



Clerk's Notes



OCTOBER 2010

I. Electronic Courtroom Technology

Reminder that our courtrooms are equipped with new audio-visual technology that allows you to present evidence electronically. We encourage you to use the equipment. The upgrades include a DVD/VCR player, touch screens, a document camera, and more. Laptop connectors are located on the presenter cart – the lectern – and on the attorney tables.

Section A - Paper exhibit books are still required prior to trial, even if you plan on using the system to present evidence electronically.

Section B - If you plan to use the electronic evidence presentation system instead of the joint exhibit book now required in the pretrial notices, please notify chambers 7 days before the trial.

If you would like to practice using the equipment, whether or not before a trial or hearing, please call Brian Richoux, chief deputy (589-7822) to make arrangements.

II. Noticing to the mailing matrix

When serving creditors and parties in interest, please be sure to use the most current mailing matrix in CM/ECF. Some attorneys are incorrectly using the original list of creditors, which may not include updates and may result in deficient service.

To access the current mailing list, go to CM/ECF and click on Reports, then Creditor Mailing Matrix.

III. Submitting Orders

Orders should be submitted in word-processing format, for example in Word or Word Perfect. The order should be in final form and without any markup details.

Please include the date on which the hearing was held in the order. If the matter was noticed for hearing, but not actually heard (such as because objections were not filed), this should be included in the order. For example, “This matter was noticed for hearing on September 1, 2009. No objections were filed. Accordingly, . . .”

See LBR 5005-1(D) and (E) for detailed information on submitting orders and judgments.

IV. Event Codes in CM/ECF

A. “Payment Advices”

Please use the “Payment Advices” event code when entering a debtor’s pay check stub in CM/ECF. We find that some attorneys use the “Document” event code to file payment advices. Also, remember to redact private information.

B. “Response of No Opposition”

A new event code has been created to indicate that the filer has no opposition to a motion.

Under Bankruptcy, click on “Answer/Objection/Opposition/Response”, click on “Reference an Existing motion/application”, click on “Response of No Objection”.

V. Fees - Amendments to Schedules

The Clerk must charge a fee of \$26 to amend the schedules to add creditors, delete creditors, change the amount of a debt, or change the classification of a debt. No fee is charged to change the address of a creditor, or to add or change the address of an attorney for a creditor. The event code to file an amendment

(“Amended Schedules D, E, F or Amended Creditor Matrix”) has a drop-down box for the filer to choose what type of amendment is being filed, and to reflect what requires a fee and what does not.

We have noticed that filers are choosing the drop-down box that results in no fee being charged, even though a fee should be charged. This results in chambers having to set show cause hearings to collect the fee or strike the pleading.

Please remember to choose the correct action to avoid further action by the court. For payments of fees other than through Pay.gov, please remember to deliver payments to the Clerk within 48 hours of filing the pleading.

VI. Notices of Hearing and the New Time Calculation Rules

When the time-computation amendments to the Bankruptcy Rules became effective on December 1, 2009, all deadlines that are less than 30 days were changed to multiples of 7. For example, objections to motions scheduled for hearing, unless otherwise ordered, are now due 7 days before the hearing, not 8 days as before.

Please update your forms, including notices of hearing, to reflect the current 7 day deadline to file objections and responses to motions.

VII. Amendments to Bankruptcy Rules

A. Amendments effective December 1, 2010

Several amendments to the Bankruptcy Rules become effective on December 1, 2010. The changes are available for viewing on the Judiciary’s *Federal Rulemaking* website. To access the site, click on the Court’s website: www.laeb.uscourts.gov; click on “Rules, Opinions and Orders; and click on “Federal Rulemaking”; (this will lead you to the *Federal Rulemaking* web site at www.uscourts.gov/rules); and click on “Bankruptcy Rules” under Quick Links.

B. Proposed Rules Published for Public Comment

Some proposed amendments to the Bankruptcy Rules related to filing claims are out for public comment. The proposed amendments and explanations for the proposed changes also listed under the above link. The public comment period ends on February 16, 2011.

VIII. Lil Dizzy's Café

Lil Dizzy's Café, which operates in the basement of the Hale Boggs Federal Building, will be closing operations on Friday, October 29, 2010.

IX. Finally . . .

Check our website for updates on a regular basis – <http://www.laeb.uscourts.gov>. If you have suggestions on issues that you would like to see addressed in future newsletters, please call Marla Hamilton, Clerk of Court, 589-7820.