



EASTERN DISTRICT ECF NEWS

MAY/JUNE 2003
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ECF Filings

The court is extremely pleased with the response from the local bar regarding the use of the ECF system.

The monthly percentages of attorney ECF filings for the past three (3) months of 2003 are as follows:

2003	Mar	Apr	May
BK Filing	55%	56%	63%
AP Filing	75%	77%	79%
Event Docketing	12%	14%	17%
Atty's Docketing	321	390	419

During the month of May, Michael Macco became the first attorney/trustee to docket more than one thousand (1000) events into the system this year.

There are currently more than 950 attorneys who have passwords for the system.

A big thank you and congratulations to all participating attorneys and their staffs for a job well done.

ECF General Order

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 revised General Order signed by Chief Judge Duberstein on December 26, 2002.

General Order

2. Electronic files, consisting of the images of documents filed in cases or proceedings and documents filed by electronic means, are designated as and shall constitute the official record of the court together with the other records kept by the court.

3. No attorney or other person shall knowingly permit or cause to permit the attorney's password to be utilized by anyone other than an authorized member or employee of the attorney's law firm.

7. The request for and receipt of a System password from the court shall constitute a request for electronic service by the attorney receiving the password pursuant to FRBP 9036, and except as otherwise provided in the Electronic Filing Procedures, a waiver by such attorney of the right to receive notice and service conventionally.

Help Desk Question of The Month

Question: What if I have a document to file that cannot be converted to PDF?

Answer: Any document that can be scanned can be stored in PDF format. If the document has oversized pages that your scanner cannot handle, consider minimizing the pages using your copy machine before scanning. If the original is of such poor quality that the scanned image is unreadable, discuss this issue with companies catering to the scanning of e-business documents. Also, always keep in mind that exhibits must be excerpted and no exhibit may exceed twenty (20) pages in length.

Our HelpDesk is open Monday to Friday from 9:00 a.m. to 5:00 p.m. The number for Brooklyn is (718)330-2188, extension 218. The number in Central Islip is (631)712-6200, and press six. Also, you may contact the ECF HelpDesk at the following e-mail address: ECF_Helpdesk@nyeb.uscourts.gov.

Adobe Acrobat Hint

To ensure that the formatting and appearance of your document remain the same when viewed through your word processor and when viewed or printed through the PDF reader, the printer (File/Print menu) must be set to Acrobat PDF Writer before beginning to compose or edit a document. If a document is initially prepared with a different printer specified, the ultimate conversion to PDF may introduce changes in fonts or spacing which will require further proofreading.

If Acrobat PDFWriter is set as the default printer, no other steps are necessary. If another printer is set as the default, Acrobat PDFWriter must be selected as the current printer immediately after opening the word processing application or immediately after

choosing to create a new document.

Trustee Notice of Assets Event

The event has been modified to have the proof of claim deadline automatically calculate 90 days. Therefore, trustees do not have to calculate or fill in the date.

Electronic Service

If you want to check to see which attorneys have agreed to electronic service, review the bottom of the Notice of Electronic Filing that you receive at the end of your docket entry.

You will see two listings:

Notice will be electronically mailed to:

Notice will not be electronically mailed to:

All those listed under the "*Notice will be electronically mailed to*" heading need only be served with a copy of the Notice of Electronic Filing by hand, facsimile, mail or e-mail.

All those listed under the "*Notice will not be electronically mailed to*" must be served conventionally with a paper copy.

If you forget to print/save your Notice of Electronic Filing, you can always go back into the system to retrieve it. Go to **Reports-Docket Report**- Enter your PACER login/password- Enter Case Number- Check the box next to **Include links to Notice of Electronic Filing** - Click **Run Report**- Click on the round bullet next to the docket entry- Select receipt type of either HTML or Text- Click **Display Receipt** to obtain the Notice of Electronic Filing.

If you want to identify an attorney that has

agreed to Electronic Service without completing a docket entry, go to **Utilities-Mailings-Mailing Info For A Case**- Enter Case Number- Click **Submit**, to obtain the list.

Cases Filed In The Wrong Office

You should always double check that you have selected the correct office when filing a bankruptcy case.

If you electronically file a case and select the wrong office, the originally filed incorrect case will be closed and subsequently transferred to the correct office. A new case number will be issued. Attorneys who continue to make this mistake may have their ECF login and password disabled.

Document Certification

Although electronic documents do not have original signatures, the process in which a document is certified has not changed.

If you require a certified copy of an electronically filed document, the court will print the document from the ECF system and provide certification service at the Intake counter in each office.

The long-term solution is to educate persons who presently require certified documents (sheriffs, banks, other courts) to view the documents directly by accessing the court's database. This will eliminate the possibility of the presentation of fraudulent documents.

Reminders

- It is the responsibility of the debtor's attorney to serve a paper copy of the

petition on the Trustee and U.S. Trustee within 48 hours. Please write the case number on the front page.

- Attorneys acting as counsel for the trustee should docket applicable events using their attorney login and password.
- Make sure that the first page of your uploaded petition file is the first page of the petition and not the list of creditors, 1073B, etc.
- If your petition software creates one file that contains all required attachments, you do not have to separate out the attachments to open cases.
- When opening an Adversary, do not add the attorney for the plaintiff or defendant. The court will input this information for you.
- Is your credit card expiration date approaching? File a new credit card authorization with the updated information.

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.