



Spring - 2001

## THE LATEST NEWS IN THE WORLD OF CM/ECF

Visit our web site at [www.ganb.uscourts.gov](http://www.ganb.uscourts.gov).

### Electronic Public Access Fee

Since the beginning of this Court's participation in the CM/ECF project we have provided free access to documents and reports. However, we have always notified participants that free access would not always be available.

The time when free access will end is coming soon. Effective July 1, 2001, the Judicial Conference has approved and mandated that all Courts begin implementing the 7 cents per page charge to include documents relating to CM/ECF. Accordingly, the PACER Service Center will begin charging for access to CM/ECF information on that date. No fee will be charged under this provision until an account holder accrues charges of more than \$10 in a calendar year.

Remember that attorneys of record, who are CM/ECF participants, will continue to receive one free electronic copy of all documents filed electronically through an E-mail received from the Court.

Individuals who do not have PACER accounts and/or appropriate case information will be charged the \$20.00 search fee approved by the Judicial Conference.

If you have any questions regarding this

notice, contact Gary Drake, Chief Deputy of Operations at (404) 215-1196.

### National Project Update

The following courts have joined the original prototype courts as live CM/ECF courts.

#### Bankruptcy Courts

Louisiana Middle  
Missouri Western  
North Carolina Western  
Texas Western

#### District Courts

California Northern  
District of Columbia

The following courts are currently in the process of implementing CM/ECF.

#### Bankruptcy Courts

Alaska	Colorado
Delaware	Georgia Middle
Iowa Southern	Montana
New Hampshire	New Jersey
New York Eastern	Ohio Northern
Oregon	South Carolina

Tennessee Middle  
Vermont  
Wyoming

Utah  
Washington Western

participating in regularly scheduled conference calls to address the many questions asked by the new Courts.

### District Courts

Michigan Western

The following courts will begin the CM/ECF implementation process within the next six months.

### [Update on Adobe Acrobat Writer Attorney Discount Program](#)

We recently received the following information from the Administrative Office of the United States Courts.

### Bankruptcy Courts

Arkansas  
Alabama Southern  
Iowa Northern  
Kentucky Western  
Maine  
Nevada  
Texas Eastern  
West Va. Northern  
Wisconsin Western

Alabama Middle  
Illinois Southern  
Kentucky Eastern  
Louisiana Eastern  
Nebraska  
South Dakota  
Texas Southern  
Wisconsin Eastern

“Presently, Adobe Acrobat Writer 4 is available. Adobe Corporation has announced that a new Acrobat Writer Version 5 was introduced in mid-April. The lawyer discount price for Version 5 is slightly higher. There is no reason for CM/ECF filers to upgrade to Version 5. Both Acrobat Writer Version 3.X and 4.X adequately meet the CM/ECF filing requirements.”

Adobe's toll-free ordering number is (888) 502-5275.

### District Courts

Indiana Southern  
New York Southern  
Texas Northern

Nebraska  
Penn. Eastern  
Wisconsin Eastern

As you can see from this long list of current and future CM/ECF courts, this project is growing dramatically and your participation has provided valuable information and direction for those courts and the attorneys and trustees that will become future CM/ECF participants.

This Court is actively serving as a Mentor for the following Courts as they move forward in the implementation process: Middle Georgia, Vermont, Louisiana Eastern, and Middle Alabama. As part of this process we travel to each Court location to provide demonstrations and training for the Judges, Clerk's Office Staff, United States Trustees, Case Trustees, and the Bar. We participate throughout the implementation process by providing documentation for procedures, and

### [Searching for Prior Cases](#)

Remember that when you are searching for prior cases, it is important to search by both the name of the debtor, as well as the Social Security Number. This will insure finding all of the previous cases. The name might be slightly different from one case to the next.

Another option would be to generate the query by name using the first few letters of the debtor's last name and then entering the wild card (\*) to complete the search. This would identify all of the different variations of spelling for an individual's last name.

### [New CM/ECF Participants](#)

The following attorneys have become participants in the CM/ECF program since the last newsletter.

Charles R. Bridgers  
Kevin G. Moore  
Bernd G. Stittleburg  
Charles C. Kelley  
Marsha Cook

### **Calendaring Hearing in Judge Massey Cases**

The following order was entered by Judge James E. Massey.

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF GEORGIA

IN RE: REQUIREMENT THAT ATTORNEYS  
PREPARE, SERVE AND FILE NOTICES  
OF HEARINGS

STANDING ORDER NO. 1-JEM

On and after April 16, 2001, an **attorney** who files a motion requiring a hearing, with certain exceptions described in the instructions mentioned below, in any case assigned to me must prepare, serve and file a notice of hearing.

Further instructions on this open calendar procedure, including the dates, times and places that particular types of motions will be heard, can be obtained on the Court's website at [www.ganb.uscourts.gov](http://www.ganb.uscourts.gov) (in the menu on the left side, click on Chambers and then Massey, J.). The dates and times of hearings may change periodically without

notice, so that it is essential that an attorney check the current list before serving a notice of hearing. The current hearing dates and times will be posted outside Courtroom 1201 in Atlanta and on the bulletin board at the filing desk in Rome. A copy of the instructions, including a suggested form of notice, and the current hearing dates and times may also be obtained in Chambers in Atlanta or from the Clerk's Office in Rome.

Any motion with respect to which a hearing is not properly set according to the court's instructions within twenty-five (25) days of the filing of the motion may be denied for failure to prosecute without further notice or hearing.

IT IS SO ORDERED.  
This 12th day of April, 2001.

---

JAMES E. MASSEY  
U.S. BANKRUPTCY JUDGE

### **Trustee's No Distribution Report Filings**

The Trustee 341 Filing option is not available after the first meeting deadline has been terminated. However, you can use the Batch filing option to file NDR's at a later time. Batch filing will allow you to input as many case numbers as you want, and eliminates subsequent screens. This option does not require a document.

Be sure to select the trustee as the party filer, not the debtor.

## **New Event List**

Attached to this newsletter is the most recent event listing. There have been several new events added. The new events are identified on the list with an asterisk.

Be sure to review the list of events before using the z-motion option. What you need to file may have been added.

## **Adversary Case Opening**

When opening an Adversary Proceeding electronically, you must put all of your complaint documents into one .pdf document. Attaching exhibits to the complaint as separate documents causes an error.

A new event that you will utilize - Request for Issuance of Summons - will prompt the Clerk's Office to issue and docket the summons. You will be required to upload the summons as part of the process. You will then receive the completed summons through regular mail.

## **Automatic Case Upload**

There are several petition preparation software vendors that either create the necessary files for an automatic case upload or will soon have this feature. This auto-upload includes not only the .pdf documents and the creditor matrix, but also all of the information necessary to open the case that you currently have to input into the CM/ECF database. This auto-upload feature reduces the amount of time to open a case dramatically, as well as eliminating possible errors.

The vendors that we are aware of that provide this option are: BK-2001, and Best Case Bankruptcy for Windows. EZ-Filing and

Bankruptcy Plus are currently revising their software to meet the requirements for auto-upload.

We will be happy to discuss this option with your software vendor and work with them in an effort to upgrade their programs. Please contact Spencer McCormack at (404) 215-1166 regarding this option.

## **New Users Manual**

The Court has been actively revising and updating the Users Manual. The new version will be available very soon on the Court Web Page, as well as on CD-Rom.

This new version of the manual includes information related to Orders, Rules and Procedures, Basic Concepts, Opening Cases, Reports, and much more.

When this new manual is completed, the Clerk's Office will begin a new training process. At that time, we will conduct training programs at regularly scheduled times in the Training Center on the 12<sup>th</sup> Floor of the United States Courthouse in Atlanta, as well as at the Clerk's Office in each Division.

## **Applications to Pay Fees in Installments**

Applications to Pay Fees in Installments must be submitted at the same time as the Petition is filed. Otherwise, the Clerk's Office will create a charge for the full filing fee.

If an Application to Pay Fees in Installments does not contain any payment information, the Clerk will create a charge of

\$50.00, if appropriate, pursuant to the Court's  
General Order.

**ATTORNEY ECF EVENT LIST**  
**(Sorted by Category)**  
**May 29, 2001**  
**(\* New Event)**

**ADVERSARY MENU - ANSWER CATEGORY**

Amended Answer to Complaint  
Answer

**ADVERSARY MENU - COMPLAINT CATEGORY**

Amended Complaint  
Certificate of Service of Summons and Complaint  
Complaint  
Counterclaim  
Crossclaim  
Intervenor's Complaint  
Third-Party Complaint

**ADVERSARY MENU - OTHER CATEGORY**

0-Certificate of Service  
0-Change of Address (document requesting)  
0-Withdrawal of Document  
Acknowledgement of Service  
Affidavit  
Brief  
Discovery Request  
Discovery Response  
Docket and Documents in Removed Case  
Exhibit List  
Exhibits  
Jury Demand  
Offer of Judgment  
Proposed Findings of Fact & Conclusions of Law  
Request for Entry of Default  
Request for Issuance of Summons  
Request for Writ of Execution  
Statement of Undisputed Facts  
Status Report  
Stipulation

Suggestion of Death  
Waiver of Service  
Witness List

**ADVERSARY MENU - MOTIONS CATEGORY**

Abstain, Motion to  
Amend, Motion to  
Application for Admission Pro Hac Vice  
Application to Appear In Forma Pauperis  
Compel Discovery, Motion to  
Contempt, Motion for  
Default Judgment, Motion for  
\*Defer and/or Waive Payment of Filing Fee, Motion (of trustee) to  
Dismiss, Motion to  
\*Enforce Settlement Agreement, Motion to  
Extend Time, Motion to  
Intervene, Motion to  
Join, Motion to  
Judgment on the Pleadings, Motion for  
\*Leave of Absence, Motion for  
Leave to Appeal, Motion for  
\*Limine, Motion in  
More Definite Statement, Motion for  
Partial Summary Judgment, Motion for  
Preliminary Injunction, Motion for  
Protective Order, Motion for  
Quash, Motion to  
Reconsider, Motion to  
\*Relief from Judgment or Order, Motion for  
Remand, Motion to  
Sanctions, Motion for  
Sever, Motion to  
\*Show Cause, Motion for Order to  
Stay Pending Appeal, Motion for  
Strike, Motion to  
Substantively Consolidate, Motion to  
Substitute Attorney, Motion to  
\*Substitute Party, Motion to  
Summary Judgment, Motion for  
Temporary Restraining Order, Motion for  
Vacate, Motion to  
Withdraw as Attorney, Motion to  
Withdraw the Reference (FEE), Motion to  
z-Motion

**ADVERSARY MENU - NOTICE CATEGORY**

Notice  
Notice of Appearance  
Notice of Hearing  
Notice of Motion

**BANKRUPTCY MENU - ANSWER/RESPONSE CATEGORY**

Answer to Involuntary Petition  
Objection  
Response (not to motion)  
Reply to Response  
Response to Motion  
Response to Motion to Avoid Lien  
Response to Motion to Redeem  
Sur-Reply to Reply

**BANKRUPTCY MENU - APPEALS CATEGORY**

Appellant's Designation of Record on Appeal  
Appellee's Designation of Record on Appeal  
Notice of Appeal (FEE)  
Notice of Appeal (NO FEE -- TRUSTEE)

**BANKRUPTCY MENU - BATCH FILINGS CATEGORY**

02-Trustee's No Distribution Report (NO DOCUMENT)  
Notice of Appearance (Attorney)  
Objection to Confirmation of Plan (batch)  
Trustee's (12/13) Final Report (batch)  
Trustee's Certification of Non-Compliance (batch)  
Trustee's Request for Entry of Discharge (13 plan completed) (batch)  
Trustee's Supplemental Report Requesting Confirmation  
Trustee's Supplemental Report Requesting Dismissal

**BANKRUPTCY MENU - CLAIM ACTIONS CATEGORY**

Joint Transfer Agreement  
Objection to Claim (Motion to Disallow Claim)  
Objection to Transfer of Claim  
Transfer of Claim  
Withdrawal of Claim

**BANKRUPTCY MENU - OTHER CATEGORY**

0-Certificate of Service  
0-Change of Address (document requesting)  
0-Reaffirmation Agreement -- Debtor Pro Se  
0-Reaffirmation Agreement -- Represented

0-Withdrawal of Document  
Contested Matters: Affidavit  
Contested Matters: Brief  
Contested Matters: Discovery Request  
Contested Matters: Discovery Response  
Contested Matters: Exhibit List  
Contested Matters: Exhibits  
Contested Matters: Offer of Judgment  
Contested Matters: Proposed Findings of Fact & Conclusions of Law  
Contested Matters: Request for Entry of Default  
Contested Matters: Request for Writ of Execution  
Contested Matters: Statement of Undisputed Facts  
Contested Matters: Stipulation  
Contested Matters: Witness List  
First Request to Convert from Chapter 13 to Chapter 7  
Initial Docs01: Voluntary Petition (Chapter 11)  
Initial Docs01: Voluntary Petition (Chapter 12)  
Initial Docs01: Voluntary Petition (Chapter 13)  
Initial Docs01: Voluntary Petition (Chapter 7)  
Initial Docs01: Voluntary Petition (Chapter 9)  
Initial Docs01: Voluntary Petition (Section 304)  
Initial Docs02: Statement of Financial Affairs  
Initial Docs03: Schedules (FEE)  
Initial Docs03: Schedules (NO FEE)  
Initial Docs04: Statement of Intent  
Initial Docs05: Attorney Disclosure Statement  
Initial Docs07: Amendment to Schedules (FEE)  
Initial Docs07: Amendment to Schedules (NO FEE)  
Initial Docs07: Amendment to Voluntary Petition  
Initial Docs08: Amended Matrix (FEE)  
Initial Docs09: Involuntary Petition (Chapter 7)  
Initial Docs10: Involuntary Petition (Chapter 11)  
Misc: Operating Report  
Misc: Rescission of Reaffirmation Agreement  
Misc: Status Report  
Misc: Suggestion of Death

**BANKRUPTCY MENU - MOTIONS CATEGORY**

01-Motion for Relief from Co-Debtor Stay (NO FEE)  
01-Motion for Relief from Stay (FEE)  
01-Motion for Relief from Stay (NO FEE --E.G., Consent; Amended; Supplemental; Child Support)  
02-Application to Pay Filing Fee in Installments  
03-Motion to Avoid Lien with Notice to Respond  
04-Objection to Confirmation of Plan  
05-Motion to Dismiss Case

06-Motion to Extend Time  
06-Motion to Shorten Time  
07-Application to Employ  
08-Application for Compensation  
09-Motion for Leave of Absence  
10-Application for Admission Pro Hac Vice  
Abandon Property, Consent Motion to  
Accounting, Motion for  
Adequate Protection, Motion for  
Allow Direct Payment, Motion to  
Amend, Motion to  
Appoint Creditors' Committee, Motion to  
Appoint Trustee, Motion to  
Appointment of Chapter 11 Examiner, Motion for  
Approve Compromise, Motion to  
Approve Reaffirmation Agreement, Motion to  
Approve Use of Cash Collateral, Motion to  
Assume Executory Contract or Lease, Motion to  
Authority to Enter Into Contract Outside Ordinary Course of Business, Motion for  
\*Authorize Use of Existing Bank Accounts, Motion to  
Compel Abandonment of Property (FEE), Motion to  
\*Compel Debtor to Perform Section 521 Duties, Motion to  
Compel Discovery, Motion to  
Compel Payment of Postpetition Expense, Motion to  
Contempt, Motion for  
Continuance, Motion for  
Convert Case 7 or 11 to 13, Motion to  
Convert Case 7 or 13 to 11 (FEE), Motion to  
Convert/Reconvert Case to Ch. 7 (FEE), Motion to  
Deconsolidate (FEE), Motion to  
\*Defer Entry of Discharge, Motion to  
Deposit Funds into Court Registry, Motion to  
Disallow Exemption (Objection to Exemption), Motion to  
Disburse Unclaimed Dividends, Motion to  
Examination pursuant to FRBP 2004, Motion for  
Extend Time to File Schedules, Application to  
Final Decree, Application for  
Hardship Discharge, Motion for  
Incur Debt, Motion to  
Intervene, Motion to  
Join, Motion to  
Joint Administration, Motion for  
Leave to Appeal, Motion for  
\*Limine, Motion in  
Limit Notice, Motion to

Partial Summary Judgment, Motion for  
Pay Administrative Expense, Motion to  
Pay Pre-Petition Claims, Motion to  
Preliminary Injunction, Motion for  
Prohibit Use of Cash Collateral, Motion to  
Protective Order, Motion for  
Quash, Motion to  
Reconsider, Motion to  
Recuse Judge, Motion to  
Redeem with Notice to Respond, Motion to  
Reduce Attorney's Fee, Motion to  
Refund of Filing Fee, Motion for  
Reimpose Stay, Motion to  
Reject Executory Contract or Lease, Motion to  
\*Relief from Judgment or Order, Motion for  
Reopen Case (FEE), Motion to  
Reopen Case (NO FEE -- clerical error or to determine discharge issue), Motion to  
Sanctions, Motion for  
Seal, Motion to  
Sell, Motion to  
Set Hearing, Motion to  
Set Last Day to File Proofs of Claim and/or Administrative Claims, Motion to  
Sever, Motion to  
\*Show Cause, Motion for Order to  
Stay Order, Motion to  
Stay Pending Appeal, Motion for  
Strike, Motion to  
Substantively Consolidate, Motion to  
Substitute Attorney, Motion to  
\*Substitute Party, Motion to  
Summary Judgment, Motion for  
Suspend/Extend Plan Payments, Motion to  
Transfer Venue, Motion to  
Turnover, Motion for  
Vacate Dismissal Order (FEE), Motion to  
Vacate, Motion to  
Validate Foreclosure Sale, Motion to  
Voluntary Dismissal by Joint Debtor, Motion for  
Withdraw as Attorney, Motion to  
Withdraw the Reference (FEE), Motion to  
z-Motion

**BANKRUPTCY MENU - NOTICE CATEGORY**

Notice

Notice of Appearance (Attorney)

Notice of Appearance (Creditor)  
Notice of Hearing  
Notice of Motion  
Notice of Removal  
Notice Rescheduling 341mtg/Conf/Hrg

**BANKRUPTCY MENU - PLAN**

Certification of Ballots  
Chapter 11 Plan  
Chapter 12 Plan  
Chapter 13 Plan  
Chapter 9 Plan  
Disclosure Statement

**BANKRUPTCY MENU - TRUSTEE/US TRUSTEE CATEGORY**

01-Trustee's Chapter 12 or 13 Final Report  
02-Trustee's No Distribution Report (NO DOCUMENT)  
02-Trustee's No Distribution Report (W/DOCUMENT)  
03-Notice of Intent to Pay Late-Filed Claim  
04-Trustee's Supplemental Report Requesting Confirmation  
04-Trustee's Supplemental Report Requesting Dismissal  
04-Trustee's Supplemental Report Requesting Rescheduled Confirmation  
05-Trustee's Interim Report  
06-Trustee's Status Report  
07-Trustee's Request for Entry of Discharge (13 plan completed)  
Application of U. S. Trustee for Approval of Appointment of Trustee  
Chapter 7 Trustee's Report of Assets and Request to Set Claim Deadline  
Closing Report-Chapter 7 Asset  
Continuance of Meeting of Creditors  
Notice Appointing Ch. 7 Trustee  
Notice Appointing Creditors' Committee  
Notice of Abandonment of Property  
Notice of Appointment of Ch. 11 Trustee  
Notice of Appointment of Successor Trustee  
Notice of Hearing  
Notice of No Appointment of Creditors' Committee  
Notice of Reappointment of Trustee  
Notice of Special Meeting  
Trustee's Certification of Non-Compliance  
Trustee's Chapter 11 Final Report and Accounting  
Trustee's Distribution Report  
Trustee's Final Report  
Trustee's Initial Report (W/DOCUMENT)  
Trustee's Inventory Report  
Trustee's Motion for Order Requiring Business Debtor to File Reports

Trustee's Rejection of Appointment  
Trustee's Report of Failure to Appear  
Trustee's Report of Sale  
U.S. Trustee's Final Account/Certification