

CM/ECF News

New Chapter 7 Trustees

Recently the United States Trustee added eight (8) new Chapter 7 Trustees to the panel serving the Northern District of Georgia.

The Clerk’s Office has met with each of the Trustees to assist them in their transition into this new role, including becoming fully proficient in CM/ECF procedures. We expect that you are already aware of these new Trustees, but we thought it would be a good idea to provide their contact information in this newsletter.

This information (along with the same information for all Chapter 7 and 13 Trustees) is found on the United States Trustee’s website at <http://www.usdoj.gov/ust/r21/atlanta/trustees.htm>

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WELCOME TO OUR NEW
CHAPTER 7 TRUSTEES



Special points
of interest!

- > Filing Amendments
- > Issues on Motions
- > All about E-Orders
- > Adversary Summons

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CM/ECF allows users to file
24/7



"Only upload
the **NEW**
creditors -
don't include
any
previously
filed creditors
for a
supplemental
matrix."



Electronic filing means not
having to use
diskettes or CDs

Ongoing Docketing Issues

BANKRUPTCY

Creditor Matrix - When filing a creditor matrix, please adhere to the guidelines as set forth in the CM/ECF User Guide, Section 5, page 5.2. Take time to review the guidelines. Lack of proper notice may result in no discharge as to a creditor not listed correctly. Format any creditor matrix submitted to the Court without headers/titles, footers, page numbers, etc.

Amendment to Voluntary Petition - This event code is for amending the three-page voluntary petition and Exhibit D. DO NOT use this docket entry for changing the address of the Debtor. This is docketed as Change of Address (document requesting) under Bankruptcy and Other. A change of Address form, which can be found on the Court's website, is to be attached to the Change of Address docket event.

NOTE! When amending Schedule I and J, don't forget to file an Amended Summary of Schedules and Statistical Summary reflecting the changes. When **adding creditors** in Amended Schedules D, E, or F (Fee), don't forget to use the proper creditor matrix format and upload your new creditors. CAUTION! Only upload the NEW creditors – don't include any previously filed creditors!

Amendment - how to prepare - What to include when preparing Amendments (CM/ECF User Guide, Section 5 Getting Documents Ready to File, page 5.3).

"Don't forget to include any supporting documentation required when filing an Amendment of any nature, i.e., Amendment Cover-sheet, Amended Schedules/documents, if any, Debtor's Verification, Certificate of Service, and the Supplemental Matrix in the same PDF document. If your Amendment affects the Summary or the Statistical Summary, you will also need to include amendments to those documents as well."

Certificate of Credit Counseling - Use this event code for the Pre-Petition Credit Counseling.

Financial Management Certificate - Use this event code after the petition is filed. DO NOT USE this event for the initial Credit Counseling Certificate.

Debtor's 1328 Certificate - Use this event when docketing the 1328 Certificate. A certificate is required for EACH debtor in a joint case. DO NOT docket this certificate as an affidavit.



Motions & Conversions

Motion to Vacate Dismissal - Should be used when the case is dismissed but NOT CLOSED. When case has been closed use *Motion to Reopen*. DO NOT use if the case has been closed without discharge. Use *Motion to Reopen*.

Motion to Reopen - Use this Docket event when the case has been closed.

First Request to Convert 13 to 7 - This docket event should be used for the first

time you request a conversion from a chapter 13 to a chapter 7. DO NOT DOCKET a First Request to Convert 13 to 7 as a Motion to Convert.

Motion to Convert - This event is used when a motion to Convert Case to Chapter 7 or 11 to a Chapter 13. DO NOT USE this event when docketing a First Request to Convert to a Chapter 7.

There are individual docket events for **Mo-**

Motions...continued

tion to Convert Ch 13 to Chapter 11 (fee), Motion to Convert Ch 7 to 11 (fee), and Motion to Convert/Reconvert Case to Ch 7 (Fee).

Motion to Dismiss (Other) - This event code is used to request voluntary dismissal of the case.

Motion for Relief From Stay and Motion for Relief From Co-Debtor Stay - When filing a Motion for Relief from Stay and Co-Debtor Stay together, you must select **BOTH** docket events when docketing. Hold down the CTRL button on your keyboard to select each document.

OBJECTION (Claims)

Objection to Claim - *Bankruptcy - Claim Actions* - Event Code used to object to a proof of claim. Do not docket an objection to claim using the docket entry OBJECTION.



We are here to help you with your CM/ECF issues.

All about Orders and E-Orders

ORDERS

Distribution List - Pursuant to Local Rule 9013-2 (b) shown below, when you are preparing an order for the signature of the Judge, you shall include on the distribution list the names and addresses of the attorneys and parties to be served. This includes the attorney submitting the order. Please remember to include your own name and address on the distribution list.

"BLR 9013-2. Preparation of Proposed Orders.

(b) Identification of Counsel and Parties to be Served. Every proposed order, including a consent order, shall be signed by each attorney or party preparing, submitting, or consenting to the proposed order and shall provide an identification of each attorney and the name of the represented party in accordance with BLR 5005-1(e). If the Bankruptcy Clerk is to serve the order, the order **shall** be accompanied by a **distribution list containing the names and addresses of the attorneys and parties to be served.**"

E-Orders - how to prepare - see GANB E-Orders Attorney User Guide, Introduction, page 1 (www.ganb.uscourts.gov - home page, select CM/ECF from the horizontal

menu bar at the top. Click E-Orders to open the PDF version of the Guide). A sample E-Order is included.

"To submit a proposed order through E-Orders, one must leave a four inch margin at the top of the first page. This is where the Judge's signature and the date of the signature of the order are stamped in the signing process.

Additionally, the phrase "END OF DOCUMENT" must be placed after the end of the text of the proposed order. Following that would be the signatures and distribution list for that proposed order.

After preparing a proposed order according to the Administrative Procedures, log in to CM/ECF, select either the Bankruptcy or the Adversary menu, and choose "Upload Single (Proposed Order)" and follow the on-screen prompts.

Upon a successful upload, all orders are electronically routed to chambers' staff based on the judge assigned to that case. Chambers' staff will review the proposed order, route it to the judge's folder for his/her review. The Judge can then electronically sign the order.

"Leave a four inch top margin on the first page ONLY when filing an E-Order."

Make a note to review previous issues of the CM/ECF News online!



All about Orders and E-Orders continued ...

Once the order has been signed by the judge, it will be docketed by the court's Case Administrators."

E-Orders - /s/ on signature lines is required (represents consent).

E-Orders - Linking - Link E-Order to the correct motion. A reference to the document number of the Motion/pleading within the body of the E-Order would also be helpful.

E-Orders - Review the order for accuracy BEFORE submitting to the Court.

www.ganb.uscourts.gov

**For all the latest
CM/ECF News!**

Adversaries, Answers & Appeals

Certificate of Service of Summons and Complaint - Under Adversary - Complaint & Summons (Used only after case is opened) - Should not be docketed using Certificate of Service.

Answer to Complaint - Under Adversary - Answers/Responses - Complaint, 3rd, Cross, Counter - Use this when filing your answer to the complaint. DO NOT DOCKET as just a Response.

Answer/Response - Use this event code to answer or respond to an existing motion/application. Under Answers/Responses - Reference to an Existing motion/application. To Docket an Objection to a motion docket Answers/Responses - Reference to an Existing motion/application. If it is not a response to a motion to avoid lien or motion to redeem, use *Response to motion*. To Docket a Response not to a Motion use *Answers/Responses - Other Answers/Misc Objections*.

Notice of Appeal - Under Appeals. DO NOT use the event code *Notice*.

Georgia Northern
Bankruptcy Court

Serving with pride!



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75 Spring Street, SW
Room 1340
Atlanta, Georgia 30303

Phone: 404-215-1000
Clerk's Office Hours:
8:00 AM - 4:00 PM
Monday - Friday

Very Important Links!

CM/ECF User Guide -
http://www.ganb.uscourts.gov/cmecf/docs/cmecf_guide_2007.pdf

Metadata Redaction Guide - <http://www.ganb.uscourts.gov/cmecf/docs/metadata.html>

Updated Attorney Event List -
http://www.ganb.uscourts.gov/cmecf/docs/ATTYEVENT_Sept2008.pdf

GANB Local Forms: Download and file the current version of each when needed to prevent the necessity of the Court filing a deficiency in the case. -
http://www.ganb.uscourts.gov/cmecf/forms/forms_v3.html

Version 3.3 Attorney Tip Sheet -
http://www.ganb.uscourts.gov/info/Version3_3AttyTipSheet.pdf

CM/ECF Scanning Guidelines: If scanning documents (rather than converting to PDF), check the legibility of the documents BEFORE submitting -
http://www.ganb.uscourts.gov/cmecf/docs/scan_guide.pdf



Send CM/ECF News feedback to
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