



# **ADMINISTRATIVE PROCEDURES MANUAL**

**January 1, 2017**

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## 1. SCOPE AND DEFINITIONS

- A. The Administrative Procedures Manual is a supplement to the Bankruptcy Court's [Local Rules](#).
- B. In addition to the definitions found in [FRBP 9001](#) and the rules of construction in [11 U.S.C. §102](#), the following definitions and rules of construction apply when interpreting these Administrative Procedures:
- (1) *Clerk* means the Clerk of Court for the United States Bankruptcy Court for the Eastern District of Louisiana.
  - (2) *CM/ECF* means Case Management/Electronic Case Filing System.
  - (3) *Court* means both section A and section B of the United States Bankruptcy Court for the Eastern District of Louisiana.
  - (4) *court* means either section A or section B of the United States Bankruptcy Court for the Eastern District of Louisiana.
  - (5) *An electronic filer* is a person who has a CM/ECF password.
  - (6) *FRBP* means Federal Rules of Bankruptcy Procedure as amended.
  - (7) *Local Rules* means the Local Rules for the United States Bankruptcy Court for the Eastern District of Louisiana as amended.
  - (8) *Section* or *section* refers to Title 11 of the United States Code.

## 2. ELIGIBILITY AND APPLICATIONS FOR ELECTRONIC FILING

### A. Attorneys

- (1) All pleadings and documents required to be filed with the Court must be electronically filed on the CM/ECF system except in exceptional circumstances that prevent an attorney/participant from filing electronically.
- (2) To file electronically with the court, attorneys must:
  - a. Be admitted to practice in the United States District Court for the Eastern District of Louisiana or be admitted to appear on a *pro hac*

*vice* basis. (See [Local Rule 2014-1](#));

- b.** Complete the required on-line [CM/ECF Training Modules](#) on the court's website, or certify as to CM/ECF training in any federal court; and
- c.** Complete the required on-line [CM/ECF Registration](#) on the court's website.

**B. Limited Use Filing by Creditors, Accountants, and Lenders**

- (1)** Creditors, accountants, and lenders who are not represented by an attorney may file electronically by:
  - a.** Complete the required on-line [CM/ECF Training Modules](#) on the court's website, or certify as to CM/ECF training in any federal court; and
  - b.** Complete the required on-line [CM/ECF Registration](#) on the court's website.
- (2)** Creditors who file more than ten (10) claims a year or creditors represented by an attorney must file electronically.
- (3)** All transfers of claims and assignments of claims must be filed electronically.

**3. PASSWORDS**

- A.** Access to the CM/ECF system requires a login and password.
- B.** Upon receipt of a completed application for password, the Clerk's Office will notify the user of the login and password.
- C.** The Clerk's Office will not issue passwords to debtors.
- D.** Users agree to protect and secure the confidentiality of passwords. If a user has reason to believe that a password has been compromised, the user must immediately change the password or notify the court in writing. Users are responsible for all documents filed or actions taken under an assigned password.
- E.** Users who do not comply with the applications and password requirements are

subject to having their ECF account disabled by the Clerk.

#### 4. ADDRESS CHANGES

- A. Responsibility to notify of address changes.** The user / party is responsible for promptly informing the Court of any change in contact information, including firm affiliation, email address, physical address, telephone, or facsimile number. A notice of address change or a letter to the Clerk indicating the change must be filed and noticed.
- B. Notice required.**
- (1) **Change of address by debtor and debtor’s attorney.** Notice must be provided to the mailing matrix in open cases.
  - (2) **Change of address by creditor and by creditor’s attorney.** Notice must be provided to the debtor, debtor’s attorney, and the trustee in open cases.
- C. Procedure for providing notice.**
- (1) **Pro se debtors and creditors.** Debtors and creditors who are not represented by an attorney should submit the notice of change of address or letter to the Clerk as follows:

Clerk of Court  
United States Bankruptcy Court  
500 Poydras Street, Suite B-601  
New Orleans, Louisiana 70130
  - (2) **Attorneys – Changes to a specific case or cases.**
    - (a) **Change of address.** For changes in a specific case or cases, file a notice of change of address or a letter through CM/ECF. Click on “Bankruptcy”, “Other”. Type in the case number. Click on “Request for Change of Address”.
    - (b) **Change of email.** For changes in a specific case or cases, file a change of email address through CM/ECF. Click on “Bankruptcy”, “Other”. Type in the case number. Click on “Request for Change of Email Address (Case Specific)”.
  - (3) **Attorneys – Changes to all cases.** The attorney may make a system-wide

change through CM/ECF. Note that a notice or letter must still be filed in each case.

- (a) **Through CM/ECF**
  - Click on “Utilities”, “Maintain Your ECF Account”.
  - Make desired address changes and click “submit”.
  - On the “Person/Search Open and/or Closed Cases” screen, check “Open cases” and “Closed cases”, and “submit”.
  - In the “Searching for existing Attorney Records” screen, use the default option – “Update All”, and “submit”.
  
- (b) **Through the Clerk’s Office.** Changes of address can also be made by sending an email to: [webmaster@laeb.uscourts.gov](mailto:webmaster@laeb.uscourts.gov) with the new information, or by sending a notice by regular mail to the Clerk’s Office to the attention of the Systems Department.

## **5. ELECTRONIC PUBLIC ACCESS FEE EXEMPTION**

The panel trustees appointed by the United States Trustee and the chapter 12 and 13 standing trustees for the Eastern District of Louisiana are exempt from fees assessed for usage of electronic access to court data, when accessing electronic data in the performance of their duties as case trustees for the Eastern District of Louisiana. Any transfer of data obtained as a result of a fee exemption is prohibited unless expressly authorized by the Court.

## **6. SERVICE OF PROCESS**

- A. By completing and submitting the application for a password in the ECF system, the user agrees to accept email service and agrees to waive service of process by mail, by hand, by facsimile, or otherwise.
  
- B. The ECF system automatically generates a “Notice of Electronic Filing” at the time of docketing upon all parties who have consented to electronic service. Service of the Notice of Electronic Filing upon users who have ECF passwords with the court is the equivalent of service by the electronic filer or the court of the document upon such party by first class mail, postage prepaid, except that service of process of a summons and complaint under [FRBP 7004](#), or the service of a subpoena under [FRBP 9016](#) by electronic means is insufficient.
  
- C. When service of documents through the court’s electronic filing system is insufficient, full compliance with the Federal Rules of Bankruptcy Procedure, including [FRBP 2002\(j\)](#), [7004\(b\)](#), and [9016](#) is required. The electronic filer must serve all documents in paper form on a party entitled to service who is not

registered for electronic service and is not, therefore, listed as a recipient of electronic notice on the Notice of Electronic Filing. Supplemental certification regarding the service of paper documents must be filed by electronic means.

- D. Certificates of service, whether separate or included in the main document, must include the names and addresses of the parties served, and the form of service. See sample [certificate of service](#).

See [Local Rule 2002-1](#).

## 7. SUMMONSES

- A. When an adversary proceeding is filed electronically, the Clerk will issue the summonses and docket each in CM/ECF under “Summons Issued.” Upon receiving email notification of issuance of the summons, the plaintiff must download and print the summons and serve it according to FRBP. Proof of service must be docketed under the event code, “Summons Service Executed.”
- B. When an adversary proceeding is not filed electronically (*i.e.*, when the plaintiff is *pro se*), the Clerk will issue summonses in paper format and mail them to the plaintiff.
- C. Parties filing involuntary cases and third-party complaints in adversary proceedings must create their own summonses and email them in Word or WordPerfect to [summons@laeb.uscourts.gov](mailto:summons@laeb.uscourts.gov)

If the involuntary case or third-party complaint was filed electronically, the filing party will receive email notification of issuance of the summonses and is responsible for printing them and serving them according to FRBP and docketing proof of service under the event code, “Summons Service Executed.” If the involuntary case or third-party complaint was not filed electronically, the Clerk will issue the summonses, docket them, and mail them to the filing party, who will be responsible for serving them and filing certificates showing that service of each summons was executed.

See [Local Rule 7004-1](#).

## 8. SIGNATURES

- A. Use of the login and password serves as the filer’s signature on all electronic documents filed with the court. It also serves as a signature for purposes of [FRBP](#)



[9011](#), and [Local Rules 1008-1](#), and any other purpose for which a signature is required in connection with proceedings before the court.

- B.** A document that is filed electronically must either:
- (1) Contain a scanned image of the manual signature; or
  - (2) Display the electronic signature “/s/” with the name typed in the signature location, for example: “/s/ John Smith”.

## 9. FILING OF DOCUMENTS

- A. Pleadings Mailed by Pro Se Debtors.** To comply with the provisions of the [Declaration Regarding Electronic Filing](#), pro se debtors must include a self-addressed, stamped envelope when sending documents for filing by mail.
- B. Duty to Notify Chambers Staff of Emergency Filing.** A party filing a request for emergency or expedited relief must advise chambers staff by telephone of the filing. *See* [Local Rule 9013-1\(C\) and \(D\)](#).
- C. Document Size**
- (1) All filed documents must be electronically sized to 8-1/2 by 11 inches, plainly written or printed without defacing erasures or interlineations, and must be double spaced, except that quotations and footnotes may be single spaced. To the extent possible, attachments to documents must likewise be electronically sized to 8-1/2 by 11 inches.
  - (2) All documents must be typed or written in a size format that is sufficient to read without difficulty. The Clerk or the court will reject any papers that do not comply.
- D. Caption.** All pleadings filed after allotment of the case must indicate the section of the court to which the case is assigned.



**E. Exhibits Attached to Pleadings.** Exhibits attached to pleadings that are incapable of scanned may be filed in hard copy with a copy of a Notice of Electronic Filing submitted into the record, which indicates that the referenced document has been filed with the Clerk in hard copy and is available for review. All exhibits or other attachments should be scanned except when the exhibit or attachment is more than twenty (20) pages. Only the relevant portions of exhibits or attachments exceeding twenty (20) pages should be scanned and filed using the Portable Document Format (PDF). Upon request, an electronic copy of the complete exhibit or document must be provided to interested parties or the court for review.

**F. Scanner Settings.** Scanner settings should be configured with a resolution of 300 DPI and an image type of “black and white” (not gray scale or color). This minimizes the size of scanned documents filed on the CM/ECF system, conserves computer memory, and reduces uploading and downloading time.

**G. CM/ECF Filing Errors**

- (1) CM/ECF filing errors should be reported to the Case Administration Section of the Clerk’s Office at 504-589-7878.
- (2) If the filer discovers an error, he or she should contact the Case Administration Section of the Clerk’s Office at 504-589-7878 (press “0” to speak to court personnel). After regular business hours, errors should be reported by leaving a voice mail message. The Court will make an entry indicating the error with the document and will notify the filer if corrective action should be taken.
- (3) If the Court discovers a filing error, the Clerk will issue a notice of deficiency. The filer should take the appropriate corrective action within two (2) business days of the email notice of the deficiency. Please contact the Clerk’s Office with any questions regarding corrections.

**H. Electronic Filing System Hours of Operation**

- (1) Regular business hours for users’ support and filings on the CM/ECF system are Monday through Friday from 8:30 a.m. to 4:30 p.m., Central time. Although the system is available 24 hours per day, 7 days per week, it may be necessary for the Court to interrupt service for maintenance at various times. Filers who choose to file at hours other than the supported times may experience occasional interruptions of service.

- (2) Because the CM/ECF system is continuously available, the need for delivering pleadings by hand to court personnel should no longer be necessary. In the rare circumstance when an emergency pleading must be filed after hours (e.g., an emergency pleading to stop a sheriff's sale or a notice of appeal), the following procedure should be followed.

**(a) *Who May File After Hours.*** Except as otherwise authorized by the Court, only **non-ECF** filers may file emergency petitions and pleadings by facsimile.

**(b) *Time and Manner of Filing.*** Papers may be filed by facsimile to facsimile number 504-589-7866 when the Clerk's Office is not open. The Clerk's Office regular business hours are Monday through Friday from 8:30 a.m. to 4:30 p.m., Central time. Transmit by facsimile only the first page and the signature page of the document.

**(c) *Filing of Original Document.*** The entire original paper document, together with any required filing fee, must be filed in person and time-stamped by the clerk no later than Noon (12:00 p.m.) CT on the next business day after the facsimile filing when the clerk's office is open.

**(d) *Clerk's Procedures Concerning Facsimile Documents.*** If the original document is not timely filed after the facsimile transmittal, the clerk will note that fact and the facsimile will have no force or effect. The clerk's office will not acknowledge the filing of a document or assign a case number or adversary number to a document unless the original is timely filed pursuant to these provisions. Upon timely receipt of the original document and any required fee, the clerk will stamp or notate the following on the document: "This document is deemed filed on (date) pursuant to the Administrative Procedures Manual for Filing Papers After Hours". Documents filed in accordance with this procedure will be deemed filed on the date and at the time printed on the document by the facsimile machine in the clerk's office.

- I. *CM/ECF System Failure.*** On rare occasions, an electronic filer may be unable to complete a filing due to a technical failure of the CM/ECF system. The filer should contact the Clerk's Office at 504-589-7878 (then press "0" and ask for Technical Support). The CM/ECF system will record the time that the system cannot be accessed by an electronic filer.

## **10. SUBMITTING ORDERS AND JUDGMENTS**

- A. Orders and judgments must be submitted to the court in Word or WordPerfect. Orders should be submitted to:
- (1) Orders for Section A - [SectionAOrders@laeb.uscourts.gov](mailto:SectionAOrders@laeb.uscourts.gov)
  - (2) Orders for Section B - [SectionBOrders@laeb.uscourts.gov](mailto:SectionBOrders@laeb.uscourts.gov)
- B. It is not necessary to include a signature block for the judge's signature; the court will supply the signature block.
- C. The following types of orders are signed or processed by the Clerk and should be submitted to the Clerk at [orders\\_clerk@laeb.uscourts.gov](mailto:orders_clerk@laeb.uscourts.gov):
- (1) Writs of *feri facias*;
  - (2) Orders related to applications for costs that are decided by the Clerk. (*See [Local Rule 7054-1](#)*);
  - (3) *Ex parte* orders submitted by chapter 7 trustees related to an intent to disclaim/abandon property; and
  - (4) Orders for allocation of bond premiums.
- D. **Subject line of the Email Address** . The subject line of the email must correspond to the type of order requested as follows:
- (1) **Ex Parte Orders.** For orders or judgments regarding ex parte matters or orders resolving matters before a scheduled hearing or trial date, the subject line of the email must include the word "*Ex Parte*", the case or adversary number, and the chapter number. For example: *Ex Parte* 12-12345 ch 7.
  - (2) **Expedited Orders.** For orders or judgments regarding expedited matters, the subject line of the email must include the word "Expedited," the case or adversary number, and the chapter. For example: Expedited 12-12345 ch 11.
  - (3) **Matters Noticed for Hearing.** For orders or judgments regarding matters noticed for hearing or set for trial, the subject line of the email must include the hearing date, case or adversary number, and the chapter. For example: 01/09/12 12-12345 ch 13.

- (4) **Orders Signed or Processed by the Clerk.** Orders to be signed or processed by the Clerk must contain the case or adversary number and the section number. For example: 12-12345 Section A.
- E. **Time for Submitting.** Unless otherwise ordered, orders and judgments should be prepared by counsel for the prevailing party and submitted after review by opposing counsel no later than two (2) business days after a ruling is indicated in open court or by minute entry.

See [Local Rule 9013-3](#).

## 11. PRIVACY

- A. **Redacting Documents.** In compliance with [FRBP 9037](#), and in order to promote electronic access to case files while also protecting personal privacy and other legitimate interests, parties must refrain from including, or must partially redact where inclusion is necessary, the following personal data identifiers from all pleadings filed with the Court, including exhibits, whether filed electronically or in paper, unless otherwise ordered by the court.
  - (1) **Social Security Numbers.** If an individual's social security number must be included in a pleading, only the last four digits of the number should be used.
  - (2) **Names of Minor Children.** If the involvement of a minor child must be mentioned, only the initials of the child should be used.
  - (3) **Dates of Birth.** If an individual's date of birth must be included in a pleading, only the year should be used.
  - (4) **Financial Account Numbers.** If financial account numbers are relevant, only the last four digits of the numbers should be used.
  - (5) **Bankruptcy Petitions.** All bankruptcy petitions should include only the last four (4) digits of the debtor's social security number. [Official Form 21](#), Statement of Social Security Number(s), should be filed immediately after the petition as a private entry and should include the debtor's full social security number.
- B. **Responsibility for Redacting.** The responsibility for redacting personal identifiers rests solely with counsel and the parties.

- C. **Corrective Action.** If a filed document has not been properly redacted, the filing party must file a motion to redact with the redacted document attached as an exhibit. The filing party must also submit to the court a proposed order granting the motion to redact and directing the Clerk to substitute the attached redacted document for the one originally filed. See sample [motion to redact](#) and [order to redact](#).

## 12. FEES

### A. Form of Payment

- (1) **In general.** The Clerk’s Office accepts payment by cash and money order, and by check and credit card as follows.
- (2) **Checks.** Checks must be made payable to “Clerk, U.S. Bankruptcy Court.” The Clerk’s Office does not accept the check of either a *pro se* or a chapter 7 debtor. A debtor’s check may be accepted in a chapter 11 or 13 proceeding provided that the debtor is represented by an attorney and that the attorney is not involved in a bankruptcy proceeding of his/her own. The Clerk does not accept third-party checks.
- (3) **Credit Cards.** The Clerk’s Office does not accept credit card payments by debtors. The Clerk’s Office does not accept installment payments by credit card; all filing fees paid by credit card must be for the full amount. The Clerk accepts credit card payments via [Pay.gov](#), which is an on-line credit card module allowing practitioners to pay filing fees *via* the internet directly to the United States Treasury as part of the electronic filing process. Practitioners who wish to use Pay.Gov must fill out and return the [Internet Credit Card Payment/Pay.gov Request Form](#), which is available on the Court’s website. The completed form must be returned to:

Systems Department  
Attn: Internet Credit Card Registration  
United States Bankruptcy Court  
Eastern District of Louisiana  
500 Poydras St., Suite B-601  
New Orleans, LA 70130

OR

sent by email to: [webmaster@laeb.uscourts.gov](mailto:webmaster@laeb.uscourts.gov)

(4) **Debit Cards.** The Clerk does not accept debit cards.

- B. Lockout Feature.** Attorneys who do not pay outstanding filing fees will have their access to CM/ECF disabled within 48 hours after the fee is due. If access is disabled, the filer can still log in to CM/ECF, but will not be able to view or file documents until the outstanding filing fees are paid. Access will be allowed to the CM/ECF system to pay the outstanding filing fee.

See [Local Rule 1006-1](#).

### 13. PUBLIC ACCESS TO THE DOCKETS AND DOCUMENTS

- A. Internet Access via PACER.** Public Access to Court Electronic Records (PACER) is an electronic public access service that allows users to obtain case and docket information via the Internet. Any person with a valid PACER login and password may access the court's CM/ECF system at: <http://ecf.laeb.uscourts.gov/>.

PACER logins and passwords are issued by the PACER Service Center at 1-800-676-6856 or online at <http://pacer.psc.uscourts.gov>. In accordance with the mandate of the Judicial Conference of the United States, a user fee will be charged.

- B. "Free Look."** Electronic filers will not be charged for a one-time "free-look" (*i.e.*, initial retrieval, download, viewing or printing of a document) when the document is accessed directly from an email notification or summary of documents filed in cases in which the electronic filer has appeared.
- C. Public Access at the Clerk's Office.** The public may view bankruptcy records at no charge at the courthouse during regular business hours, Monday through Friday, 8:30 a.m. to 4:30 p.m., excluding federal holidays and extraordinary circumstances.
- D. Copies.** Copies and certified copies of electronically filed documents may be purchased at the Clerk's Office, 500 Poydras Street, Suite B-601, New Orleans, LA 70130. The fee for copies or certifications is charged according to 28 U.S.C. §1930. The [fee schedule](#) is available on the Court's website.

### 14. SEALED DOCUMENTS

- A. Motions to Seal**

- (1) All files in the possession of the Court are considered to be public documents available for inspection unless otherwise ordered. Motions to seal are discouraged.
- (2) A motion to seal may be made on an *ex parte* basis without notice on any grounds permitted by law and must contain the basis for why sealing is required. Attorneys filing a motion to seal without proper justification are subject to sanctions.
- (3) All motions to seal must be filed in CM/ECF as a public document, and redacted as needed. Documents affected by the request to file under seal must be sealed and hand-delivered to the court. They will remain sealed until the court rules on the motion.
- (4) If the court denies the motion to seal, the documents will be returned under seal to the movant.
- (5) Upon the entry of an order to seal, a viewable flag (“SEALEDDOC”) will appear on the docket sheet, and the sealed envelope will have the name and address of the party seeking the sealing and the date of the order for sealing.
- (6) A document whose seal is vacated by court order before a case is closed will be imaged and filed in CM/ECF as a public document.

**B. Sealed documents at case closing**

- (1) Upon the administrative closing of the case and the expiration of all delays for appeal, the courtroom deputy will send a letter to the movant with a thirty (30) day deadline requesting instructions on whether to destroy or return sealed documents to the movant. The letter will be entered in CM/ECF.
- (2) The movant will docket instructions in CM/ECF as to whether the original sealed document should be returned to the movant or destroyed. (The event code can be found under “Bankruptcy or Adversary Other Events”: “Attorney’s Statement to Clerk’s office re: Sealed Documents” (misc,stmtsdoc)). See sample [Instructions Regarding Document Under Seal](#).
- (3) Failure by the movant to respond to the notice within thirty (30) days will result in the destruction of the sealed document or documents by the Clerk.



- (4) The courtroom deputy will enter a viewable remark in CM/ECF to correspond to the action taken by the Clerk's Office.

## 15. CLOSING POST-BAPCPA CHAPTER 13 CASES

- A. The procedures for closing Chapter 13 cases upon plan completion must be followed for all Chapter 13 cases filed on or after October 17, 2005.
- B. Depending upon whether the plan payments have been completed, and whether the debtor is eligible for a discharge, the trustee will file:
  - (1) [Trustee's Notice of Plan Completion and Procedures Regarding the Discharge Order and Closing of the Case](#), or
  - (2) [Trustee's Notice of Plan Completion and Proposed Closing of the Case Without a Discharge Due to Debtor\(s\) Ineligibility for a Chapter 13 Discharge](#).

The debtor must then file either:

- (1) [Debtor\(s\) Motion for Entry of Discharge and Certification of Plan Completion](#), and [Notice of Hearing](#), or
- (2) [Debtor\(s\) Motion for Entry of Discharge Without Certification of Plan Completion](#), and [Notice of Hearing](#).

Note: The event codes can be found under Bankruptcy - Motions/Applications.

- C. All motions related to Chapter 13 discharges should be scheduled at 8:25 a.m. in Section A and Section B.

## 16. ORDERING TRANSCRIPTS

- A. Official typewritten transcripts of court proceedings may be ordered by completing the [transcript order form – AO Form 435](#) (Boxes 1-19), and sending it:  
via email to: [orders\\_clerk@laeb.uscourts.gov](mailto:orders_clerk@laeb.uscourts.gov)  
  
via fax to: 504-589-7866  
  
or regular mail to:  
U.S. Bankruptcy Court

Attn: Transcript Request  
500 Poydras Street, Suite 601  
New Orleans, LA 70130

- B.** The requestor must pay the estimated deposit before the transcript will be processed. The estimated cost of the transcript is based on the type of transcript, the number of transcribed pages, and how quickly the transcript will be delivered. (In general, one hour of audio proceedings equals approximately fifty (50) typed pages.) The actual cost will be determined by the transcriber. Upon completion of the transcript, the requestor will be notified if a balance or refund is due.

<b>TYPE</b>	<b>ORIGINAL</b>	<b>FIRST COPY</b>	<b>ADDITIONAL COPY</b>
<b>Ordinary -30 Day</b>	\$3.65 per page	\$ .90	\$ .60
<b>14 Day</b>	\$4.25 per page	\$ .90	\$ .60
<b>Expedited-7 Day</b>	\$4.85 per page	\$ .90	\$ .60
<b>Next Business Day</b>	\$6.05 per page	\$ .90	\$ .60

- C.** A transcript estimated to be over 100 pages cannot be ordered for next business day delivery. Court transcribers do not produce hourly or real time transcripts no matter the length of the hearing.
- D.** Upon completion, the requestor will be notified that the transcript is available for pick up at the Clerk's Office.
- E.** Transcripts are restricted from public access in PACER for a period of 90 days from the filing of the transcript in accordance with Judicial Conference policy. During the restricted period, transcripts are available for inspection at the Clerk's Office or may be purchased from the transcriber. To purchase a copy of a transcript during the 90 day restricted access period, contact the Clerk's Office by email at [orders\\_clerk@laeb.uscourts.gov](mailto:orders_clerk@laeb.uscourts.gov). Please include in the email request the case name and number, hearing date, and the pleading number of the notice of official transcript. The cost is ninety cents (\$.90) per page. There is no fee for transcriber certification. Parties who purchase an original transcript or copy of a transcript during the restricted access period will be granted access to the electronic transcript through PACER.

## **17. ORDERING COMPACT DISCS OF HEARINGS**

- A. Audio versions of court hearings may be ordered by completing the [CD/tape order form – AO Form 436](#) (Boxes 1 - 19), and sending it:
- via email to: [orders\\_clerk@laeb.uscourts.gov](mailto:orders_clerk@laeb.uscourts.gov)
- via fax to: 504-589-7866
- or regular mail to:
- U.S. Bankruptcy Court  
Attn: CD Order  
500 Poydras Street, Suite 601  
New Orleans, LA 70130
- B. For hearings held before August 1, 2003, a cassette tape will be provided. For hearings held after August 1, 2003, a CD will be provided.
- C. The cost for each CD or a cassette tape is \$31.00. Payment is due at the time of pickup. Checks and money orders must be made payable to “Clerk, U.S. Bankruptcy Court.” Once the CD is ready, the requesting party will be contacted to pick it up at the Clerk’s Office.

## 18. ORDERING TRANSCRIPTS OF A SECTION 341 CREDITORS’ MEETING

To order a transcript of a section 341 creditors’ meetings, contact the United States Trustee’s office at (504) 589-4018.

## 19. PROCEDURE FOR RECEIVING RENT DEPOSITS

- A. Any deposit of rent made by or on behalf of a debtor pursuant to [11 U.S.C. § 362\(l\)\(1\)\(B\)](#) must be in the form of a certified check or money order payable to the order of the lessor and delivered to the Clerk upon filing of the petition (or within two (2) business days if the petition is filed electronically) and the certification made under [11 U.S.C. § 362\(l\)\(1\)\(A\)](#);
- B. The debtor must file a copy of the judgment of eviction with the petition; and
- C. Upon the Clerk’s receipt of a certified check or money order payable to the order of the lessor and a copy of the judgment of eviction, the Clerk is directed to (1) transmit promptly the certified check or money order to the lessor by certified mail to the address listed in the petition and (2) to record on the docket information from the check and notice of its transmittal to the lessor.

## 20. RETURNED MAIL

The Court uses the Bankruptcy Noticing Center (BNC) to send out notices. All notices transmitted through the BNC list the debtor's attorney on the return address, so that the debtor's attorney will get any returned mail. This procedure is followed because it was determined on a national policy level that the debtor's attorneys are better able to monitor undelivered mail and correct creditor addresses. As of July 2010, the BNC sends "bypass notices" to attorneys for mail that is undeliverable. The bypass notice includes the following information:

- (1) Attaches a copy of the notice that was not mailed to an undeliverable address;
- (2) Identifies the creditor and the undeliverable address;
- (3) Instructs the debtor's attorney to immediately mail the undelivered notice to the creditor; and
- (4) Informs the debtor's attorney that the BNC will not mail future notices to the undeliverable address.

The event code in CM/ECF to file the completed bypass notice is located under: Bankruptcy, Notices, Notice of Address Update in re BNC Notice of Undeliverable Address.

See sample [Bypass Notice](#).

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