



EASTERN DISTRICT ECF NEWS

MAY/JUNE 2006
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ECF Filings

Court filings continue to run at approximately 20-25% of normal levels.

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

| 2006 | Mar | Apr | May |
|------------------|-----|-----|-----|
| BK/AP Filing | 70% | 74% | 73% |
| Event Docketing | 28% | 29% | 32% |
| Atty's Docketing | 580 | 534 | 556 |

More than 2800 legal professionals have attended ECF training in the Eastern District. 2600 attorneys have received a password and more than 1900 have docketed into the system.

A big thank you and congratulations to all participating attorneys and their staff members for a job well done. We appreciate your cooperation.

ECF General Order/Local Rules

Each month we feature a different section of

the ECF General Order, our Local Rules or the Interim Bankruptcy Rules effective October 17, 2005. All are located 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.

ELECTRONIC FILING AND SERVICE OF DOCUMENTS

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 I search for a word or phrase on a docket?

Answer: Yes. Once you select the docket you wish to review, you can perform a search by selecting Edit-Find In This Page (Netscape) or Edit-Find On This Page (Internet Explorer) and typing in the word you wish to find. You may also use this feature by pressing Ctrl +F.

Please be advised that HelpDesk calls may now be directed to either the Central Islip or Brooklyn office. The number in Central Islip is (631) 712-6200, and press six. The number in Brooklyn is 347-394-1700, and press six. Hours for the HelpDesk are Monday to Friday from 9:00 a.m. to 4:00 p.m.

Managing E-Mail

The PACER Service Center has posted a new

document that provides guidance to help filers manage the e-mail they receive from the ECF system. The document was created by the United States Trustee's office. It provides recommendations for best practices as well as guidelines in setting up rules for Microsoft Outlook. The document is located at: http://pacer.psc.uscourts.gov/documents/managing_email.pdf

ECF Account Issue

It is your responsibility to keep your ECF account up to date. The court can update your account for you if you wish. If e-mails addressed to your account are returned to the court as undeliverable, the court will contact you to inform you of the problem. If the court is unable to contact you because your account information is incorrect, the court may disable your account.

Who Receives Electronic Notice?

If you want to know who will receive the Notice of Electronic Filing e-mail before preparing and docketing your motion, perform the following:

1. Click on "Query" in the blue ECF Main Menu Bar.
2. Enter the case number.
3. Click "Run Query."
4. Select the "Party" hyperlink.

Any party with an e-mail address under their name will receive electronic notice.

Any party without an e-mail address under their name will not receive electronic notice.

This information is also located on the

bottom of the Notice of Electronic Filing receipt page that appears after you have electronically filed a pleading.

Previewing Your Document Before Uploading

One mistake that occurs is uploading the incorrect document. Remember, you can *preview* a document before uploading it.

Here's how: Place the cursor over the name of the document you intend to upload, and right click the mouse. A menu will appear. Left click the mouse on the "Open" option, which will cause the document to open in Adobe Acrobat Reader. Upon determining that you have selected the correct document, simply close the Reader and proceed to upload the document.

Adobe Acrobat Hint

You can save a copy of a PDF file to your word processing program by performing the following:

- a) Save the PDF file to your computer
- b) Open Adobe Acrobat
- c) Open the file
- d) Select **Edit-Copy File to Clipboard**
- e) Open the word processing program
- f) Select **Edit-Paste**
- g) Save the file

Some document formatting will be lost in the process, but you will avoid having to retype all of the text. Note that this will NOT work if the PDF document was scanned from paper.

Means Test

If you are seeking Internal Revenue Service and Bureau of the Census data required for completing the Statement of Current Monthly Income (Means Test) in a Chapter 7 case, you can find it at the following page of the United

States Trustee's (UST) website: <http://www.usdoj.gov/ust/eo/bapcpa/meanstesting.htm>. The UST updates this information on a regular basis. A link to this page is available on the Home page of the court's website at www.nyeb.uscourts.gov.

Court Calls

Please be advised that case administrators are assigned cases based on the last digit of a case number. If you mistakenly file the same document in multiple cases, you may receive more than one phone call from the court concerning the error, depending on how many case administrators are involved.

Reminders

- Please be aware that if you are filing multiple cases electronically, you may not get consecutive case numbers since other parties may be filing cases simultaneously into the CM/ECF system.

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.