal Enforcement
441 G Street, NW
Suite 6150
Washington, DC 20540

For more information regarding reporting suspected bankruptcy fraud, please see the [United States Trustee](#) website.

Filing without an Attorney

[Do I need an attorney to file for bankruptcy?](#)

Answer:

An individual (or persons who are married spouses filing jointly in the same case) may file a bankruptcy case without the assistance of an attorney. When this happens the individual(s) represent themselves as debtors in *pro se*, which can be extremely difficult to do. Retaining a competent attorney is highly recommended. For information about attorney referral programs contact a local bar association.

Pursuant to [Local Rule 9010-1\(a\)](#), a corporation, partnership, or any entity other than a natural person may not file a bankruptcy case in the Northern District of California except through an attorney admitted to practice in the United States District Court for the Northern District of California.

[Where can I obtain bankruptcy forms?](#)

Answer:

Forms are generally available at office supply stores and other businesses online and otherwise that sell legal forms. Forms are also available from the national [United States Courts](#) website and the [Northern District of California Bankruptcy Court](#) website. The Bankruptcy Court Clerk divisional offices in the Northern District of California do not stock forms.

[Where do I file my bankruptcy petition and other documents?](#)

Answer:

The Court has four divisional offices located in San Francisco, San Jose, Oakland, and Santa Rosa. The proper divisional office to file a bankruptcy petition is determined by the debtor's county of residence, as follows:

Santa Rosa - Counties of Del Norte, Mendocino, Humboldt, Napa, Sonoma, Marin and Lake. The division office is located at the United States Courthouse, 99 South "E" Street, Santa Rosa, California 95404.

San Francisco - Counties of San Francisco and San Mateo. The division office is located at 450 Golden Gate Avenue, 18th Floor, San Francisco, California. (mailing address: 450 Golden Gate Avenue, Mailbox 36099, San Francisco, CA 94102)

Oakland - Counties of Alameda and Contra Costa. The division office is located at 1300 Clay Street, Room 300, Oakland, California 94612 (mailing address: 1300 Clay Street, Room 300, Oakland, California 94612).

San Jose - Counties of Santa Clara, Santa Cruz, Monterey and San Benito. The division office is located at the United States Courthouse, 280 South First Street, Room 3035, San Jose, California 95113.

[When filing documents with the Court, how many copies do I need to provide?](#)

Answer:

The Court requires only an original document be provided for filing. If however you wish to have a Court-stamped conformed copy of an original document returned to you, a copy of the original document must also be provided. If you are filing by mail you must include an appropriately sized self-addressed envelope with sufficient postage affixed to hold and return the conformed copy to you.

Note: For some documents the judge assigned to the case may require that a copy be provided (sometimes also referred to as a "chamber's copy," "judge's copy" or a "courtesy copy"). Please

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refer to the Division Procedures for the [posted copy requirements of the assigned judge](#).

[In an emergency, what are the minimum documents I need to file to begin an individual bankruptcy case?](#)

Answer:

- Voluntary Petition
- Statement About Your Social Security Number
- Certificate of Credit Counseling
- List of Creditors

[What if I have an emergency paper filing after regular business hours?](#)

Answer:

The Court is open to the public between the hours of 9:00 a.m. to 4:30 p.m. Monday through Friday, except on Federal holidays. To file an emergency petition on paper after regular business hours, a pre-approved appointment must be arranged. Please contact the Court at (888) 821-7606 to arrange for an emergency filing.

[May debtors pay their filing fee by cash, personal check, credit or debit card?](#)

Answer:

No. The only acceptable forms for debtors to pay fees are money orders and cashiers' checks made payable to "Clerk, U.S. Bankruptcy Court," in the exact amount of the required payment. The Clerk's Office does not make change.

[How do I apply for a waiver of the bankruptcy petition filing fee, or to pay the fee via installment payments?](#)

Answer:

Federal law (28 U.S.C. §1930) requires the payment of a fee to file a bankruptcy petition and also, in limited circumstances, permits such fees to be waived or paid via installments.

In a chapter 7 case voluntarily filed by an individual, if the debtor's income is less than 150% of the [federal poverty level](#) relative to the debtor's family size, and the debtor is unable to pay the fee in installments, the Court may waive payment of the fee. A fee waiver may be requested by filing a completed [Application to Have the Chapter 7 Filing Fee Waived](#). If the Court denies the request, the debtor may be required to pay the fee in full or via installment payments.

An individual filing a voluntary case (or married spouses voluntarily filing a joint case) under any chapter who is unable to pay the full fee at the time of filing may request the fee be paid via installments by filing an [Application for Individuals to Pay the Filing Fee in Installments](#).

[I filed a bankruptcy case, do I need to send a copy of the petition to anyone?](#)

Answer:

The Clerk's Office will send a notice of your bankruptcy case filing to those creditors listed with a complete street address, city, state and zip code in your initial bankruptcy petition. It is your responsibility to proceed as you think is necessary to notify any other person or entity.

[Can I view bankruptcy documents online?](#)

Answer:

Documents filed with the Court, and complete case information, is immediately available for viewing by attorneys, parties and the general public through [PACER](#).

[Can the public access CM/ECF to electronically file documents?](#)

Answer:

No. Full access to CM/ECF is available to attorneys and limited access is available to certain other professionals (creditors, trustee staff, etc.) who have successfully completed CM/ECF training.

[How do I get a bankruptcy case removed from my credit report?](#)

Answer:

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The bankruptcy court has no jurisdiction over credit reporting agencies. The Fair Credit Reporting Act, 15 U.S.C. Section 1681(c) provides that credit reporting agencies may not report a bankruptcy case on a person's credit report after ten years from the date the bankruptcy case is filed. Other bad credit information is removed after seven years.

For information on re-establishing credit and addressing credit problems, contact the Federal Trade Commission (FTC), Consumer Response Center, 600 Pennsylvania Ave. NW, Washington, D.C. 20580. The toll-free FTC help-line number is 1-877-382-4357, and the FTC website is located at www.consumer.ftc.gov.

CM/ECF and PACER

[What is Electronic Case Filing?](#)

Answer:

Case Management/Electronic Case Filing (CM/ECF or ECF) is a comprehensive system that allows the Court to manage and maintain electronic case files and offer electronic filing over the Internet. Unless sealed, a document filed in a case is immediately available electronically through the Internet.

[What hardware and software do I need to use CM/ECF?](#)

Answer:

Please refer to the [CM/ECF hardware and software specifications](#) for details.

[How do I obtain a login and register to use CM/ECF?](#)

Answer:

Full access to CM/ECF is available to attorneys, and limited access is available to certain other professionals (such as approved personal financial management course providers, creditors, trustee staff, etc.).

For information on obtaining a login and registering for ECF, please see the [CM/ECF webpage](#).

[How do I receive e-mail notices from the court?](#)

Answer:

Emailed notices from the court can be received by both debtors and ECF registered participants with an active login.

The registered ECF participant, in addition to having an active account must be a party to a case, or an attorney of record for a party to a case. Email notices to ECF participants include filing error notices and Notices of Electronic Filing, commonly called an "NEF" for short.

A debtor may receive court-generated notices and orders by email instead of U.S. mail when enrolling in the Debtor Electronic Bankruptcy Noticing (DeBN) program. DeBN is a free and voluntary service available to all debtors with an open bankruptcy case. Visit the [DeBN web page](#) for additional information or to obtain a Debtor Electronic Noticing Request form.

[When a document is filed in ECF does the ECF system automatically serve the other parties in the case? Do the other parties just get notification of a filing, or do they get the actual document?](#)

Answer:

When a document is filed in ECF a Notice of Electronic Filing (NEF) is automatically generated and emailed to the ECF registered parties in the case. The NEF includes the text of the docket entry, the unique electronic document stamp, a list of the case participants receiving email notification of the filing, and a hyperlink to the filed document(s) (not a copy of the filed document). Most recipients will receive one free look at the document when they click on the hyperlink to the document.

Parties to a case who are not ECF registered participants will not receive an NEF.

[The Notice of Electronic Filing \(NEF\) I received has a link to a document. Am I charged to view the](#)

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[document?](#)

Answer:

An NEF email containing a hyperlink to a filed document can be viewed the first time for free. This one free view link expires after the first use or 15 calendar days, whichever occurs earlier. To retain a free copy of the document for your records, print or save the document during this initial viewing period.

If you click the link after it has expired, you will need to enter your PACER login information, and you will be charged to view and print or copy the document.

Also, the NEF may include a case number link. If you click on the case number link, it will display the Docket Report for the case. You must log into PACER to view the Docket Report, and you will be charged for access.

[I received an NEF e-mail, if I forward it to another individual will that individual be charged for viewing the document?](#)

Answer:

If you forward the NEF within 15 calendar days of receipt without having viewed the document, the recipient of your forwarded email will be able to view the document for free until the free view expires. The free view expires after a first viewing or expiration of the 15 days, whichever occurs earlier. After the free view expires a charge will be incurred to view and print or copy the document.

[Is there any reason I would not receive my court generated NEF free copy emails?](#)

Answer:

The NEF email may have gone to your junk email folder. Also, if a recipient inadvertently identified a previous Court email as spam, the ISP may be blocking email from the Court. Sometimes, depending upon the policy of your ISP, you may not receive an NEF if your email inbox is full. Contact your ISP to rectify this situation. **Note:** Some ISPs may automatically route Court email to a junk mail folder. Go into your junk mail folder and mark email from the Court as "not junk mail."

[I am a registered ECF filer, can my support staff also receive a copy of the Notice of Electronic Filing \(NEF\) e-mail?](#)

Answer:

Yes. As a registered ECF filer you may authorize a duplicate NEF be sent via e-mail to one (1) member of your support staff. Please contact the Helpdesk at helpdesk@canb.uscourts.gov to add or change your support staff email address.

[How do I sign up to receive notices from the Bankruptcy Noticing center \(BNC\) via email?](#)

Answer:

Separate from receiving an NEF email, other notices in a case may be sent by the BNC, sometimes by regular mail. To receive BNC notices via email a creditor must sign up at the BNC public web site at www.ebnuscourts.com. Submit your completed registration form to the BNC. A similar service from BNC is available for debtors. See the FAQs below for Debtor Electronic Bankruptcy Noticing (DeBN).

[How do I learn who is participating electronically in a case?](#)

Answer:

In ECF select Utilities, then under the Miscellaneous category heading select Mailings and then Mailing Info for a Case. Enter the case number and submit. An Electronic Mail Notice List should appear, along with access to a list of case participants to receive non-electronic (manual) notice. The electronic participants are also listed on an NEF that is emailed in a case after a document is filed. The contents of an NEF may also be viewed by clicking on the "silver bullet" hyperlink next to each electronically filed numbered entry on a case docket.

[I tried to electronically file a document with ECF but it says format not recognized, what am I doing wrong?](#)

Answer:

All documents uploaded to ECF for filing must first be saved in a portable document format (PDF), with the file name extension ending ".pdf". The most common reason for receiving a "format not

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recognized" error message is the document to be uploaded is actually not saved as a PDF, or the full ".pdf" file name extension is not provided.

To avoid this issue, use the browse button on the file selection screen to navigate to the file you want to upload. Before completing the selection and uploading the document, right click and open it as a PDF to make sure it appears in its entirety and in the proper format.

[Does it matter what paper size setting is used in creating PDF files?](#)

Answer:

Yes. Always use the 8.5" x 11" paper size when scanning or converting documents to PDF files. After creating each PDF file, verify that an 8.5" x 11" document was created.

[I filed a document in the wrong bankruptcy case or adversary proceeding, how do I make a correction?](#)

Answer:

Prepare a new document that withdraws the original document. File the withdrawing document in the "wrong" case or adversary proceeding using the event *Withdrawal of Document* and by linking the withdrawing document to the original document. The *Withdrawal of Document* event is located in the Miscellaneous category under the Bankruptcy and Adversary menus. Then file your document in the correct case or adversary proceeding.

[What do I do if I cannot find the document I'm filing listed as a filing event in ECF?](#)

Answer:

Try using the ECF "Search" feature. For example, when filing an *Application to Pay a Filing Fee in Installments*, use the search term "installments" to locate the event "*Pay Filing Fee in Installments*." If you are unable to locate an event for the document you are filing, contact the division where the case is filed for assistance.

[I filed a document which requires payment of a filing fee but was not prompted to pay, what do I do?](#)

Answer:

Check to see if you have a pop-up blocker enabled. If so, it needs to be disabled. Then go to the Utilities menu and under the category heading "Your CM/ECF Account" click *Internet Payments Due*. You will be taken to the pay.gov payment screen.

[Where do I go to pay my outstanding fees?](#)

Answer:

In the Utilities menu, under the category heading "Your CM/ECF Account", click *Internet Payments Due*. You will be taken to the pay.gov payment screen.

[How do I find a record of the fees I have paid?](#)

Answer:

In the Utilities menu, under the category heading "Your CM/ECF Account" click *Internet Payment History*. Insert a date range and submit.

[I am trying to file a proof of claim for a creditor. The creditor is listed in the case, but the address for the creditor is incorrect. How can I change the address?](#)

Answer:

You cannot change the address listed for a creditor in a case, but if you are using ECF or ePOC to file the claim you can add a new address by selecting *Add Creditor* and entering the creditor's name and the correct address. Additionally, if you are filing the claim on paper or via ECF or ePOC, you may also docket a *Notice of Change of Address* for the creditor, wait 24 hours, and then file the claim under the new corrected address.

[I filed a proof of claim in the wrong bankruptcy case, how do I make a correction?](#)

Answer:

Prepare a new document that withdraws the proof of claim. File the withdrawing document in the "wrong" bankruptcy case using the event *Withdrawal of Claim*. The *Withdrawal of Claim* event is located in the Claim Actions category in the Bankruptcy menu. Then file your proof of claim in the

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correct case.

[Why can't I see the hyperlinks under the various menus when I enter my login and password?](#)

Answer:

Your login and password may not be active due to unpaid fees associated with your account. To check if you have unpaid fees in ECF go to Utilities then click on *Internet Payments Due*. All outstanding fees must be paid before your account can become active again.

Also, a password not used to access ECF for a continuous period of at least five (5) years, is automatically deactivated. Please contact the CM/ECF Helpdesk at helpdesk@canb.uscourts.gov for assistance reactivating your account. When contacting the helpdesk please have the following information for your account:

- Name, Bar ID (if applicable)
- Firm Name (if applicable)
- Address
- Telephone number
- Email and secondary email (if applicable)

[What should we do when an attorney leaves the firm?](#)

Answer:

When an attorney leaves a law firm the firm is required to notify the Court of the name and contact information for the attorney(s) taking over the departing attorney's active bankruptcy cases and adversary proceedings that are pending with the Court. This is done by filing a *Notice of Substitution of Attorney* in each active case and adversary proceeding and using the CM/ECF event *Substitution of Attorney* located under the Miscellaneous category in the Bankruptcy and Adversary menus.

When an attorney leaving a firm changes his or her address and intends to continue practicing before the Court, the departing attorney must comply with [Bankruptcy Local Rule 2002-2](#) and also submit a completed *Request to Change Attorney Address in CM/ECF* form to the Help Desk.

Additional information on changing an attorney address and how to obtain a list of cases and proceedings in which an attorney appears is available at this link: [Change Attorney Address in CM/ECF](#).

[I am changing firms. Do I need to establish a new ECF login and password?](#)

Answer:

You do not need to register for CM/ECF more than once. Even if you change firms, your login remains valid. It may however, be necessary to establish a new PACER login and password. Contact the [Pacer Service Center](#) for assistance.

[How do I change my email address with the Court?](#)

Answer:

Send an email to the Helpdesk at helpdesk@canb.uscourts.gov.

All emails to the Helpdesk requesting an email address change must be from the ECF account holder or the account holder must be copied on the email request to the Helpdesk.

For changes to your contact information other than or in addition to your email address, submit a completed *Request to Change Attorney Address in CM/ECF* form to the Helpdesk.

[I am an ECF filer. How do I remove my email address from a case?](#)

Answer:

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In ECF, go to “Bankruptcy” then “Miscellaneous” and select the event “Request to Remove Primary Email from Case.” Use of this event will remove your primary e-mail address from a case. However, all secondary e-mail addresses (additional e-mail addresses used by you and your staff), will not be removed from the case. After removal of a primary email address, as a party to the case all court notices, orders and service of pleadings previously sent to the primary email address will be sent by regular mail in paper form, and Notices of Electronic Filing will be sent to secondary email addresses.

[How do I change my CM/ECF password?](#)

Answer:

Click the forgotten password link on the ECF login screen, or [click here](#).

[Can I have the same filing login for all courts I practice in?](#)

Answer:

No, because each court separately assigns the ECF login for filing privileges in that court, presently it is not possible to obtain a universal login to file via ECF in all courts.

[Where do I obtain information about PACER?](#)

Answer:

Information about PACER is available from the [PACER website](#).

[My firm already has a PACER login and password. Do I need to establish a separate PACER account, or can I use the firm account?](#)

Answer:

The firm PACER account may be used, but if you want to keep your PACER fee billings separate from the firm's you will need to establish a separate PACER account. Information on obtaining a PACER account is available at the PACER website [Registration Page](#).

[How do I change my default PACER login?](#)

Answer:

Once you are logged in as a CM/ECF filer, click on the Utilities menu. Under the Your Pacer Account category, click *Change Your PACER Login*. Enter a new PACER login and password. You can change the default PACER login by checking the box *Make this my default PACER login*. Once you associate a PACER login and a filer login, there is no way to un-associate the two without making another PACER login the default.

Training

[How do I begin using CM/ECF to file documents in the Northern District of California Bankruptcy Court?](#)

Answer:

Full access to CM/ECF is available to attorneys, and limited access is available to certain other professionals (such as approved personal financial management course providers, creditors, trustee staff, etc.).

To obtain a login to access CM/ECF:

- All applicants (attorneys and limited access) must either, **1)** successfully complete an online [webinar training course](#) and practice assignment, or **2)** request and qualify for a [waiver](#) of the webinar training course.
- Additionally, all attorney applicants must be admitted to practice in the United States District Court for the Northern District of California in accordance with [Civil Local Rule 11-1\(a\), 11-2 or 11-3](#), and return a signed *Certification of Completion of Electronic Training Course* to the Court.

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[Must all CM/ECF login applicants participate in an online webinar training course?](#)

Answer:

Training is required for all attorneys and limited access filers unless they request and qualify for a [waiver](#) of the webinar training course. To qualify for a training waiver an applicant must, among other requirements, have previously received ECF training from another bankruptcy court and demonstrate having successfully filed documents via ECF in that bankruptcy court.

[What equipment do I need to participate in the online training webinar?](#)

Answer:

To play the pre-recorded webinar you must have a computer with JAVA installed that is also connected to audio speakers and the internet. To begin your training you will receive an email from the Court with links to download documents and install a WebEx module to view the webinar. Using two browser windows or two monitors while completing training is recommended. The webinar has been tested and works well with Firefox, Internet Explorer, Google Chrome and Safari browsers.

[I registered for the online training webinar, what happens next?](#)

Answer:

You will receive an email from the Court with further instructions on how to participate in the webinar. After successful completion of the webinar and practice assignment and (for attorney applicants only) providing a signed *Certification of Completion of Electronic Training Course* to the Court, an email will be sent to you containing information on how to access the live CM/ECF system.

[Two separate online training webinar courses are offered, one for a creditor's attorney and another for a debtor's attorney, what is the difference between these courses?](#)

Answer:

The creditor's attorney course focuses primarily on filing motions, adversary proceedings and claims. The debtor's attorney course includes the instruction and materials provided by the creditor's attorney course, plus additional instruction and materials on filings particular to debtors, such as filing a petition in a case.

[How much time does it take to view the pre-recorded online training webinar course?](#)

Answer:

The debtor's attorney webinar is 76 minutes in length and the creditor's attorney webinar is 59 minutes in length. Each webinar is divided into segments of between 4 and 12 minutes. The segments are not required to be viewed during one session. In addition to the webinar, the training also consists of a practice assignment to demonstrate the filing techniques taught during the webinars. The practice assignment is self-paced.

[Do I have to complete the pre-recorded online training webinar course in one sitting?](#)

Answer:

No, the pre-recorded webinar and practice assignment are self-paced. You may view one segment at a time or all at once. Each segment may be played, paused, stopped and resumed at any time.

[I am an attorney applying for an ECF login. May my support staff participate in the online training webinar course?](#)

Answer:

Attorneys are urged to encourage their non-attorney staff members to view the webinar and complete the practice assignment so as to familiarize working with ECF, but staff may not take or complete the webinar or practice assignment on behalf of an attorney applying for a login. Staff are not required to submit a completed practice assignment to the Court for review.

Electronic Bankruptcy Noticing

[When can I enroll in DeBN?](#)

Answer:

A debtor can enroll in DeBN at any time during the pendency of the debtor's bankruptcy case. A debtor may also request deactivation of the debtor's DeBN account at any time.

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[When are emails sent?](#)

Answer:

Emails are sent by the Bankruptcy Noticing Center (BNC) on behalf of the court in the evening on the same day a court notice or order is filed in your case.

[What is BNC?](#)

Answer:

BNC sends orders and court-generated notices from all bankruptcy courts to debtors and other parties in bankruptcy cases. BNC sends confirmation emails, court orders and notices using these addresses:

bncedi@noticingcenter.com

bnctrn@noticingcenter.com

Please add these email addresses to your contacts/safe-sender list to ensure delivery of court notices and orders to your email inbox. Please do not reply or send emails to these email addresses. These email accounts are used solely to send emails from BNC and the inboxes are not monitored.

[Will I receive all documents by email?](#)

Answer:

No, only notices and orders filed by the court and sent to BNC for service upon you will be delivered by email. All other parties, such as the trustee and creditors, will continue to serve documents upon you by U.S. mail or pursuant to other applicable court rules.

[Can I request receipt of court orders and notices both by email and U.S. mail?](#)

Answer:

No, a debtor only has the option to receive court orders and notices either by email or U.S. mail.

[Can others see my email address?](#)

Answer:

Your email address is not shown on the case docket caption, and your filed *Debtor Electronic Noticing Request* form is not visible to the public for viewing. However, a BNC Certificate of Mailing filed in the case will reflect your email address if the notice or order was emailed to you. A Certificate of Mailing must include a party's name and the address where they were served.

[I accidentally deleted an email, can the court order or notice be resent to me?](#)

Answer:

Neither the court nor BNC can resend court orders or notices. If you accidentally deleted a court order or notice contact your attorney or the court for information on how to obtain another copy.

[I filed jointly with my spouse, do we both have to request DeBN?](#)

Answer:

No. If only one of the joint debtors enrolls in DeBN then that joint debtor will receive court orders and notices by email, and the other joint debtor not enrolled in DeBN will continue to receive notices by U.S. mail.

[I filed jointly with my spouse, can we both use the same email address?](#)

Answer:

Yes, joint debtors can use the same email address. Each joint debtor will have their own DeBN account, and separate emails will be sent to each joint debtor at the email address used to register for DeBN.

[What should I do if my email address changes?](#)

Answer:

Immediately file with the court a *Debtor Electronic Noticing Request* form providing your new email address. After the clerk's office has processed this request, you will receive an email from BNC at

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your old and new email addresses advising that your DeBN account has been updated.

[What should I do if my street address changes?](#)

Answer:

Immediately file a notice of change of address with the court. The clerk's office will make the necessary changes to your bankruptcy case and your DeBN account. You will then receive an email from BNC advising that your DeBN account has been updated.

[What should I do if I want to deactivate or reactivate my DeBN account?](#)

Answer:

You must complete, sign and file an updated Debtor's Electronic Noticing Request form, requesting deactivation or reactivation of your account. After the clerk's office processes this request, you will receive an email from BNC advising that your DeBN account has been deactivated or reactivated.

[Why did I stop receiving court orders or notices by email?](#)

Answer:

There are several reasons why this may have occurred, including a DeBN account being deactivated due to an email delivery failure (a bounce-back email), a request filed to deactivate DeBN service, or when the name and street mailing address on file with the court no longer matches the name and street mailing address on the debtor's DeBN account. If a DeBN account becomes deactivated, the debtor immediately begins to receive court orders and notices by U.S. mail.

Additionally, if a PDF attachment is unusually large in size (exceeds 8MB), it is sent to the debtor by regular U.S. mail, but the debtor's DeBN account remains active.

[How do I obtain additional information about DeBN?](#)

Answer:

You may click this link to download a copy of the [DeBN brochure](#), or contact the court at helpdesk@canb.uscourts.gov with questions about DeBN or the status of your DeBN account. Do not contact BNC, or reply to emails you receive from BNC. Those BNC email accounts are used for the sole purpose of sending emails, and the inboxes are not monitored.

Redacted Documents

[What is redaction and when does it apply in a bankruptcy case?](#)

Answer:

When a document is redacted, it means that certain text contained in a document filed with the Court is concealed from view for privacy protection. This is an example of how a redaction will

Before a document is filed it must be redacted in accordance with [Federal Rule of Bankruptcy Procedure 9037](#) to protect information known as "personal data identifiers" such as, social security and tax identification numbers, birthdates, names of non-debtor minors and financial-account numbers.

[What if I need to redact information other than the "personal data identifiers" listed in Federal Rule of Bankruptcy Procedure 9037?](#)

Answer:

To file documents containing redacted information **other than** the "personal data identifiers" listed in Bankruptcy Rule 9037, you must obtain Court approval by filing a [Motion to File Redacted Document](#) in accordance with the Court's procedures for [Electronically Filing Sealed and Redacted Documents](#). There is no fee to file a Motion to File Redacted Document.

[How do I redact information from a document that has already been filed with the Court?](#)

Answer:

To redact information contained in a document that is **already** on file with the Court, you must file a [Motion to Redact Previously Filed Document](#) in accordance with the Court's [District Procedure for](#)

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[Motion to Redact Previously Filed Document.](#)

[Is there a fee to file a Motion to Redact Previously Filed Document?](#)

Answer:

Yes, a fee is due when a Motion to Redact Previously Filed Document is filed. For information on fees, see the [Court Fee Schedule](#).

[May the filing fee for a Motion to Redact Previously Filed Document be waived?](#)

Answer:

The judge may waive the fee under appropriate circumstances, in accordance with the [Bankruptcy Court Miscellaneous Fee Schedule](#) (see Item 21).

[Does the filing fee apply if a Motion to Redact Previously Filed Document is denied?](#)

Answer:

Yes, the fee is due at the time the Motion to Redact Previously Filed Document is filed. The ruling on the Motion does not impact collection of the fee.

[I filed a Motion to Redact Previously Filed Document and paid the filing fee, now I want to amend that Motion. Is a new filing fee charged?](#)

Answer:

If your amended Motion to Redact Previously Filed Document **does not** include additional documents to be redacted, there is no additional fee due.

A new Motion to Redact Previously Filed Document should be filed if your amended motion includes additional documents for redaction that were not identified in the first Motion, and the appropriate fee should be paid.

[Another party filed a Motion to Redact Previously Filed Document and paid the filing fee. I want to file a Motion to Redact Previously Filed Document in the same case. Is the filing fee due?](#)

Answer:

Yes, when multiple parties file separate Motions to Redact Previously Filed Document in the same case, the filing fee is due for each individual Motion.

[May one Motion to Redact Previously Filed Document be filed to redact several documents on file in the same case? What is the total filing fee?](#)

Answer:

Yes, a Motion to Redact Previously Filed Document may identify several documents on file in the **same** case for redaction. In such instances, the filing fee is due for the one Motion to Redact Previously Filed Document.

[I want to file a Motion to Redact Previously Filed Document but the case is closed, must I reopen the case and pay the reopening fee?](#)

Answer:

No, reopening a closed case is not required, and so a reopening fee is not due. In accordance with the [Bankruptcy Court Miscellaneous Fee Schedule](#) (see Item 11), in the event it becomes necessary to reopen a case solely to redact information pursuant to Federal Rule of Bankruptcy Procedure 9037, a reopening fee is not charged. A fee for filing the Motion to Redact Previously Filed Document still applies.

[Documents on file in several separate cases need redaction, may I file one Motion to Redact Previously Filed Document \(in a single case or miscellaneous proceeding\) for all of these affected cases and documents?](#)

Answer:

No, a Motion to Redact Previously Filed Document must be filed directly in each affected case, and the filing fee applies to each Motion to Redact Previously Filed Document.

[Will the Court or Clerk perform the actual redaction of information for the affected documents?](#)

Answer:

No, the responsibility to redact documents rests with counsel, parties, and others who make filings

with the Court.

Requesting an Interpreter

[Will the Court provide a sign language or spoken language interpreter in my bankruptcy case?](#)

Answer:

In a bankruptcy case, the parties are responsible for providing interpreter services for court proceedings as well as communications between counsel and the parties, but the Court will provide interpreter services in two very limited instances:

- 1)** When a court proceeding is *instituted* by the United States, the Court will provide a *spoken language interpreter* for a party or witness who the judge determines speaks only or primarily a language other than English so as to inhibit that person's understanding or communication in the proceeding.
- 2)** In *any* court proceeding the Court will provide a sign language interpreter or other auxiliary aides and services to a participant in the proceeding who is deaf, hearing-impaired or has a communication disability that inhibits that person's understanding or communication in the proceeding.

[What is a court proceeding?](#)

Answer:

Court proceedings include trials, hearings, court sponsored alternative dispute resolution programs, ceremonies and other public programs or activities conducted by the Court. In the case of a court-sponsored alternative dispute resolution program, interpreter services are provided for hearing impaired individuals but not for parties who speak languages other than English unless the United States instituted the proceeding.

In the Northern District of California, a meeting of creditors held pursuant to Section 341 of the Bankruptcy Code is not a court proceeding instituted by the United States. Hearing impaired participants should contact the [United States Trustee](#) to learn if interpreter services are available for a meeting of creditors.

[What is an auxiliary aid or service, and will I receive the auxiliary aid or service I chose?](#)

Answer:

Auxiliary aids and services include qualified interpreters, assistive listening devices or systems, or other effective methods of making aurally (sound) delivered materials available to individuals with hearing impairments. The Court will honor a participant's choice of auxiliary aid or service unless another equally effective means of communication is available, or if the means chosen would fundamentally alter the nature of the Court proceeding or impose an undue financial or administrative burden.

[How do I obtain a spoken language or sign language interpreter or other auxiliary aides and services?](#)

Answer:

Participants in court proceedings may request a spoken or sign language interpreter or other appropriate auxiliary aids and services by submitting a completed [Application for Services to Persons with Communication Disabilities](#) to the Access Coordinator stated on the *Application* at least **two weeks** prior to the date set for the proceeding.

Participants in court proceedings include parties, attorneys, and witnesses, but not spectators, although a court may provide interpreter services to a spectator when it is deemed appropriate. For example, a court may provide an interpreter to the deaf spouse of a defendant so that the spouse may follow the course of the trial.

[How do I reserve use of the courtroom infrared assisted listening device?](#)

Answer:

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To request use of the infrared assisted listening device, contact the Courtroom Deputy for the judge presiding at your court proceeding at least 24 hours before the scheduled proceeding start time (excluding Saturdays, Sundays and legal holidays). Contact information for each Courtroom Deputy is provided in the Court's [Policy for Providing Interpreters and Services to Hearing-Impaired and Other Persons with Communication Disabilities](#).

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