



CM/ECF Newsletter

Summer
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Edition

A Publication of United States Bankruptcy Court, Western District of Pennsylvania

The Court's Website

The court's website contains a good deal of information, which attorneys practicing in bankruptcy court may find helpful. The website is <http://www.pawb.uscourts.gov>. Information includes:

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1. Opinions issued by the court—A search of the opinions can also be made by keyword or by a single Judge or multiple Judges.
2. Local rules, general court procedures, electronic case filing procedures, chapter 13 procedures, and local forms.
3. General Orders and Administrative Orders.
4. Daily calendars of the Judges' court hearings.
5. Information regarding the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA)—Includes links to means testing data, a list of approved credit counseling agencies, and a list of approved providers for the personal financial management instructional course.
6. Procedures for each Judge—The Judges' court procedures pages include:
 - A. A list of chapter 13 hearing dates for Pittsburgh Division cases.
 - B. Scheduling dates for Erie cases.
 - C. Detailed procedures for some Judges.
 - D. Forms to be used for specific matters (some Judges).
 - E. Requirements concerning communication by writing, telephone, fax or e-mail.
7. Current Announcements from the court or Clerk.
8. A "What's New" section.
9. Links to other websites, including the Official Bankruptcy Forms.

OUR WEBSITE:

[http://
www.pawb.
uscourts.gov](http://www.pawb.uscourts.gov)

Using Public Access to Court Electronic Records (PACER)

All documents filed in cases in the Bankruptcy Court for Western Pennsylvania since September 2002 are available for viewing electronically at a cost of eight cents per page. To view documents, a PACER account must be established. The PACER login and password are different than the CM/ECF login and password that electronic filers receive from the court. Register at the PACER website at <http://pacer.psc.uscourts.gov/register.html> or by calling 1-800-676-6856.

The PACER website is <http://pacer.psc.uscourts.gov> and includes the U.S. Party/Case Index, which is a national locator index for PACER systems in the United States appellate, district, and bankruptcy courts. Subsets of data are collected from each court and transferred nightly to the PACER Service Center. The U.S. Party/Case Index allows searches by party name or Social Security number in the bankruptcy index, party name, or nature of suit in the civil index, defendant name in the criminal index, and party name in the appellate index. The information provided by the search will include the party name, the court where the case is filed, the case number, and the filing date.

Voice Case Information System (VCIS)

VCIS allows a caller using a touch-tone phone to obtain information about a bankruptcy case. VCIS is a free service of the court; the caller only incurs the cost of the phone call itself. Upon calling the system, a caller will be given instructions for using VCIS. Searches can be performed by case number, participant's name, or participant's Social Security number or tax ID number. Information on the system includes the case number, debtor names, the last four digits of the Social Security number or tax ID number, chapter, Judge, trustee, debtor's attorney, and limited case specific information.

VCIS can be accessed by calling 412-355-3210 (local calls) or 1-866-299-8515 (toll-free).

U.S. Courts Website

The national website for the federal court system can be viewed at <http://www.uscourts.gov>. The website provides the following information:

Federal Rules of Bankruptcy Procedure	http://www.uscourts.gov/rules/index.html
Rules published for comment	http://www.uscourts.gov/rules/index.html
Pending rule amendments	http://www.uscourts.gov/rules/index.html
Local Rules for U.S. Bankruptcy Courts	http://www.uscourts.gov/rules/index.html
Statistics for bankruptcy petition filings: Statistics are available for 12-month and 3-month periods ending September 30 (the fiscal year), December 31 (the calendar year), March 31, and June 30. Tables date back to the 1990s.	http://www.uscourts.gov/bnkrpctstats/bankruptcystats.htm

Prior CM/ECF newsletters are now available on the court's website at www.pawb.uscourts.gov.

Click on the "CM/ECF" link on the court's homepage and then choose "Index of all Newsletters." Each of the newsletters provides important information about CM/ECF that attorneys need to know when filing documents electronically.

The court's website has a link to the Official Forms at

http://www.uscourts.gov/bkforms/bankruptcy_forms.html#official

IMPORTANT REMINDERS CONCERNING CM/ECF FILING PROCEDURES

Correct PDF Format

Attorneys are using different Adobe commenting tools to add comments or redact text on documents filed with the court. Attorneys need to "flatten" the PDF file prior to submitting it to the court to eliminate the ability for anyone to view the unedited version. To flatten the file, simply print the edited PDF file to PDF again and the comments will then be embedded into the document. Once the flattening occurs, however, it cannot be undone, thereby ensuring that redacted information cannot be viewed on CM/ECF. Version 8 of Adobe Acrobat offers a redaction tool that allows you to select the text to be redacted and then apply the redaction process to remove that text permanently once the document is saved.

Obtain Your Own Personal Login

There have been instances in which attorneys file documents for other attorneys who are not authorized to participate in this district's CM/ECF program. In order to be properly notified, attorneys must electronically file documents using their own login. Electronic notification is sent to the attorney electronically filing the document. The attorney on whose behalf the document was filed will not receive notices from the court.

The Clerk's Office does not add e-mail addresses at the request of attorneys not filing on the CM/ECF system. Attorneys using CM/ECF that want notices in additional cases can access their user account to request notices in those cases.

The Importance of Credit Counseling & Financial Management Courses

Before filing: Generally, a person is ineligible to be a Debtor unless he/she has taken a credit counseling course within 180 days before filing a petition, and files the certificate. Refer to 11 U.S.C. Section 109(h)(1). After filing: A Chapter 7 or 13* Debtor is ineligible for a discharge if he/she has not, within 45 days after the first date fixed for the 341 meeting, filed the certificate of having taken the personal

financial management course (Official Form 23). Refer to 11 U.S.C. Section 727(a)(11) and Rule 1007(b)(7).

** See the notice posted on the Court website regarding the revision to this article.*

New Form for Reaffirmation Agreement

Reaffirmation agreements must be filed on the new Form B 240A effective January 2007. The Official Forms and Bankruptcy Procedural forms can be viewed on the court's website at http://www.uscourts.gov/bkforms/bankruptcy_forms.html#official.

Proposed Orders Needed

All motions must be filed with proposed orders in accordance with Local Rule 9013-1. The proposed orders should be filed as attachments to the motion.

Please check the procedures for the Judge assigned a specific case on the court's website. Some of the Judges have specific form orders (including default orders) that must be filed as attachments to motions or applications.

Hearings Scheduled by Attorneys

When a motion is filed on which a hearing is scheduled by the attorney, the notice of hearing must be docketed separately, and not filed as an attachment to the motion. Attorneys must use the correct location for the hearing. In cases assigned to the Erie division, for example, Bankruptcy Courtroom should be chosen.

Attorneys need to check the webpage for the Judge assigned to a case to determine if a hearing date and time need to be scheduled for a motion.

Remember To Include Hearing Dates

The CM/ECF system includes a prompt for a hearing date when filing responses or other pleadings. Please review the notice setting the hearing or the docket, and enter the hearing date when prompted by the system to do so.

IMPORTANT REMINDERS CONCERNING CM/ECF FILING PROCEDURES

Meeting the New Statistical Requirements

Either the event Amended Schedules A B C G H I J or the event Amended Schedules D E F must be used when an amendment to schedules is filed. During the docketing process, the Summary of Schedules screen will appear and the appropriate amounts must be input in order to meet the new statistical requirements.

The "Amended Document" event should not be used for an amendment to schedules. If the wrong event is used for this document, the summary of schedules screen does not appear and the statistical data is not input. The Clerk's office will issue a corrective entry in this instance asking the attorney to refile the document. The Clerk's Office needs to accurately report the information appearing on the schedules in order to meet national reporting requirements.

Page 2 of the Summary of Schedules (Form 6) must be completed accurately. The Total Type of Liability and the Current Monthly Income must match the amounts input by the e-filer on the Summary of Schedules screen during the case opening process.

Reminder About Case Opening

During case opening, the filer selects the documents that will be filed at a later date. The Clerk's Office will issue a Notice of Additional Deficiencies when the documents listed by the filer do not adequately reflect the documents that need to be filed to complete the petition.

Redaction of Personal Data Identifiers

In accordance with General Court Procedure #6, personal data identifiers must be redacted by the e-filing attorney prior to electronically filing documents with the court. The Clerk will not redact these personal data identifiers, nor review each pleading for compliance with this rule.

Service of Amended Chapter 13 Plans

Amended Chapter 13 plans must be served on all affected parties and a certificate of service must be filed with the court specifically naming the parties served.

Transfers of Claims

The Limited Filing User or Attorney e-filing a transfer of claim must select "transfer" from the Claim Status picklist during the docketing process. If "transfer" is not chosen, the proper information will not be reflected on the claims register.

Parties in Adversary Proceedings

During adversary case opening, all parties must be entered. Addresses of the defendants must be added so that the Clerk can notify those defendants who are not represented by counsel.

Searchable PDF Files

ECF Procedure #13 states:

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 must be filed in a format that allows the court to perform a full text search, except that documents received by the filing party from an outside source may be scanned into a PDF format and filed as a document that will not be fully text searchable.

All petitions, motions, responses and other documents created by the filer should be searchable.

Please remember to use the lowest acceptable resolution possible for scanning documents. Use of a lower resolution will create a smaller PDF file. A smaller file is easier for the filing attorney to transmit to the CM/ECF system, and it is easier for parties reviewing the docket to retrieve the file. As a rule of thumb, photos must be scanned at a higher resolution than printed documents.

CM/ECF FILING TRAINING



Online Attorney Training Manual

Attorneys and staff members are reminded of the court's Event Lists that can be found in the attorney training manual under the CM/ECF link on the court's website. Choose "Topics in Alphabetical Order" and then click "Event Lists" or go directly to http://www.pawb.uscourts.gov/training/Event_Lists.htm. Please review the Event Lists so that the proper event is used in order for the court to meet the new statistical requirements for tracking purposes.

CM/ECF Training Courses Still Available

The CM/ECF Training Course for attorneys and their staff members is still being made available. Training can be provided to untrained staff as well as those who are already trained but seeking a refresher course. Please visit the court's website at <http://www.pawb.uscourts.gov/training.htm> for the registration form.

The training requirement to receive a login and password to CM/ECF in the Bankruptcy Court for Western Pennsylvania is waived for those attorneys who already have a CM/ECF system login for any district or bankruptcy court.

Need Assistance?

Please direct technical problems such as logins/passwords, missing menu items, unexpected error messages, etc., to the Court's Helpdesk at

PAWBHelpdesk@pawb.uscourts.gov

For other assistance, please call
412.644.2700 (Pittsburgh cases)
814.464.9740 (Erie cases)