



JULY/AUGUST 2006
Volume 7 Number 4

ECF Filings

Court filings continue to run at approximately 30% of normal levels.

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

2006	May	Jun	July
BK/AP Filing	74%	78%	77%
Event Docketing	32%	33%	38%
Atty's Docketing	556	583	533

More than 2800 legal professionals have attended ECF training in the Eastern District. More than 2600 attorneys have received a password and almost 2000 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 Interim Bankruptcy Rules.

Rule 4002. Duties of Debtor
 (b) INDIVIDUAL DEBTOR'S DUTY TO PROVIDE DOCUMENTATION.

(3) *Tax Return.* At least 7 days before the first date set for the meeting of creditors under § 341, the debtor shall provide to the **trustee** a copy of the debtor's Federal income tax return for the most recent tax year ending immediately before the commencement of the case and for which a return was filed, including any attachments, or a transcript of the tax return, or provide a written statement that the documentation does not exist.

(4) *Tax Returns Provided to Creditors.* If a creditor, at least 15 days before the first date set for the meeting of creditors under § 341, requests a copy of the debtor's tax return that is to be provided to the trustee under subdivision (b)(3), the debtor shall provide to the requesting creditor a copy of the return, including any attachments, or a transcript of the tax return, or provide a written statement that the documentation

does not exist at least 7 days before the first date set for the meeting of creditors under § 341.

Help Desk Question of The Month

Question: I am sometimes unable to view a PDF document. My browser displays the word **Done**, but the document does not appear. What causes this problem?

Answer: This problem generally results from certain settings in Adobe Acrobat. To solve the problem, perform the following:

Adobe 4.0

Select Tools-Preferences-General. Under options, uncheck *Web Browser Integration*.

Adobe 5.0

Select Edit-Preferences-General-Options. On the right side of the screen, uncheck *Display PDF in Browser* and *Allow Fast Web View*.

Adobe 6.0/7.0

Select Edit-Preferences-Internet. On the right side of the screen, uncheck *Display PDF in Browser* and *Allow Fast Web View*.

Please be advised that HelpDesk calls may 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.

New Electronic Appeals Process

Please be advised that the Bankruptcy Court and the District Court have implemented a new electronic appeals process. As a result, in **ECF Cases**, it will no longer be necessary to submit paper copies of designated items to be included in a record on appeal unless an

excerpted version (less than a complete version) of the designated item is on the docket. If the designated item on the docket is an excerpted version, **you must forward a complete paper copy to the court**. This document will be forwarded by the Bankruptcy Court to the District Court.

If you designate an item which does not already appear as an attachment to a docket entry, please add that document as an attachment when you docket your Appellant or Appellee Designation of Contents for Inclusion in Record on Appeal.

Appeals processing is unchanged in non-ecf cases.

ECF Cases & Non-ECF (Paper) Cases

It is important to note that all cases filed in 2002 and prior years will remain paper cases (except Chapter 11 cases and associated Adversary Proceedings filed on or after April 1, 2002); documents in such cases are to continue to be filed conventionally (on paper). All cases filed on or after January 1, 2003 are ECF cases. Remember, you may only file electronically in ECF cases. Claims must be filed on paper in all cases.

Adobe Hint

If you have a PDF file that is only compatible with one of the newer versions of Acrobat (7.0 or 6.0) and want to make it compatible with an older version (5.0 or 4.0), perform the following:

1. Click on File
2. Select Reduce File Size
3. Next to "Make Compatible With," select any other version of Acrobat.

New Reaffirmation Agreement Form

Chief Judge Melanie Cyganowski has signed Administrative Order # 504 requiring the use of the recently revised Procedural Form B 240 in the memorializing of Reaffirmation Agreements. The new form is available on our Local Forms page at:
www.nyeb.uscourts.gov/local_forms.htm.

If the debtor intends to file a Reaffirmation Agreement made with a creditor not listed on the schedules, schedules must be amended **prior** to filing of the agreement. The amendment must be accompanied by the required Affidavit pursuant to Local Bankruptcy Rule 1009-1.

Attorney Case Associations

When filing all pleadings other than the voluntary petition, if the filer's login and password do not match the signer of the pleading, **do not** check the box that will create an association between the party and the filer. Checking the box in error creates an association that does not exist and results in an incorrect case file.

Personal Financial Management Certificate

The Personal Financial Management Certificate is due within 45 days from the first date set for the first meeting of creditors in a Chapter 7 case. If the PFMC is not filed by the deadline, the Clerk's Office will send out a final deficiency notice.

If you file a Motion to Reopen a case for the purpose of filing a Personal Financial Management Certificate, please be advised that motion will not be granted until the course has been completed and a certificate to that effect has been filed.

Pay.gov

Although the "Help" file for Pay.gov lists the field for Security Code on the credit card payment screen as required, please be advised that it is an optional entry.

Reminders

- The Interim Bankruptcy Rule concerning direct appeals applies only to bankruptcy cases and related proceedings filed on or after October 17, 2005.
- The PACER Service Center hours of operation are 8:00 a.m. to 5:00 p.m. Central Time, Monday through Friday; they are closed for Federal holidays.
- 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.

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.