U.S. Bankruptcy Court
District of North Dakota

CM/ECF Filing Guide for Trustees

(December 2009)

Table of Contents

Chapter 7		
Document:	**Select:**	**Notes:**
Trustee’s Rejection (virtual document)	**Bankruptcy > Trustee/US Trustee > Appointment Rejection**	• Select Trustee to be removed • Clerk’s Office normally selects new trustee according to calendar.
Trustee’s Initial Report	**Bankruptcy >Trustee/US Trustee> Trustee’s Initial Report**	• **No Action -** Case will appear on this list again • **Trustee’s Report of No Distribution -** No asset case • **Trustee’s Initial Report -** Asset case or undetermined • **Continue to -** <u>Not to be used</u>
No Asset Report (virtual document)	**Bankruptcy > Trustee/US Trustee > Ch. 7 Report of No Distribution/No Assets**	
Objection to Exemptions	**Bankruptcy > Answer/Response >Other Answers> Objection to Debtor’s Claim of Exemptions**	• 14 day notice included and automatically set with certificate of service • Notice may be filed separately or as one event

Motion to Abandon	**Bankruptcy > Motion/Application > Motion to Abandon** Note: The Motion, Notice of Motion, and Proof of Service may be a single PDF. The Motion **must** be the first document in your PDF. The Proposed Order **must** be e-mailed to proposed_orders@ndb.uscourts.gov	• System defaults to 14 day objection period as required
Application by Trustee to Employ Attorney for Trustee	**Bankruptcy > Motions/Application > Employ** The Proposed Order **must** be e-mailed to proposed_orders@ndb.uscourts.gov	• Select yourself (trustee) as filer • **Do NOT check the box for attorney/party association** • Enter name of person to be employed when prompted (e.g., "Bill Jones") • Enter type of position when prompted (e.g., "Attorney for Trustee")
Affidavit Re: Application to Employ	**Bankruptcy > Miscellaneous > Affidavit**	• Refer to Application (found under motion)
Trustee's Request for Notice to Creditors and Notice of Assets	**Bankruptcy > Trustee/US Trustee > Notice of Assets**	• Court to generate notice to all creditors and provide service
Chapter 7 Trustee's Final Report	**Bankruptcy > Trustee/US Trustee > Ch. 7 Trustee's Final Report**	

Notice of Final Report	**Bankruptcy > Trustee/US Trustee > Notice of Final Report**	• Enter date of filing as date served. Objection period defaults from date of service • Refer to Final Report • The clerk's office will send the notice to all creditors
Application for Compensation	**Bankruptcy > Motions/ Applications > Compensation**	• Enter type of professional requesting fee type • Enter dates of service • Enter fees requested and expenses requested (e.g., 2000.00 and 125.00) • Only complete section pertaining to applicant requesting fees • 21 day notice of application under $1,000 to be served only on interested parties • 21 day notice over $1,000 to be served on all creditors
Final Account	**Bankruptcy> Trustee/ US Trustee> Final Account**	

Chapter 11		
Document:	**Select:**	**Notes:**
Chapter 11 Trustee's Report/341 Meeting Held	**Bankruptcy > Trustee's 341 Filings > Meeting of Creditors Held (Chapter 11)** or **Meeting of Creditors Not Held** or **Meeting of Creditors Continued**	• Satisfy pending meeting of creditors • Enter new date, time, and location if meeting was continued
Report of Inability to Appoint a Creditor's Committee (virtual document)	**Bankruptcy > Trustee/US Trustee >Report of Inability to Appoint a Creditor's Committee**	
Notice of Appointment of Creditors' Committee	**Bankruptcy > Trustee/US Trustee > Notice of Appointment of Creditors' Committee**	
Notice Appointing Trustee	**Bankruptcy > Trustee/US Trustee > Notice Appointing Trustee (US Trustee only)**	• Clerk's office will add Trustee to case
Objection to Disclosure Statement	**Bankruptcy > Answer/Response > Other Answer> Objection to Disclosure Statement**	• Refer to Disclosure Statement

Objection to Confirmation of Plan	**Bankruptcy > Answer/Response > Objection to Confirmation**	• Refer to Plan

Chapter 12/13		
Document:	**Select:**	**Notes:**
Chapter 12/13 Trustee's Report/341 Meeting Held	**Bankruptcy >** **Trustee/US Trustee >** **Trustee's Initial Report**	• Satisfy pending meeting of creditors
Trustee's Recommendation	**Bankruptcy >** **Trustee/US Trustee >Chapter 13 Plan Recommendation**	• Refer to appropriate document • Enter recommendation in text box (*e.g.*, "recommend confirmation") • Only filed in a Chapter 13
Objection to Confirmation of Plan	**Bankruptcy >** **Plan >** **Objection to Confirmation of Plan**	• Refer to Plan
Chapter 12 Final Report and Account	**Bankruptcy >** **Trustee/US Trustee >** **Chapter 12 Trustee's Final Report and Account**	
Chapter 12 Final Report and Account (upon completion)	**Bankruptcy >** **Trustee/US Trustee >** **Chapter 12 Trustee's Final Report and Account (upon completion)**	
Chapter 12 Final Report and Account (upon dismissal)	**Bankruptcy >** **Trustee/US Trustee >** **Chapter 12 Trustee's Final Report and Account (upon dismissal)**	

Chapter 13 Final Report and Account	**Bankruptcy > Trustee/US Trustee > Chapter 13 Trustee's Final Report and Account**	
Chapter 13 Final Report and Account (upon completion)	**Bankruptcy > Trustee/US Trustee > Chapter 13 Trustee's Final Report and Account (upon completion)**	
Chapter 13 Final Report and Account (upon conversion)	**Bankruptcy > Trustee/US Trustee > Chapter 13 Trustee's Final Report and Account (upon conversion)**	
Chapter 13 Final Report and Account (upon dismissal)	**Bankruptcy > Trustee/US Trustee > Chapter 13 Trustee's Final Report and Account (upon dismissal)**	
Chapter 13 Final Report and Account (upon granting of hardship discharge)	**Bankruptcy > Trustee/US Trustee > Chapter 13 Trustee's Final Report and Account (upon granting of hardship discharge)**	

Final Account	**Bankruptcy > Trustee/US Trustee > Final Account**	

Motions/Applications		
Document:	**Select:**	**Notes:**
Motion/Application	**Bankruptcy** > **Motions/Applications** > select appropriate motion/application Note: The Motion, Notice of Motion, and Certificate of Service may be a single PDF or the Notice, supporting documents, and Certificate of Service may be added as an attachment to this event. The Motion **must** be the first document in your PDF. The Proposed Order **must** be e-mailed to proposed_orders@ndb.uscourts.gov	• Select the **most** appropriate motion/application from the list. Add additional text in text box if necessary. • Select party from list or *Add/Create New Party* • If using motion sent, you will be prompted to enter the last day to object (defaults to 14 or 21 days; modify if necessary). Remove this date if you are not filing a Notice at this time. • If prompted for a receipt number, follow prompts on screen to pay filing fee via the Internet.
Notice of Motion/Application	**Bankruptcy** > **Notices** > **Notice of Motion** or **Notice of Application** Note: Use this event when the Notice is filed AFTER the motion or when the motion event didn't prompt for the last day to object.	• Refer to Motion/Application • Enter last day to object when prompted
Affidavit in Support	**Bankruptcy** > **Misc/Other** > **Affidavit** Note: May be added as an attachment when filing the Motion/Application/Objection.	• Refer to Motion or related document • Enter name of person when prompted, *e.g.*, "Joe Smith"

Brief/Memorandum	**Bankruptcy > Misc/Other> Brief/Memorandum** Note: May be added as an attachment when filing the Motion/Application/Objection.	• Refer to Motion or related document
Proposed Order	The Proposed Order **must** be e-mailed to proposed_orders@ndb.uscourts.gov	
Certificate of Service	**Bankruptcy > Misc/Other > Certificate of Service** Note: May be filed as an attachment to any event.	• Refer to all documents sent (select multiple categories by holding down the *Ctrl* key and clicking on the categories in the list)
Amended Motion/Application	**Bankruptcy > Misc/Other > Amended Document**	• Refer to original Motion/Application
Motion for Expedited Hearing	**Bankruptcy> Motions/ Applications> Motion for Expedited Hearing**	• Refer to Motion

Motion by UST to Dismiss Case Motion to Convert Case to 7	**Bankruptcy > Motions/ Applications> Dismiss Case** Or **Bankruptcy> Trustee/US Trustee> Dismiss Case** **Bankruptcy > Motions/ Applications > Convert Case to 7**	• If prompted for fee, enter "exempt' in receipt field. • Electronically file your Notice of Motion next
Notice of Motion by UST to Dismiss Notice of Motion to Convert Case to 7	**Bankruptcy > Notices> Notice of Motion (to dismiss case** **Bankruptcy> Notices> Notice of Motion (to convert)**	• Refer to Motion • Prompt for objection date

Objections/Hearings		
Document:	**Select:**	**Notes:**
Objection to Motion/Application/Document	**Bankruptcy** > **Answer/Response** > **Reference an Existing motion/application -Other Answers**	• Select Objection/ Reply/Response from drop down list • Refer to Motion (found under motion) or related document
Notice of Hearing (filed after Clerk's Office has scheduled the hearing/telephone conference)	**Bankruptcy** > **Notices** > **Notice of Hearing**	• Refer to Motion (found under motion) or related document
Pre-Hearing Papers (Statement of the Case, List of Exhibits, List of Witnesses)	**Bankruptcy** > **Miscellaneous** > **Affidavit, Brie and Pre-trial Documents**	• Refer to Motion (found under motion) or related document • Refer to complaint if filing pre-trial docs
Withdrawal of Document	**Bankruptcy** > **Miscellaneous** > **Withdrawal of Document**	• Refer to document being withdrawn, e.g., motion, objection, etc. • When a withdrawal removes a hearing from the calendar, also note in text box that the matter can be removed from the calendar *e.g.*, ("Objection to Exemptions - removes matter from Judge's calendar")

Stipulation	**Bankruptcy > Miscellaneous/Other > Stipulation** The Proposed Order **must** be e-mailed to proposed_orders@ndb.uscourts.gov	• Do not check "Joint filing with another attorney(s)" • Select yourself (trustee) as filer the party • Enter with whom in text box • Refer to Motion or related document if applicable • When the Stipulation removes a hearing from the calendar, also note in text box that the matter can be removed from the calendar, *e.g.*, "(removes matter from Judge's calendar)"

Claims		
Document:	**Select:**	**Notes:**

File Claim	**Bankruptcy > File Claims**	• On *Search for Creditor* screen, enter case number and name of creditor for whom the proof of claim is being filed (optional); leave type as *All creditors*; click *Next*.
		• If creditor appears on screen, select creditor and click *Next*
		• On the *Proof of Claim Information Screen*, enter the following:
		  • Amends Claim # (if applicable)
		  • Duplicates Claim # (if applicable)
		  • Filed By: (select Trustee)
		  • Late (select Yes or No)
		  • Amount Claimed
		  • Description (if necessary)
		  • Remarks (if necessary)
		• Clerk's Office will add creditor if necessary

Objection to Claim	**Bankruptcy > Claims Action> Objection to Claim**	• Enter name of creditor in text box • Docket each objection separately
Withdrawal of Claim	**Bankruptcy > Claim Actions > Withdrawal of Claim**	• Enter Claim # when prompted • Add name of creditor in text box

Adversaries		
Document:	**Select:**	**Notes:**

Adversary Complaint	**Adversary > Open an AP Case**
	
	Note: Cover Sheet is not required. If filed, it can be added as an attachment to this event.
		• Enter lead case (main bankruptcy case number)
		• Enter Plaintiff(s) first (do include address for plaintiff)
		• Enter Attorney for Plaintiff
		• Enter Defendants(s)(do include address for defendant)
		• Enter Attorney for Defendant
		• Enter statistical case information taken from the Adversary Cover Sheet
		  • Select only one nature of suit (If 727 objection to discharge, you **must** select 424 as the nature of suit)
		  • Enter demand to the nearest thousand, *e.g.*, "5" for $5,000
		• When prompted for fee, enter "exempt" in receipt field

Summons Service Executed	**Adversary > Summons/ Complaint> Summons service executed**	
Answer	**Adversary > Answers > Answer to Complaint, Amended Complaint, 3rd, Cross, Counter**	• If defendant, select yourself as filer party • Check the box to make attorney/party association • Refer to Complaint • Check the appropriate box if this filing includes a third-party complaint, cross-claim, or counterclaim

(Joint) Pretrial Statement	**Adversary > Miscellaneous > Pretrial Documents of the Case**	
Motion	**Adversary > Motions** The Proposed Order **must** be e-mailed to proposed_orders@ndb.uscourts.gov	• Supporting documents may be added to the motion document
Certificate of Service	**Adversary > Miscellaneous**	• Refer to Motion
Withdrawal of Document	**Adversary > Miscellaneous > Withdrawal of Document**	• Refer to document being withdrawn
Brief/Memorandum	**Adversary > Miscellaneous > Brief**	• Refer to Complaint (or motion if applicable)
Stipulation	**Adversary > Miscellaneous > Stipulation** The Proposed Order **must** be e-mailed to proposed_orders@ndb.uscourts.gov	• Do not check "Joint Filing with another attorney(s)" • Select yourself (trustee) as filer the party • Refer to Complaint (or Motion if applicable) • Enter with whom in text box

Appeals		
Document:	**Select:**	**Notes:**
Notice of Appeal	**Bankruptcy > Appeal > Notice of Appeal and Election - District** **or** **Bankruptcy> Appeal> Notice of Appeal - BAP**	• Refer to Order being appealed and related Motion
Appellant Designation	**Bankruptcy > Appeal > Appellant Designation**	• Refer to Notice of Appeal • Satisfies *Appellant Designation due date* • Court would suggest that copies of documents to be included in the record be filed conventionally
Appellee Designation	**Bankruptcy > Appeal > Appellee Designation**	• Refer to Notice of Appeal • Satisfies *Appellee Designation due date* • Court would suggest that copies of documents to be included in the record be filed conventionally
Statement of Issues on Appeal	**Bankruptcy > Appeal > Statement of Issues on Appeal**	• Refer to Notice of Appeal
Request for Transcript	**Bankruptcy > Appeal > Request for Transcript re: Appeal**	• Refer to Notice of Appeal

Utilities/Reports		
Document:	**Select:**	**Notes:**
Change Password	**Utilities > Maintain Your ECF Account**	• Scroll down to bottom of screen and click on *More user information*. After changing your password, click on *Return to Account Screen* then scroll down to bottom of screen and click *Submit* and *Submit* to have any changes recorded.
Change Email information	**Utilities > Maintain Your ECF Account**	• Scroll down to bottom of screen and click on *Email information*. After changing your e-mail settings, click on *Return to Account Screen* then scroll down to bottom of screen and click *Submit* and *Submit* to have any changes recorded.
View Your Transaction Log	**Utilities > View Your Transaction Log**	• Enter start date and end date
Electronic/Manual Noticing Information for List of Parties on a Case	**Utilities>Mailings**	• Click on Mailing Info for case

Creditor Mailing Matrix	**Reports > Creditor Mailing Matrix** or **Utilities > Mailings> Creditor Mailing Matrix**	• The 1-column file can be saved as a text file on your computer with the *File/Save As* browser option. The saved file can then be edited and printed on labels or you can use the cut and paste option. • **For this and other reports, you may be prompted for your PACER Login. Check the box "make this my default PACER login" so you will only have to login once per session**.
Docket Report	**Reports > Docket Report**	• Enter case number • Select criteria for generating the report • Click *Run Report*
Claims Register	**Reports > Claims Register**	• Enter case number • Click *Run Report*
Cases Report	**Reports > Cases**	• Select criteria for generating the report (select multiple categories by holding down the *Ctrl* key and clicking on the categories in the list) • Click *Run Report*
341 Meeting Calendar	**Reports > Deadlines/Hearings/341 Calendars** > Select **341 Meeting** from *Deadline/Hearing* list	• Select criteria for generating the report (select multiple categories by holding down the *Ctrl* key and clicking on the categories in the list) • Click *Run Report*

Judge’s Calendar	**Reports > Calendar Events** > Select **All hearings** from *Calendar Event* list	• Select criteria for generating the report (select multiple categories by holding down the *Ctrl* key and clicking on the categories in the list) • Click *Run Report*

Help	
Screen:	**Instructions for Attorneys and Trustees**:
Joint filing with another attorney(s)	You will see this check box if you are an attorney. Check it if this is a joint filing. You will be able to select the attorney(s) on another screen. Do not check if you are filing a Stipulation or Reaffirmation Agreement.
Select the Party	Select the party that you represent from the list; Trustees will select themselves as trustee. If the party is not listed, select the *Add/Create New Party* button and add party information. Refer to **Add Party to Case** instructions. For certain types of filings, you may also have the option of selecting a group of parties rather than individuals.

Add Party	1. Search for the party. a. Begin by searching to see whether the party is already in the database. b. To search, enter the party's Social Security number or Tax ID, or all or part of the last or business name, and click the *Search* button. 2. Select a party already in the database or add a new one. a. If the party is already in the database, highlight the name on the party list, and click the *Select name from list* button. b. To add a new party to the database, click the *Create new party* button. In either instance, the *Party Information* screen will be displayed. 3. Enter the information about the party. a. For a party already in the database, fill in the party role and pro se fields, and enter party text if needed. (Party text appears after the party's name on the cover sheet of the docket, e.g., ABC Corporation, a subsidiary of XYZ International.) To change address information just for this case for a party already in the database, type over the existing address information. b. For a new party, fill in the name, address, party role, and pro se fields, and enter party text if needed. 4. Click *Submit* only after all attorneys and aliases have been added. a. If the case being opened is an adversary proceeding, or if a party is being added after the case has been opened, the search screen will be displayed for the next party. When the last party has been added, click the *End party selection* button.

The following attorney/party associations do not exist...	If you see these words: "The following attorney/party associations do not exist for this case. Please check which associations should be created for this case," you have selected an attorney and a party who were not previously associated. You may have checked the wrong person on the party list. If so, use the *Back* button to change the selection. If your selection was correct, check the box for each new party/attorney combination that should be established. **Note: Trustee filers will never check this box.**

Select the PDF document	Click on the *Browse* button to search your network and select from those files. Remember to change the file type to Acrobat (*.pdf). To make certain that you are about to associate the correct PDF file for this entry, right-click on the file name with your mouse and select **open**. • If your filing does not have attachments, click *next* to continue. • If your filing has attachment(s), *e.g.*, financing papers, exhibits, supporting documents, etc., click *Yes* for "Attachments to Document." Click *Next* to see the attachments screen. 1. Enter the PDF document that contains the attachment. Click on the *Browse* button to search your network and select from those files. Remember to change the file type to Acrobat (*.pdf). To make certain that you are about to associate the correct PDF file for this entry, right-click on the file name with your mouse and select **open**. If your filing has more attachments, first continue labeling this attachment following the instructions below. 2. At your option, select a document type or enter a description. If you press the down arrow to the right of the *Type* box, you see a list of available attachment types. Select the one you want by highlighting it or type a short description of your attachment. 3. Add the filename to the list box below. Add the attachment you have entered to this list by clicking the **Add to List** button. If you have more attachments, go back to Step 1. Continue until all your attachments are on this list.

Refer to existing event(s)?	Check the box if you would like to relate this event to an earlier event in this case. Two more screens may display after you click *next*: *Please select the category...*: A list of event categories is displayed. Select one or more categories from the list by highlighting the ones you need and clicking *Next*. A list of all the docket entries in those categories is shown. *Include*: Check the box for each docket entry that should relate to the current filing. Click *Next*.
Notice of Electronic Filing	The Notice of Electronic Filing is the verification that the filing has been sent electronically to the Court's database. It certifies that this is now an official court document. • Clicking on the case number hyperlink will present the docket report for this case. Note that you will be prompted for your PACER login and password. Users must be registered with the PACER system to have a login and password. • Clicking on the document number hyperlink will present the PDF image of the document just filed. Note that you will be prompted for your PACER login and password. • **Note: To get your free look, you must click on the document number hyperlink from the Notice of Electronic Filing that you receive <u>via e-mail</u>...not the Notice of Electronic Filing that you see at the conclusion of the filing process.** • Scroll down to see participants who have or have not registered for electronic noticing on this case. • To print a copy of this notice, click the browser *Print* icon. • To save a copy of this notice, click *File* on the browser menu bar and select *Save Frame As*.