

Case Management/Electronic Case Filing Newsletter

VOLUME I, ISSUE 2

APRIL , 2003

Attorney and Staff Training Still Available

The Clerk's Office continues to offer CM/ECF training for attorneys and their staff. Training is available in both the Pittsburgh and Erie offices. As of March 21, 2003, there have been 404 attorneys and 345 staff members trained on the CM/ECF system for a total of 749 persons trained. Mike Moore, Coordinator of Training, or Debbie Sciamanda, Deputy-in-Charge in the Erie Office, will be contacting you if you have submitted an application for training.

If you would like to be trained to use the CM/ECF system, a training

registration form is available at the Court's Website at <http://www.pawb.uscourts.gov/training.htm>. Training is available for attorneys and their staff at no cost. The course has been approved for five hours of substantive credits by the Pennsylvania Continuing Legal Education (PACLE) Board. There is a \$7.50 fee charge by PACLE to process the request for credit.

Additionally, this course has been approved by the Ohio Supreme Court Commission on Continuing Legal Education for 5 CLE credit hours.

Attorneys must pass a brief evaluation prior to being given a login and password to file electronically. This evaluation is taken in the attorney's office or other location with Internet access. In addition to the evaluation, attorneys must complete two forms provided by the Clerk's Office. The first form states that the attorney is admitted to the bar of the court in Western Pennsylvania, and the other form authorizes the Clerk to charge the attorney's credit card account for filings.



IMPORTANT
Set up your e-mail account to receive
Electronically Filed Notices

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Setting Hearings in Chapter 13 Cases Assigned to Judge Fitzgerald

Judge Fitzgerald has instituted a hearing process for Chapter 13 cases that requires attorneys to obtain a hearing date and time from the court's Website and serve a notice of hearing along with

the motion. The hearing procedures can be viewed and printed on the Court's Website at <http://www.pawb.uscourts.gov/jkf-proc.htm>. Movants must use the form found at <http://www.pawb.uscourts.gov/pdfs/jkf-hnotice.pdf> to schedule the hearing. Respondents must file answers directly with the Clerk. The response should not be submitted to the moving party for filing with the Clerk.

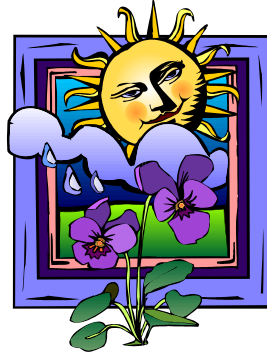
<http://www.pawb.uscourts.gov/pdfs/jkf-hnotice.pdf> to schedule the hearing. Respondents must file answers directly with the Clerk. The response should not be submitted to the moving party for filing with the Clerk.



PDF Files With Full Text Search Capability

The Court has adopted a Court Procedure concerning searchable PDF files. All documents filed electronically using the Court's Case Management/Electronic Case Filing System (CM/ECF) must be filed in a Portable Document Format (PDF). Documents drafted by a person who has been issued a login and password for CM/ECF must be cre-

ated using software that allows the Court to perform a full text search. Supporting documents not drafted by the filing party may be scanned into a PDF format and filed as a document that will not be full text searchable.



ing parties sufficient time to obtain the software needed to create documents that allows the Court to perform a full text search, PDF documents created by the filing party may be submitted in a non-searchable format until

In order to provide fil-

July 30, 2003.

E-mail Notification of Orders

Electronic Case Filing Procedure #10 (Notice of Court Orders and Judgments) states in part: Immediately upon the entry of an order or judgment in an

action assigned to the Electronic Filing System, the Clerk will transmit to Filing Users in the case, in electronic form, a Notice of Electronic Filing.

Electronic transmission of the Notice of Electronic Filing constitutes the notice required by Fed.R.Bankr.P. 9022.

Signatures on Electronic Pleadings

Please remember to include the proper designation (ie. /s/Attorney Name) on the signature line of electronically filed pleadings. ECF Procedure #8 states in part: "Electronically filed documents must comply with Fed.R. Bankr.P. 9011 and set forth the name, address, telephone num-

ber and the attorney's state bar registration number, if applicable.



In addition, the name of the Filing User under whose log-in and

password the document is submitted must be preceded by an "/s/" and typed in the space where the signature would otherwise appear. Failure to comply with these requirements may result in the Court striking the unsigned document from the record."

*"the Name of the Filing
User under whose log-in
and password the document
is submitted must be
preceded by an "/s/"*

When to Use Docket Numbers on Pleadings

Motion numbers are no longer assigned by the Court. Local Rule 9014 - 1 requires that captions for motions substantially conform with Local Form No. 14. The rule states that

a certificate of service, proposed order, or any subsequent pleading to a motion, objection, or other request for relief shall include in the caption the hearing date and time, the objection

date, and the docket number of the document that it pertains to.



Electronic Filing Update

The Court began accepting pleadings filed electronically on February 3, 2003. Over

195 attorneys now have logins and passwords to file electronically on CM/ECF. A total of 93

attorneys and 11 trustees filed pleadings electronically in February.

“Over 195 attorneys now have logins and passwords to file electronically on CM/ECF.”

Transcripts Available Electronically

Electronic versions of transcripts are available on the docket for Pittsburgh cases. There will be no paper copy of the transcript in a

case file. The Erie division cases will soon have the transcript available on the docket. Attorneys can remotely access transcripts at a

cost of 7 cents per page (with a maximum cost of \$2.10) if they have a PACER account.

Certificates of Service

When service is made electronically, a certificate of service must still be filed with the court indicating service was made electronically. Further, the same certificate of service is used to reflect the parties served by mail.

If you do not know whether or not the attorney you need

to make service on is registered to receive electronic notice, you can view the receipt screen on a particular docket to find out. To do this, go to the docket report and place a checkmark in the box “Include links to Notice of Electronic Filing.” When you run

the report, select the bullet next to the appropriate document number, select Html Version, and display receipt. This is the same type of notice that you receive by e-mail to verify that the document you filed has been accepted for filing.





E-mail Notification for Electronic Filers

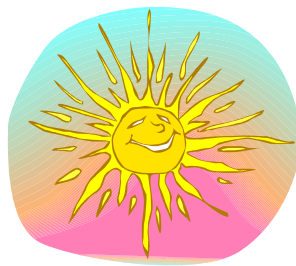
There is a “bug” in the current CM/ECF software used in this district. Certificates of Service for notices mailed by the Bankruptcy Noticing Center (BNC) are not e-mailed to ECF users if the users elect to receive “individual notices” when setting up their e-mail accounts.

When setting up the e-mail account in CM/

ECF, attorneys must select the “daily summary” option in order to receive electronic notice that a certificate of service submitted by the BNC has been docketed.

Please be sure to set up your e-mail account

after you have received your CM/ECF login and password for the LIVE system and choose the “daily summary” option. If you file a document and do not receive an e-mail notification, then your e-mail account has not been set up properly.



Setting Up Your CM/ECF Account

In addition to choosing the “daily summary” option for receipt of electronic notification from the Court, new CM/ECF Filing Users should remember to:

- Change your password after logging into the Live

CM/ECF system.

- Enter an e-mail address in order to receive electronic notification from the Court. Tab 27 in the Training Manual discusses maintenance

of user accounts.

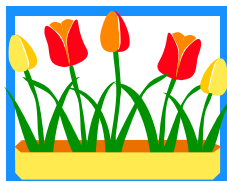
- Do not include your social security number when entering information on your User Account Screen.**

“Do not include your social security number when entering information on your User Account Screen”.

Opening an Adversary and Assigning Judge

The CM/ECF system has been modified to allow the attorney opening an adversary proceeding to add the judge to the case. The

judge added to the case



must be the same judge assigned to the main bankruptcy case that the adversary is related to.

Reminders: Opening Bankruptcy Cases

Attorneys filing bankruptcy petitions electronically need to remember to terminate certain deadlines on CM/ECF's case opening screens: (1) The Government Proof of Claim deadline should be deleted when filing a no asset case. (2) The Statement of Inten-

tions deadline can be deleted when opening a Chapter 7 case if the statement is being submitted with the petition.

Chapter 11, 12, and 13 cases should be entered as asset cases. Chapter 7 cases can be either asset or no asset cases.

The debtor's phone number should not be included in the party information submitted on CM/ECF. The phone number will be part of the public record if it is included on the debtor's party record.



Linked Documents

Please be sure that you enhance the description of an entry when it is linked (associated) to a prior entry by including a description of the document that is already on the docket.

The CM/ECF docket entry will list the related docket entry number, but it will not include a description of the document.

Please be sure to link to

all documents that are related to the document that is being docketed. For example, a certificate of service should be linked to both the motion entry and notice of hearing entry.



Orders Setting a Court Hearing

For Hearing Entries with a PDF attached: Order and Notice Scheduling Hearings will be transmitted to the moving party and other attorneys registered to use CM/ECF by e-mail. The moving party will not receive a paper copy of the scheduling order. It is the responsibility of the moving party to send notice of the hearing to the interested parties.

For Hearing Entries Without A Document Attached: The CM/ECF system will generate some notices automatically and submit them for mailing by the Bankruptcy Noticing Center (BNC). The docket entry scheduling the hearing will not have a hearing notice attached. The Hearing Notice and a certificate of mailing will be en-

tered on the docket as a separate docket entry two days later when the order setting hearing is transmitted as an electronic file from the BNC. The moving party who is required to send notice of the hearing to interested parties will receive a paper copy of the notice in addition to e-mail notification that the certificate of service has been docketed.

"The moving party will not receive a paper copy of the scheduling order"



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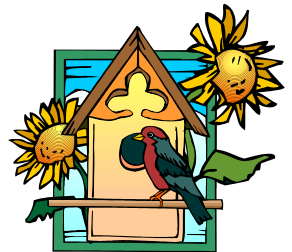
Phone: 412-644-4052

E-Mail:
PAWBHelpdesk@pawb.uscourts.gov

**We're On The
Web
www.pawb.uscourts.gov**

Original Signed Petitions

ECF Procedure #7 states in part: "Documents that are electronically filed and require original signatures other than that of the Filing User, such as the debtor, corporate officers, etc., must be maintained in paper form by the Filing User for six (6) years from the date of filing." This requirement includes retention of the bankruptcy petition and schedules that must be signed by the debtor and debtor's attorney. The Declaration Re: Electronic Filing, Local Form No. 1, which is filed with the court, does not eliminate the requirement imposed by ECF Procedure #7.



Creating PDF Files

The court has received a few calls about PDF uploads timing out when attempting to open a new case. As a rule of thumb, a forty page petition should not exceed 1.5 to 2 MB when scanned and converted to a PDF. If the document that you are trying to file with the court is inordinately larger than 2MB, then check to make sure that you are scanning your documents at a resolution of 300 dpi or less. Also, there may be

some corruption with the file if CM/ECF times out during the upload. It is uncertain how the corruption may occur. If you scan only 10 pages yet your PDF is 6 MB, then chances are the file is corrupt. The document should be rescanned and converted to PDF, perhaps using the Distiller option in Adobe Acrobat if the file size is still too large to file with the court.

