



# Clerk's Notes



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Below is an update of recent and upcoming changes, and suggestions for practicing in the United States Bankruptcy Court for the Eastern District of Louisiana.

## I. CM/ECF

### A. CM/ECF Updated to Version 3.0

CM/ECF Bankruptcy Release 3.0 was installed this past weekend and includes software enhancements or fixes addressing over 100 modification requests. The Administrative Office of the U. S. Courts created notes for PACER users, which is available under “What’s New” of the PACER Service Center web page, to provide the public with a description of the changes. You may visit PACER at <http://pacer.psc.uscourts.gov/>.

The following are some of the key changes:

#### 1. Case Opening

- Filers may choose a primary nature of suit, plus multiple secondary natures of suit.
- When entering parties in an adversary, filers will not have to choose a role type. Rather, filers will be prompted to enter party information in screens already designated for the plaintiff and defendant.
- A new event under the “adversary” category allows filers to open a “Miscellaneous Proceeding”.
- A new event under the “bankruptcy” category allows filers to open an involuntary case.

## 2. Claims

- The filing of a claim generates a “Notice of Electronic Claims Filing” to active attorneys and trustees.
- An amended claim will not receive a new claim number, but an extension number from the original claim number.
- The claims register and the creditor mailing matrix can now be accessed from the “Reports” or “Query” categories.
- The claims register now includes “Claims History” and “Claims Status”. For example, claims history includes amended claims, and related docket events, such as transfers of claim, objections to claim, and withdrawals of claims. Each entry has a hyperlink to the claim.

## 3. Docket Sheet

- The adversary docket sheet includes a description of the natures of suit, along with the numeric codes.
- The “727OBJ flag” will automatically spread to the docket sheet of the main case.
- Both the original complaint text (pleading 1) and the adversary proceeding number will spread to the docket sheet of the main case.

## 4. E-Mail Notification

- You may now receive a “Notice of Electronic Claims Filing” if a claim is edited, or a “Notice of Electronic Filing” when various edits are made in a case. This occurs when a claim, pleading, or participant is edited, or when a correction is made to the linkage between documents.

## B. Scanning documents

Documents that are scanned improperly and then filed into CM/ECF cause problems to the system, including taking an excessive amount of time to print out. Our website includes a tip sheet on the recommended settings for scanning documents. Go to: <http://www.laeb.uscourts.gov>. Click on “CMECF Info”. Look under “ECF Hardware/Software Setting Recommendations” for “Tips for Scanning Documents”.

## C. Ex Parte Orders

Remember to submit orders through e-mail on all ex parte motions. We are noticing that some attorneys have been attaching orders to the pleadings and are not sending the orders through e-mail. The process of submitting of orders is discussed in detail in LBR 5005-1(E).

## II. Pay.gov

### A. Advantages of using Pay.gov

Pay.gov is the CM/ECF on-line credit card module that allows practitioners to pay filing fees via the internet directly to the U.S. Treasury as part of the electronic filing process. Our local rules require payment within two calendar days. LBR 5080-1. If fees are not paid within the two day period, attorneys will be locked out from making further filings.

We strongly recommend that all attorneys sign up for Pay.gov to avoid any potential problems of being locked out due to delays with the mail system.

To sign up for Pay.gov, go to our website, <http://www.laeb.uscourts.gov>. Click on “CMECF Info”. Look under “ECF Forms” for "Internet Credit Card Payment / Pay.gov Request Form".

### B. Pay.gov and In Forma Pauperis Applications

The one time counsel should not use Pay.gov is when filing In Forma Pauperis applications. It may take more than two days before the application is granted, during which time you may be locked out of CM/ECF. For IFP

applications, instead of paying through PAY.GOV, select "o" for other payment, and bring in the payment if the application is denied.

### III. Monitoring of cases

Counsel are responsible for monitoring their own adversary proceedings. After proper service and expiration of the answer deadline, counsel should take the appropriate action instead of waiting for the case to wind up on the Call Docket.

### IV. Finally . . .

Check our website for updates on a regular basis – <http://www.laeb.uscourts.gov>.