



**OCTOBER/NOVEMBER 2005**  
**Volume 6 Number 6**

**ECF Filings**

Well, October was interesting.

Let's look at how bankruptcy filings in October 2005 compare to an average month in 2004.

<b>Chapter</b>	<b>Avg Month</b>	<b>October 2005</b>
7	1780	11199
11	13	28
13	390	528
<b>TOTAL</b>	<b>2184</b>	<b>11755</b>

The week prior to October 17 produced an increasing number of filings each day starting with Columbus Day. Filings reached astronomical rates on Thursday, October 13. During the four-day period from Thursday to Sunday, 7156 cases were filed. Compare this to the same four-day period in 2004 when 300 cases were filed. One can only imagine what the scene at the Court's Intake Counter would have been without the ability to file cases electronically.

The court had the ECF System available until 11:50 p.m. on Sunday, October 16. Attorney Lawrence Lefkowitz wins the prize for cutting it the closest as his last petition filing was received at 11:46 p.m. on the 16th.

The court is extremely pleased with the local bar's response regarding the use of the Electronic Case Filing system, especially during this trying time.

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

2005	Aug	Sep	Oct
BK/AP Filing	71%	71%	73%
Event Docketing	32%	35%	31%
Atty's Docketing	679	759	902

More than 2800 legal professionals have attended ECF training in the Eastern District. 2400 attorneys have received a password and more than 1800 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 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 General Order.

## ELECTRONIC FILING AND SERVICE OF DOCUMENTS-FILING

A.4 Persons filing documents that reference exhibits which are not in electronic form shall scan and electronically file excerpts of the exhibits that are directly germane to the matter under consideration by the court. Such filings must be clearly and prominently identified as excerpts, must not exceed twenty (20) pages, and state that the entire document is in the possession of the filing party. The entire exhibit must be made available forthwith to counsel and the court on request, and must be available in the courtroom at any hearing pertaining to 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 additional excerpts if they believe that they are germane.

## **Help Desk Question of The Month**

*Question:* How do I change the address on my ECF account?

*Answer:* Login in with your ECF login and password, click on **Utilities, Maintain Your ECF Account**. You can change your address, phone, e-mail address and preferences and password.

To apply the changes to all of your cases, accept the default **Update All**.

To apply the address change to certain cases, click to select only those cases. The other cases will retain the old address information and only the selected cases and new cases will have the updated information.

To select none of the cases, press and hold the CTRL key while clicking **Update All**. All selections are cleared, so the change does not affect any cases on the list.

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.

## **Filings with Attachments**

A number of filers have had the following problem:

While docketing an event with multiple attachments, the filer completes the entire process and does not receive the one page Notice of Electronic Filing (NEF) receipt page. When the filer does not receive the NEF, they docket the event again which results in a duplicate filing on the docket.

The loading of multiple attachments may result in the appearance that the docketing did not complete because the NEF does not appear (the system just hangs). However, the event does complete. You will receive your e-mail "free look" notification. You may also log into PACER and double check that the event completed. Do not redocket the event unless you have determined that your original submission was not successful.

The court has a rule that each attachment must be less than two megabytes. However, when the sizes of all of the attachments are added up, it can be four-six megabytes in some instances.

As long as each attachment is less than two megabytes, there should not be a problem. However, the above is occurring since the installation of the new software in October. The Administrative Office is aware of this intermittent problem and a solution is

forthcoming.

At this time, we recommend that if you wish to file an event with numerous attachments, docket some of the attachments separately and link them to your original submission. For example, docket the motion and then docket your attachments using the event **Exhibit** in the **Other** category.

To determine the size of your files, open the PDF file in Adobe Acrobat and select File-Document Properties. Look for the listing in the PDF Information screen next to File Size. Or, just right click on the file name and select Properties. File sizes may be listed in KB (kilobytes) or MB (megabytes). 1000KB = 1MB. Our limit is 2 MB.

## Curing Schedule Deficiencies

One common error in filing Schedules or Amended Schedules is selecting the wrong event and attaching the wrong Affidavit [per Local Rule 1007-1(b) or Local Rule 1009-1(a)].

Here is a guide as to which events (located in the **Other** category) to use:

1. *Schedules(s), Required Statements and Affidavit **LR1007-1(b)**(due within 15 days)(Fee Due)*-Use this event when filing schedules for the first time but have **added** or **deleted** creditors from the original list of creditors/matrix. Attach the 1007-1(b) Affidavit located on our web page at:  
<http://www.nyeb.uscourts.gov/forms/local/usbc-64011404.pdf>

2. *Schedules(s), Required Statements and Affidavit **LR1007-1(b)**(due within 15 days)(No Fee)*-Use this event when filing schedules for the first time but have not added or deleted creditors from the original list of creditors/matrix. Attach the 1007-1(b) Affidavit located on our web page at:  
<http://www.nyeb.uscourts.gov/forms/local/usbc-64011404.pdf>

3. *Amended Schedules(s) D, E or F Required Statements and Affidavit **LR1009-1(a)**(Fee Due)*- Use this event when amending schedules D, E or F. Attach the 1009-1(a) Affidavit located on our web page at:  
<http://www.nyeb.uscourts.gov/forms/local/usbc-63032703.pdf>

4. *Amended Schedules(s) Required Statements and Affidavit **LR1009-1(a)**(No Fee)*-Use this event when amending all other schedules. Attach the 1009-1(a) Affidavit located on our web page at:  
<http://www.nyeb.uscourts.gov/forms/local/usbc-63032703.pdf>

## Credit Counseling Certificate

The Credit Counseling certificate must be filed as a separate docket event using the event **Certificate of Credit Counseling** located under the **Other** category. The debtor should have received a certificate from the approved Credit Counseling agency. Please attach that certificate when docketing. Do not use Form 23 (Debtor's Certification of Completion of Personal Financial Management Course) for the Credit Counseling Certificate.

## Eastern District Newsletter

This newsletter and previous issues are available for online viewing at  
[http://www.nyeb.uscourts.gov/ecf\\_news.htm](http://www.nyeb.uscourts.gov/ecf_news.htm)

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