



UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK ECF NEWSLETTER

FEBRUARY 2015

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Revised Event

Two ECF events created in December 2014 have been revised. **Chapter 7 Statement of Your Currently Monthly Income (Form 22A-1)** and **Statement of Exemption from Presumption of Abuse Under §707(b)(2) (Form 22A-1Supp)** have been combined as one event in CM/ECF.

ECF Events

Current	Modified
Chapter 7 Statement of Your Current Monthly Income (Form 22A-1)	Chapter 7 Statements – Monthly Income (22A-1)/Exemption Presumption of Abuse (Form22A-1Supp). Your responses to Form 22A-1 will determine if Form 22A-1Supp should be filed.
Statement of Exemption from Presumption of Abuse Under §707(b)(2) Form 22A-1Supp)	Deleted

New Event

A new ECF event, **Acknowledgement of Request for Transcript** must be filed in the Bankruptcy Court by the transcriber as an acknowledgment of the request for transcripts relating to appeals. The **Acknowledgement...** must state when the request was received and when the transcriber expects to have the transcript completed.

Filers are reminded to update their software so that they are in compliance with the rule and form changes that became effective December 2014.

TIP OF THE MONTH

Filing Exhibits

The United States Bankruptcy Court, Eastern District of New York Local Bankruptcy Rule 5005-1(b)(iv) states: Relevant excerpts of exhibits that are not in electronic form shall be scanned and electronically filed. Such document excerpts shall be identified as excerpts, shall not exceed 20 pages, and shall state that the entire document is in the possession of the filing party and is available upon request. The complete exhibit shall be made available forthwith to counsel on request, and shall be available in the courtroom at any hearing on the matter. Persons filing excerpts of exhibits pursuant to these procedures do so without prejudice to their right to file additional excerpts or the entire exhibit with the Court at any time. Opposing parties may file any additional excerpts that they believe to be germane. Chambers copies of complete exhibits shall be provided to the Court on request.

See also Filing and Removal of Exhibits:

Local Bankruptcy Rule 9070-1 on Custody of Exhibits

<http://www.nyeb.uscourts.gov/usbc-edny-local-bankruptcy-rules>

Judges' Procedures #12 on Trial Exhibits

<http://www.nyeb.uscourts.gov/judges-procedures#1012>

Judge Trust's Procedures on Chambers Copies and Exhibits

<http://www.nyeb.uscourts.gov/judge-trusts-procedures>

We encourage you to share this document with those on your staff who assist with e-filing. If you have any questions, please call our help desk before filing. The numbers are 347-394-1700 then press 6 (Brooklyn) and 631-712-6200 then press 6 (Central Islip).

JUDGE TRUST UPDATED PROCEDURES

Judge Trust has issued updated Procedures, including one of his form orders "Bankruptcy Rule 2004 examination and production of documents order." Click here for more information

<http://www.nyeb.uscourts.gov/judge-trusts-procedures>.

PROVIDE YOUR FEEDBACK

ECF Users are asked to comment on the court's website using the link, [Provide Your Feedback](#). This link is also located in the upper left-hand corner of the court's home page.

JANUARY- DECEMBER 2014

Chapter 7	=	10,513
Chapter 9	=	0
Chapter 11	=	214
Chapter 12	=	3
Chapter 13	=	1,687
Chapter 15	=	6

Total Cases Filed January-December 2014 = 12,423
Total Adversary Proceedings Filed January-December 2014 – 638

JANUARY 2015

Chapter 7	=	653
Chapter 9	=	0
Chapter 11	=	18
Chapter 12	=	0
Chapter 13	=	154
Chapter 15	=	0

Total Cases Filed January 2015 - 825
Total Adversary Proceedings Filed January 2015 - 35

CHAPTER 11 LAWYERS' ADVISORY COMMITTEE

The Court has posted the minutes of the Committee meeting held September 9, 2014, to its website at <http://www.nyeb.uscourts.gov/chapter-11-lawyers%E2%80%99-advisory-committee>.

The Chapter 11 Lawyers' Advisory Committee was created to provide a forum for communication between the Court and the bar regarding chapter 11 practice and procedure in the District. Also posted to the Court's website are the Committee's Mission Statement, Members List and By-Laws.

Members of the Bar may contact the Committee via email at CH11LAC@nyeb.uscourts.gov

OFFICE SELECTION WHEN OPENING A BANKRUPTCY CASE

When selecting the **Office** in which the bankruptcy case should be filed, the **Office** assignment is generally based on the debtor's place of residence or the principal place of business. Filers are asked to **verify the Office selection** before advancing to the next field.

- The **Office** field defaults to Brooklyn. Keep the default selection when the debtor's county of residence or principal place of business is either Kings, Queens, or Richmond County; or
- Select the drop down arrow to change the **Office** selection to Central Islip only when the debtor's county of residence or principal place of business is either Nassau or Suffolk County.

REQUESTING MULTIPLE ECF EVENTS

When requesting more than one event/relief for a motion, after selecting the first event from the list of Available Events, hold down the control (Ctrl) key on the keyboard to choose the second event. Do not type any event in the text box. The text box may be used to differentiate or uniquely describe the document filed.

ERROR MESSAGES

We are experiencing difficulties with the Tip of the Month, the Electronic Learning Modules (ELMs) and their accompanying portable document format (pdf) on the website. Currently, downloading these procedures sometimes results in an error message. The Administrative Office is aware of this and will be working to fix the problem. We apologize for the inconvenience but we wanted you to know that sometimes they work as they should and sometimes they do not open. As a temporary measure, we encourage you to call the Helpdesk when you get these error messages.

QUARTERLY REMINDERS

Keeping Your ECF Account Current

Attorneys are responsible for keeping their information current regarding firm affiliation, address, telephone, fax and/or email. This information can be electronically updated by accessing your CM/ECF account under the Utilities menu and selecting "Maintain Your ECF Account." Should you have a reason to believe that your password has been compromised, you must immediately notify the Court in writing.

Chapter 13 Plan

When electronically filing the Chapter 13 Plan or Amended Plan, fill in the date of the Plan when prompted.

Electronic Courtroom Appearance Program (eCAP)

The Court has made the sign-in appearance program accessible on computer terminals in the anterooms of the courtrooms and on the attorneys' tables. In the Brooklyn Courthouse, you will also find a computer terminal at the Public Service Counter. You may enter your appearance from any of these terminals.

If you are in Court on behalf of the attorney of record, or if you are Of Counsel, you are required to enter **your** appearance and not that of the attorney who asked you to appear. It is not sufficient only to hand in a business card for your appearance but you must sign in, and you must inform the Electronic Court Recorder (ECRO) that you have done so.

Your electronic appearance is part of the court's official record. Accuracy and full disclosure of your name, firm or company name, address and phone number, on the right case are absolute.

If you need assistance using the program, we strongly encourage you to ask the Electronic Court Recorder Operator (ECRO). Most importantly, do not leave the courtroom without putting in your appearance in eCAP.

Case Numbers Needed to Provide Case Information

When calling the Court to get case information, have the case number readily available so we can promptly assist you. Case information can be found on PACER as well as the Voice Case Information System (VCIS).

Summary of Schedules

The Summary of Schedules page that is included in the petition is duplicated in the ECF database and the same data entered on this form must be transposed into the ECF system. Filers are required to input totals in the white field boxes of the Summary of Schedules from **Schedules A, B, D, E, F, I, J**. If a Schedule or Form is not filed, the white field boxes should be blank. If the Schedules or the forms identified above were filed, the white field boxes must be completed.

Redacting Personal Identifiers from Document

It is the responsibility of the filer to redact documents. When filers upload unredacted documents to the ECF Live database, the Clerk's Office will be directed by Order of the Court to request that a redacted document as required by Bankruptcy Rule 9037 be re-filed by a fixed date. For example, if a petition is filed with the complete debtor's social security number, or Form 21 is within the petition, you will be asked to refile the document along with any accompanying attachments.

Attorney Contact Information on Documents

When filing documents with the Court, it is important that you add your contact information to the documents. Pre-printed documents, such as reaffirmation agreements, must include contact information, such as name, address, phone number and an email address.

Sentence Case vs. Capital Letters

Filers are asked to use capital and lower case letters when inputting data or docketing in the ECF Live system. Filers should **not** use ALL CAPITAL LETTERS.

List of Creditors

When filing a new petition, in addition to uploading the list of creditors in .txt format under Creditor Maintenance in the ECF system, you must also include a PDF list of creditors within the petition.

Difficulty Filing

The Help Desk is available to filers who are having difficulty filing documents. We recommend that you and those on your staff who assist with e-filing attend the ECF training classes at the Court.

Service

New filers to this Court are reminded that they are responsible for timely service of any documents and must not rely on the Electronic Case Filing system as a form of service. See Local Bankruptcy Rule 9036-2.

Form 21

The complete Social Security (SSN) or Individual Taxpayer-Identification Number (ITIN) is placed on Form 21. To comply with Federal Bankruptcy Rule 9037, this form should be kept in your office with your clients records and should **not be uploaded to the docket**.

Docketing Events

If you are unsure of the event or relief to use, check the Available Events list, the Search menu on the ECF menu bar, or the alphabetical listing of Docket Events on the Court's website at this link: http://www.nyeb.uscourts.gov/sites/nyeb/files/docket_event_alph.pdf. If you still cannot find an event/relief call the Help Desk. The Case Administrator will inform you of the best event to use.

Linking

Always link to an actual document. For example, the event, **Letter of Adjournment**, must be linked to the motion/document for which the request is made. Do not link or relate documents to **any** hearing entries on the docket.

LOGINS AND PASSWORDS

If you have **forgotten** your ECF password, use the Court's new Reset Password Program to change your password. **Do not** re-submit an Attorney Password Application.

In order to receive a login and password, first time e-filers must submit, by conventional mail, an original Attorney Password Application with an original signature. When notarizing the Attorney Password Application, make sure all information is legible.

ECF logins and passwords are issued within three to five business days from the date the application is received.

If you did not update your email address in the ECF system, you will be required to fax a signed letter on your office letterhead requesting that the login and password be sent to your current email address. All logins and passwords will be sent to the primary email address.

If you have not received your login and password by email and it appears that you should have, check your Trash and Spam folders before calling the Court.

NEW YORK STATE STANDARDS OF CIVILITY

The Board of Judges for the United States Bankruptcy Court for the Eastern District of New York adopted the New York State Standards of Civility for the legal profession, as guidelines for practice in all cases and proceedings in this Court. For more information, click on the link: http://www.nyeb.uscourts.gov/admin_orders/ord_568.pdf.

ELECTRONIC TRAINING CLASS SCHEDULE

The next Electronic Case Filing training classes for attorneys and their support staff will be held at the:

- Brooklyn Courthouse - Friday, February 20, 2015 from 9:30 a.m. to 12:30 p.m.
- Central Islip Courthouse - Friday, March 27, 2015 from 9:30 to 12:30 p.m.

Attendance is no longer required to receive an ECF password to docket. However, first time users of the ECF system are strongly encouraged to attend the training class with their support staff. **It is important that attendees be on time for class.** Those arriving late must go to the

Clerk's Office on the second floor of the Bankruptcy Court in Central Islip and first floor in Brooklyn, to speak to the Public Service Deputy who will announce your arrival or escort you to the training room. Participants must register before attending the class. If you register for a class and must cancel, notify the Court as soon as possible.

The training room is in a secured area so attendees are asked to wait by the kiosk in the lobby area of the Central Islip and Brooklyn Courthouse.

The classroom training dates are also posted on the Court's website at:
<http://www.nyeb.uscourts.gov/ecf-training-class-schedule>

CONTACT INFORMATION

United States Bankruptcy Court
Eastern District of New York
Conrad B. Duberstein United States
Bankruptcy Courthouse
271-C Cadman Plaza East, Suite 1595
Brooklyn, NY 11201-1800
(347) 394-1700
Help Desk: (347) 394-1700 press 6

United States Bankruptcy Court
Eastern District of New York
Alfonse M. D'Amato United States
Courthouse
290 Federal Plaza
Central Islip, NY 11722
(631) 712-6200
Help Desk: (631) 712-6200 press 6

The Voice Case Information System (VCIS) - 866-222-8029

The Court's website address is: <http://www.nyeb.uscourts.gov/>

This newsletter and previous issues are available for online viewing. [Click here](#) to visit the ECF Newsletter Archive.

Contact Margaret_Clarke@nyeb.uscourts.gov with your ideas, articles and topics for the newsletter.