

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CALIFORNIA



CASE MANAGEMENT (CM/ECF) MOST COMMON FILING MISTAKES
AND
COURT RESOURCE INFORMATION

Adding Parties to the CM/ECF System: When filing documents, select the party and correct mailing address for the corresponding party. Not selecting the party with correct mailing address causes creditors to not receive proper notice. When this occurs, the Bankruptcy Noticing Center is unable to generate a notice to that party and sends a notice to Debtor's Attorney or Pro Se Debtor informing them that the notice was undeliverable.

Adversary Proceeding Cover Sheet: The court requires the filing of an Adversary Proceeding Cover Sheet with all complaints. The form may be obtained from the Court's Website. The Adversary Proceeding Cover Sheet must be completed and include the appropriate Nature of Suit.

Adversary Proceeding Documents: All documents related to an Adversary Proceeding must be filed in the Adversary Proceeding and not the Bankruptcy Case.

Amending of Creditor Matrix/Schedules: The Amended Matrix should include only those parties that were added or deleted. It is not necessary to include the entire list of creditors and use the correct event code, especially when a fee is required: Miscellaneous> "Amended Schedules (A-C and G-J- No Fee Required)" or "Amended Schedules (D, E, and F - Fee Required), or "Amended Creditor Matrix (Fee)".

Amended Notice of Hearing—terminating a hearing when Amending/ Correcting/ Continuing: Notate which document(s) are being continued and terminated and ensure that the correct hearing is replaced. When amending/correcting/continuing a hearing, the correct event code is Amended Notice of Hearing (Bankruptcy>Notices>Notice of Continued Hearing). This will allow you to replace the previously scheduled hearing with the new date and time. Once the hearing notice is docketed, double-check the Query Report (Query>Deadline/Schedule) to ensure the previous hearing was terminated and the new hearing was set.

Application for Approval of Attorney's Fees/Application for Compensation: Select the correct event code and professional type because specific information is required for this type of application. The correct event code is Application for Compensation (Bankruptcy>Motions/ Applications>Compensation). Do not use the Disclosure of Compensation for Attorney event code. Also, select the correct Professional type "Debtor's Attorney" vs. "Attorney", and enter the correct fees into the system. If there are no fees, then the filers should enter \$0.00.

Certificate of Credit Counseling vs. Financial Management Certificate: Select the correct event code depending upon which certificate is filed. For example: Credit Counseling (Bankruptcy>Miscellaneous>Certificate of Credit Counseling) is pre-petition and Financial Management is post-petition (Bankruptcy>Miscellaneous>Financial Management Course).

Chapter 13 Plan: Ensure the Chapter 13 Plan is formatted to the correct page size before uploading into the system. The page size should not exceed 8.5 x 11.0. Failure to ensure the correct size causes a system error. This may require filer to save it again through your pdf program, which usually adjusts the page size.

Event Codes: When filing a document, select the appropriate event code because certain event codes trigger specific screens/information (i.e., hearing schedule, payment record, etc.) and ensures that docket event(s) match the document(s) filed.

Entering of exact data reflecting the Voluntary Petition/ Adversary Complaint: Names, address, statistical data need to be exactly the same as they appear on the documents being submitted.

Filer name not on documents: The attorney's signature on the document should match the registered participants name on the system.

Judge/trustee assignment: When filing a new petition, it is critical to enter the debtor's correct county and zip code and enter the judge/trustee assignment immediately after the petition/schedules are entered. This will allow the clerk's office to generate the Notice of Meeting of Creditors.

Notice of Hearing: Using the correct event code will allow filer to schedule the hearing date, time and location properly and will automatically be set on the judge's calendar. *Do not use the generic event code "Notice," this will not allow you to schedule the hearing.* The correct event code is Notice of Hearing (Bankruptcy>Notices>Notice of Hearing).

Notice of Opportunity for Hearing: Use the correct event code: Opportunity for Hearing: (Bankruptcy>Notices>Opportunity for Hearing).

Orders: Use the upload feature for all proposed orders rather than attaching a proposed order to a docket event, unless it is used as an exhibit only. To select order upload: Bankruptcy>Order Upload. The court will not take action on orders that are entered on the court's docket. Important to link the order to the appropriate motion. Important to format and submit orders according to the Court's E-Order Submission Procedure.

Redacting of Personal Information: Private information appears on documents (Full Social Security Number, Minor Names, Account Numbers): **IMPORTANT NOTICE OF REDACTION**

RESPONSIBILITY: All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; Names of minor children; and financial account numbers, in Compliance with Fed. R. Bankr. P. 9037. This requirement applies to all documents (pleadings/claims), including attachments.

Scanned Documents: Ensure that all documents are sorted correctly (*Voluntary Petition is always the first document*) and all other documents are scanned in the upright position prior to attaching documents to the docket event.

Size of PDFs. It is essential that your PDF be less than **3MBs** in size to upload to the court. Scanned documents should be scanned to **300 dpi**. These requirements are critical to minimize file size and save storage.

COURT RESOURCE INFORMATION

The court's website obtains valuable information, such as procedures and manuals that can guide you when filing documents, etc.:

Court's Website: <http://www.canb.uscourts.gov/>

ECF Filing Procedures and Manuals are located at the Court's Website>Reference Desk:
<http://www.canb.uscourts.gov/ecf/reference>

District and/or Division specific Procedures: <http://www.canb.uscourts.gov/ecf/reference-desk>

District Forms and Division Forms are located at the Court's Website on the Forms Tab.

DIVISIONAL CONTACT INFORMATION

Oakland:	Main Number: 510-879-3600	Helpdesk: 510-879-3554
San Francisco:	Main Number: 415-268-2300	Helpdesk: 415-268-2300
San Jose:	Main Number: 408-278-7500	Helpdesk: 408-278-7500
Santa Rosa:	Main Number: 707-547-5900	Helpdesk: 707-547-5975

THINGS TO REMEMBER IN E-ORDERS

- ◆ Do not scan orders to a PDF. They need to be converted.
- ◆ Orders cannot contain any links. *i.e* web addresses. If the order contains a e-mail address it has to be strictly text. The order will not upload with a link in it.
- ◆ Leave enough space in the upper right hand corner for the date and signature of the judge. Leave one inch at the bottom of each page for the courts footer.
- ◆ Type END OF ORDER at the end of the order.
- ◆ Always include a COURT SERVICE LIST. This is a list of all the relevant parties who will receive a copy of the signed order. **Registered Participants and their clients should not be placed on a service list.**

(To view a list of registered participants in a particular case or adversary proceeding, go to UTILITIES in ECF, click on “Mailings...”; click on “Mailing Info for a Case No.”; enter the case number; then click SUBMIT.) The list shall include counsel and/or parties who are currently registered participants and who will receive e-mail notice/service for the particular case or adversary proceeding.

If there are no parties to be served include a Court Service List, just type on it *No Parties to be Served*.

- ◆ In addition, the names on the courts service shall be alphabetized by first name. In cases where the Court Service List contains more than 50 names, the court will not serve the order, counsel must serve order and thereafter file a proof of service with court.
- ◆ Make sure you are referencing the correct motion.

DO NOT use the Order Type *Hearing Scheduled* unless specifically requested by the Judge/Chambers.

UNITED STATES BANKRUPTCY COURT

ELECTRONIC CASE FILING (ECF) HELPFUL HINTS

- **Update** petition software regularly - install the latest version (Contact your vendor for more information).
- **Add** bookmarks (tabs) as you create your voluntary petition packet.
- **Review** entire PDF document before attaching it to your docket entry and review the docket entry before submitting it to the court. We do not delete docket entries or incorrect PDF attachments.
- **Keep** PDF documents in page number order when scanning and/or converting files to PDF.
- **Follow** step by step procedures when filing petitions to ensure that your case has been properly filed. Please see step by step procedures below.
- **Ensure** that all documents include the case name, number, and chapter.
- **Ensure** that you are filing in the correct case.
- **Refer** to the Court's Website regularly for updated CM/ECF Information: www.canb.uscourts.gov.
- **Contact** the Court's Help Desk or IT Help if you have any questions.
- **Select** the appropriate judge, hearing date and time when using the Open Calendar on the Court's Website (under Judge's Procedures).
- **Ensure** that required court fees are paid. This will keep the attorney from being locked out of the system.
- **Refer** to the appropriate division for Chambers Courtesy Copy Requirements.
- **Refer** to the court's website for division specific procedures.
- **File** the Statement of Debtor Social Security as a separate document. Do not include this document with the Voluntary Petition Packet.

BANKRUPTCY SOFTWARE PROGRAM:

If you are using a Bankruptcy Preparation Software Program, **it is important** that your program include the following information for our divisional offices. Your software may need to be modified to indicate the site codes.

Site Code: 1 = Santa Rosa
3 = San Francisco
4 = Oakland
5 = San Jose

County Code: To ensure the proper venue, please include the appropriate county (six digit) code for each county that you file cases in.

MANUAL BANKRUPTCY CASE FILING (not using case upload)

Important Steps to Follow When Opening a Case (Refer to CM/ECF User's Manual for more detailed information):

Steps for Filing a Chapter 7 or 11 Case Manually:

1. Open BK (*Bankruptcy > Open BK*) - File Voluntary Petition.
2. Upload Creditor Matrix (*Bankruptcy > Creditor Maintenance > Upload a Creditor Matrix Text File*).
3. Run Judge Trustee Assignment (*Bankruptcy > Judge/Trustee Assignment*).
4. Pay the required filing fee (a pop-up screen will display several times until fees are paid)
5. File Creditor Matrix Cover Sheet (*Bankruptcy > Miscellaneous > Creditor Matrix*).
6. File Statement of Social Security Number - (*Bankruptcy > Miscellaneous > Statement of Social Security Number*).

Batching Chapter 7 Cases (Optional):

A filer has the option to batch Chapter 7 Filings. Each batch cannot exceed five cases. When batching, do not run Judge/Trustee assignment until after the last case is uploaded. Follow the same steps for filing a bankruptcy case.

Chapter 13 Case:

Steps for Filing a Chapter 13 Case Manually:

1. Open BK (*Bankruptcy > Open BK*) - File Voluntary.
2. Upload Creditors-Matrix - (*Bankruptcy > Creditor Maintenance > Upload a Creditor Matrix Text File*).
3. File Creditor Matrix and Cover Sheet (*Bankruptcy > Miscellaneous > Creditor Matrix*).
4. Pay the required filing fee (a pop-up screen will display several times until fees are paid)
5. Run Judge/Trustee Assignment (*Bankruptcy > Judge/Trustee Assignment*).
6. File Statement of Social Security Number - (*Bankruptcy > Miscellaneous > Statement of Social Security Number*).
7. File Rights and Responsibilities (*Bankruptcy > Miscellaneous > Rights and Responsibilities*). Be sure to include case number and debtor's name on the document).
8. File Chapter 13 Plan (*Bankruptcy > Plan > Chapter 13 Plan*). Be sure to include case number and debtor's name on the document).

ADVERSARY FILING

Steps to Remember when Filing an Adversary Proceeding:

- Include the AP Cover Sheet as an attachment to the Complaint.
- Do not include a Summons to be Issued as an attachment. The court will issue this electronically to you for service on the defendant (s).
- After the summons is served, scan the original summons front/back and electronically file with the court (*Adversary > Complaint/Summons > Summons Service Executed*).
- Do not submit Discovery Form - The court will issue the form and mail it to you.

MOTION FOR RELIEF FROM STAY FILING

Steps to Remember when Filing a Motion for Relief from Stay:

- The RS Cover Sheet should always be included as an attachment to the Motion for Relief From Stay.
- The Declaration and Certificate of Service can be included as an attachment to the Motion for Relief from Stay or filed separately and linked to the motion.
- The Notice of Hearing is always filed as a separate document. Do not include this as an attachment.

Example with attachments:

Docket Motion for Relief From Stay (*Bankruptcy >Motions/Applications >Motion >Relief From Stay*)

attachment 1: RS Cover Sheet

attachment 2: Declaration

attachment 3: Certificate of Service, or

Docket Motion for Relief From Stay (*Bankruptcy >Motions/Applications >Relief From Stay*)

attachment 1: RS Cover Sheet

The Free Look for CM/ECF Registered Participants

Registered participants in CM/ECF receive one free electronic copy, (Notice of Electronic Filing) of all filed documents. This provision allows one electronic copy of the document free of charge, which can then be printed or saved to the Registered Participant's own computer or network to avoid future access or copying costs.

In order to receive the Notice of Electronic Filing an e-mail account will need to be established. Our recommendation is a separate e-mail account dedicated to ECF or if you can set up separate folders within your e-mail address to partition off these notices. This way your primary e-mail address will not fill up so quickly with Notices of Electronic Filing.

Once you become a registered participant you will be given the option to receive your Notice of Electronic Filing at the time a docket entry is made in cases in which you are involved or you may elect to receive a Daily Summary which summarizes all cases in one e-mail as oppose to receiving several e-mails in your cases. The Daily Summary is generated around 12:00 am (midnight) each day and will be sent out electronically shortly thereafter. Included in the Daily Summary is the Voluntary/Involuntary Petition documents and the BNC notice of Certificate of Mailing which will provide a 'free look' at these documents.

Documents Filed by Other Registered Participants who are Party to the Case or by Court Staff:

Registered Participants receive an e-mail from BKECF_CANB of the "Notice of Electronic Filing" which includes a hyper-link to the document from the 'Document Number:' field. The subject line for these e-mails includes the case number followed by the title of the filed document. Open the e-mail and click on the 'Document Number' hyper-link to get a 'free look' at the document. There will be a PACER fee if this hyper link is accessed (clicked on) a second time or if the case number link is selected. In the following example, the Registered Participant would have to click on the field 'Document Number:' 1095 to view the document at no charge. A fee would be incurred to view the document from the docket report if the Registered Participants clicks on the case number link "01-29744.

Case Name: The Carbide Group
Case Number: 01-29744
Document Number: 1095

Notices Generated and Filed by the BNC:

When court staff generate BNC Notices (i.e. Notice of Commencement of Case..., Discharge of Debtor, etc.) the Registered Participants receive the Notice of Electronic Filing, however, there is NO hyper-link to the actual Notice from the Document Number. The 'free look' for all BNC Notices is e-mailed to the Registered Participant approximately three days after the court generates the Notice. In addition to this 'free look' for BNC Notices, Registered Participants will continue to receive paper copies of these Notices, unless the Registered Participants enrolls in the EDI BNC Noticing program (for more information on EDI, please visit the court's web site).

- The free look email CANNOT be forwarded to anyone else.
- The free look email is only good for 30 days.
- The free look is good only once and cannot be viewed again without charge.
- The free look is only good for the main document on the entry. You will be charged to review any attachments to the entry.
- Users do not have the option to be selective on the e-mails, either.

Top "24" Common Mistakes in ECF

1. Incorrect PDF attached

This is a common mistake, especially when you give files similar naming conventions. *i.e.* two files for Smith, one spells the name with a "i" the other with a "y" they look exactly the same but they are for two different cases and you select the wrong pdf.

2. Incorrect Docket Event Selected

There are over 1000 names of events listed in the ECF system. The docket text is included in each docket event. Ensure the correct event has been selected by verifying the docket text before pressing the final submit button.

3. Debtor (s) address does not comply with rules for entry of addresses

Refer to "Rules of Entry of Addresses" located on our web site.

4. Joint Debtor not added to case; or added with incorrect party type.

During case opening, ensure the joint debtor is added to the case by Selecting "y" in the field "Joint Debtor".

5. Statement of Social Security (Form 21) Missing or attached to the Voluntary Petition.

This form is a requirement for all individual debtors. It needs to be docketed separately because of the security features added to the event to prevent the pdf from displaying on the docket.

6. Amended Documents-

The word "Amended" must be included in all documents that are amended. *i.e.* Amended Schedule, Amended Motion.

7. Forgetting to Upload Creditor Matrix

This is the only document that is not a pdf document. It needs to be a txt file. This file is used by the courts' Bankruptcy Noticing Center (BNC) to prepare and mail all of the notices regarding the 341 meeting.

8. Forgetting to Docket the Creditor Matrix with a coversheet.

The creditor matrix along with the cover sheet is a declaration by the debtor's attorney that the list of creditors is correct and complete and that the matrix conforms with the Clerk's promulgated requirements.

9. Notice of Hearing not docketed when requesting a hearing.

Motions and Notice of Hearing should be docketed separately. Notice of Hearing should *never* be an attachment to the motion, it needs to be its own separate document

10. Hearing Date incorrect.

The hearing date while docketing puts the information on the Court's calendar and the notices are sent out. If incorrect, the parties are required to be re-noticed.

11. Wrong location selected for Hearing.

The hearing location while docketing puts the information on the Court's calendar and the notices are sent out. If incorrect, the parties are required to be re-noticed.

12. Adversary pleadings filed in the main case.

All documents pertaining to the Adversary Proceeding should only be filed in the Adversary and not the Bankruptcy case.

13. Incorrect "Asset" indication

Chapter 7 is the only chapter that requires you to indicate whether it is a "Asset" or "No Asset" case. The default setting in the system is "No"

14. Debtors phone number and e-mail address is listed on the docket.

This information should not be on the docket. It gets there by inputting information in the fields on the screen to capture debtor information. These fields should be left blank.

15. Scanned documents unable to read.

Scanner settings may need to be adjusted. We recommend setting the dpi's (dots per inch) at 300.

16. Document pages not in the correct order.

Ensure all of the pages are in the correct order before uploading the document.

17. Documents were not redacted.

All filers must redact: Social Security or taxpayer-identification numbers; dates of birth; names of minor children; and financial account numbers, before uploading the document to the court.

18. Filer tries to use PACER login to access CM/ECF .

Confusion on which login to use.

Your ECF login and password issued by the court allows you to file documents only. In order to view pdfs or run reports requires a PACER login and password.

19. Using all Upper Case letters.

Do not use all “upper case” letters when entering information unless the name of the party should be in all upper case *i.e.* BMW. the clerk’s office uses all upper case letters in annotating corrections on the docket sheet. It becomes to confusing while looking at the docket sheet when both the outside users and the court users are typing in all upper case.

20. Docketing on the wrong case.

ECF remembers the last case you were on and displays the case number in the Case Number field automatically. When filing a different document for another case, please remember to change the case number.

21. Attachments not in the correct sequence

Even thou attachments have separate hyperlinks so that they can be open separately from the main document, they still need to be in the correct order *i.e.* Exhibit A, Exhibit B, Exhibit C.

22. E-Orders are scanned

E-orders should be converted to a pdf not scanned into a pdf. If the Order is scanned it is not a searchable pdf.

23. Uploading E-Orders before the hearing

Orders should not be uploaded before the hearing has been held, unless specifically requested by the Judge/Chambers.

24. Rushing! Not paying attention

Allow sufficient time to file your documents. You have until 11:59pm of the same day of your filing for your documents to be considered filed as of that date. You do not have to rush to get your documents filed by 4:30pm when the clerk's office closes.

Stay focused and complete the transaction thru to the end and receive the confirmation page that you have successfully filed your document. If for some reason you cannot complete the transaction from start to finish due to interruptions, it is always best to abort the transaction by clicking on any of the menus on the blue ECF menu bar. Resume your filing at a later time when you can devote your full attention to it. You are more prone to making errors when your attention span is split between multiple tasks.