



EASTERN DISTRICT ECF NEWS

DECEMBER/JANUARY 2005

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ECF Filings

The court is extremely pleased with the local bar's response regarding the use of the Electronic Case Filing system.

The monthly percentages of attorney ECF filing for the past three months of 2004 are as follows:

2004	Oct	Nov	Dec
BK/AP Filing	66%	66%	68%
Event Docketing	23%	25%	25%
Atty's Docketing	641	620	653

2004 was the second full year of ECF for all new cases. More than 1900 attorneys have received a password and 1446 attorneys have docketed into the system.

Twenty trustees and attorneys docketed in excess of 1000 events in 2004, with the latest additions being Neil Ackerman and Heath Berger. Another fourteen exceeded 500 events.

Almost 2400 people have attended Simone Carter's ECF training class, some more than

once!

The following is an alphabetical listing of the top electronic filers for 2004.

Top Ten Attorney Filers

Heath Berger
 David Doyaga
 Michael Durante
 Richard Feinsilver
 Ronald Friedman
 Richard Jacoby
 Brian Kumiega
 Thomas Lee
 Dennis O'Sullivan
 Gilbert Weissman

Top Ten Trustee Filers

Marianne DeRosa
 David Doyaga
 Robert Geltzer
 Paul Krohn
 Michael Macco
 Greg Messer
 Robert Musso
 Alan Nisselson
 Martin Ochs
 John Pereira

A big thank you and congratulations to all participating attorneys and their staff members for a job well done. Our second year was a success, and we appreciate your cooperation.

ECF General Order/Local Rules

Each month we feature a different section of the ECF General Order or our Local Rules. The General Order and Local Rules are on our web page and we ask all attorneys to review them before filing to ensure accuracy of submissions. This month we highlight the ECF General Order.

II ELECTRONIC FILING AND SERVICE OF DOCUMENTS

B) Service

1) General Rule. Except as otherwise provided in paragraph 2 below, all documents required to be served shall be served in paper (*i.e.*, "hard copy") form in the manner mandated by the applicable law and rules.

2. Consent to Electronic Service.

Whenever service is required to be made on a person who has requested, or is deemed to have requested, electronic notice in accordance with FRBP 9036 or paragraph 7 of the court's General Order on Electronic Filing Procedures, service may be made by serving the "Notice of Electronic Filing" generated by the System by hand, facsimile or e-mail in the first instance, or by overnight mail if service by hand, facsimile or e-mail is impracticable.

3. Notwithstanding the foregoing, hard copies of documents or notices shall be served in the following circumstances:

(a) Service made in accordance with FRCP 4, FRCP 45, FRBP 7004 or FRBP 9016.

(b) Service made upon an agency of the United States, including the United States Attorney, the United States Trustee, or chambers, in accordance with the FRBP, LRBP or an order of the court.

(c) Notice served pursuant to FRBP 2002(a)(1).

(d) Upon the commencement of a case, service by counsel for the debtor of the petition, schedules and statement of affairs

on the United States Trustee, all applicable governmental agencies and the trustee assigned to the case, where applicable.

Help Desk Question of The Month

Question: Can a person reviewing the docket for a particular case also determine if any adversary proceedings have been commenced relative to that case?

Answer: Yes. Go to **Query**, type in the main case number, select **Run Query** and select **Associated Cases**.

Please be advised that all HelpDesk calls are to be directed to the Central Islip office at (631) 712-6200, and press six. Hours for the HelpDesk are Monday to Friday from 9:00 a.m. to 4:00 p.m.

Schedules & Amended Schedules

The court has separate events in the "Other" category, depending on whether you are filing schedules which require a fee or do not require a fee. If you are filing multiple schedules and one requires a fee, you do not have to docket two separate events. You may use the "fee required" event for all of the schedules.

Chapter 12

On October 25, 2004, the President signed into law S. 2864 (P.L. 108-369, 118 Stat. 1749), extending chapter 12 of the Bankruptcy Code for eighteen months, retroactive to January 1, 2004, and ending July 1, 2005. Chapter 12 of the Bankruptcy Code expired on January 1, 2004, pursuant to Pub. L. No. 108-73. Family farmers who, on or after January 1, 2004, filed for relief under another chapter may convert their cases to Chapter 12.

Pro Bono

If the filing fee for a case in which you are acting pro bono is to be paid in installments, the case must be filed using a disk, rather than over the Internet. There is no option to pay in installments when filing over the Internet; the entire amount of the filing fee will be charged to your credit card.

Websites

Although the court makes no recommendation as to content, the following websites contain information on PDF's that you may wish to review.

www.pdfforallawyers.com
www.pdfzone.com
www.planetpdf.com

Changes

Suggestions for changes to the docket event list resulted in the following recent changes to the system:

Events Added

Category-Motion

Event-Violation of the Automatic Stay

Events Changed

Category-Motion

Event-Object/Reclassify/Reduce/Expunge Claims

A message was added before the claim section prompt: *NOTE-Limit of 10 claims per motion as per Local Rule 3007-1(b)*

Event-Sever Chapter 7/13 Case

Event-Sever Chapter 11 Case

Removed the fee prompts: *For Receipt #, Enter CC for Credit Card Payment and If applicable, the Full Fee Will Be Charged To Your Credit Card*

The fee is due upon the filing of the severed

case after an order has been signed granting the motion.

Category-Other

Event-Amended Schedules D E or F and Affidavit

A message was added: *Fee applies when nature of amendment is to add or delete creditor(s), modify amounts(s) owed to creditor(s), modify specification of nature of debt(s), etc.*

Reminders

- Configure your bankruptcy case filing software to NOT submit your client's name and address in all uppercase letters. The ECF system recognizes upper and lower case letters throughout the program.
- To ensure that you are uploading the correct document into ECF, right-click on the document in the Browse window, and select Open to view the document before you upload.
- Watch your e-mail inbox for upcoming important information on submitting orders to the court via e-mail.

Eastern District Newsletter

This newsletter and previous issues are available for online viewing at http://www.nyeb.uscourts.gov/ecf_news.htm.

Do you have suggestions for future newsletter subjects? Would you like to receive a copy of this newsletter?

If so, please send an e-mail to Charles_Langlois@nyeb.uscourts.gov with the words "Subscribe ECF Newsletter" in the subject field.