United States Bankruptcy Court Eastern District of Missouri



CM/ECF Administrative Procedures (revised as of December 1, 2004)



Introduction

Updated Procedures revised December 1, 2004

These Administrative Procedures are designed to assist attorneys and others who file with the United States Bankruptcy Court, Eastern District of Missouri by setting forth basic procedures for filing documents under the Court's Case Management - Electronic Case Filing (CM/ECF) System. Electronic Case Filing (ECF) became mandatory at this Court for all attorneys on November 1, 2003. These procedures address processes for filing electronically.

In drafting the Court's Local Rules of Bankruptcy Procedure (L.B.R.) dated March 31, 2003, and as amended May 15, 2003, the Court anticipated adoption of these Procedures. However, because the Local Rules do not address many of the technical requirements specified in these Procedures, it is important for those filing with this Court to review these materials as well as the Local Rules and to become familiar with the contents of both documents. These Procedures are critical to ECF training, but are in no way a summary or substitute for the detailed, step-by-step instruction contained in the ECF Training Manual used in formal ECF training. Questions about ECF training should be directed to Beth Pfister, ECF Training Coordinator, (314) 244-4606, or you may view the Court's website at www.moeb.uscourts.gov.

The transition to a paperless Court and paperless legal practice is an on-going process. Many refinements are expected along the way. These Administrative Procedures provide a solid starting place and convey the Court's expectations for use of the CM/ECF System.

The Court has updated these Administrative Procedures to reflect changes as a result of experiences with implementation of recent amendments to the Federal Rules of Bankruptcy Procedure, effective December 1, 2003. The Administrative Procedures have been revised to specify a new process for the submission of the Social Security Verification Form, known as Form B21. Instructions on use of this form in the CM/ECF system are located in Appendix A-8.

This document is not a comprehensive guide to all aspects of the CM/ECF System as it can not address every contingency which may arise during the course of filing documents. Any questions about the procedures or generally about filing may be directed to the Court's ECF Help Desk at 1-866-803-9517.

United States Bankruptcy Court Eastern District of Missouri

Case Management/Electronic Case Filing (CM/ECF)

Administrative Procedures

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Case Management/Electronic Case Filing CM/ECF

Administrative Procedures

I. DESIGNATION OF CASES, PASSWORDS AND REGISTRATION

A. Designation of Cases

The provisions of these Administrative Procedures and any amendments hereto apply to all documents filed on or after May 1, 2003. These Administrative Procedures govern access to and usage of the Case Management/Electronic Case Filing System. ("CM/ECF System" or the "System") of the United States Bankruptcy Court for the Eastern District of Missouri.

B. Passwords

A login and password are required to file and receive electronic notice through the System. Each registered participant shall be entitled to one System login and password. Any trustee appointed by the Office of the United States Trustee may obtain a separate password for use as a trustee.

C. Registration

- 1. Registration Forms. Each participant must submit a completed ECF Registration Form. Registration forms are attached as Exhibits A-1 and A-2 to the Appendix. Exhibit A-1 is for "Full Participant Registration and Access" and Exhibit A-2 is for "Limited Participant Registration and Access." All registration forms are to be returned to the United States Bankruptcy Court, Eastern District of Missouri, Thomas F. Eagleton Courthouse, 111 South Tenth Street, Fourth Floor, St. Louis, Missouri 63102; Attn: ECF Training Team.
- 2. Obtaining Login and Password and Maintaining Account. After successfully completing ECF training and/or qualifying exercises, the Court will issue the participant's assigned login and password. Upon receipt, the participant must modify the assigned password on the System using the "Utilities" feature and selecting "Maintain Your ECF Account." Participants are responsible for maintaining their accounts.
- 3. <u>Use and Protection of Password</u>. Any password issued for the System shall be used exclusively by the registered participant to whom the password has been assigned and by any employee(s) or persons authorized by the registered participant. No registered participant shall knowingly permit a password to be used by anyone who is not authorized to use the password and no person shall knowingly use another's password unless such person is so authorized.

- 4. **Password Security**. If a participant has any reason to suspect the password has been compromised, it is the participant's duty to change the password immediately through the "Maintain Your ECF Account" option under the "Utilities" function of the ECF System.
- 5. Withdrawal from System. Once registered, a participant must maintain a current and active e-mail address to receive e-mail notification from the System. A participant may withdraw from the System by providing the Clerk's Office with written notice of such withdrawal. Upon receipt of the written notice, the Clerk's Office will immediately cancel the participant's password and delete the participant from any applicable electronic service list. Terminating access to the System does not authorize the attorney to withdraw as the attorney of record for his/her client.

II. FILING OF DOCUMENTS

A. Mandatory Electronic Filing and Return of Paper Documents

Effective November 1, 2003, all attorneys are required to file electronically with this Court as stated herein. The Clerk of Court has been directed to decline to accept for filing any pleadings and other documents submitted in paper format after the mandatory date. Attorneys will be directed to the scanning stations in the Intake area to scan documents brought to the Court for filing. If documents are submitted in paper format by mail or through the drop box, the Court will send notice to the attorney advising that all subsequent paper documents from that attorney (regardless of the case in which tendered) will be returned to the attorney as unfiled.

B. Creditor Matrix

The creditor matrix must be prepared and filed in accordance with the Court's "Instructions for CM/ECF Matrix." (Appendix A-3). Those instructions require all matrices to be prepared in single column format, left-justified, with one-inch margins using Courier 10 point font. Names and addresses must be single spaced with a double space separating one creditor from the next. The city, state and zip must all be on the last line. Matrices MUST be in ASCII DOS text format (.txt) and named "creditor.txt". To amend a matrix, the attorney must file the amended matrix in PDF format with an appropriate cover memorandum and verification, and must either add the additional creditor(s) using the "Creditor Maintenance" event or upload a new matrix in .txt format.

C. Social Security Number Verification Form (Form B21)

Effective December 1, 2003, as a result of amendments to Federal Rules of Bankruptcy Procedure 1005 and 1007, debtors are required to <u>submit</u>, not file, a Social Security

Number Verification Form (known as Form B21) when filing a petition. The B21 Form must contain the full social security number signed by the debtor under penalty of perjury. A sample Form B21 is attached in Appendix A-4 and is available in word processed format on the Court's website. The form must be transmitted to the Court in PDF format via a private event in the CM/ECF system and will not become part of the case record. Because the signature and document retention rules of these ECF Administrative Procedures apply to the submission of this form, the form may be sent without "/s/" or other evidence of signature. (*See Section IV infra*). Instructions for submitting the B21 form are included in Appendix A-8.

D. Limitations on Size of Documents

All documents must be filed in Portable Document Format (PDF) (except for the matrix as described in Section II. B. above). Instructions for converting documents to PDF format are provided in Appendix A-5. Documents filed electronically should not exceed 1.5 megabyte (MB). If any document is larger than 1.5 MB, the filer should divide the document into parts and file each part separately. The first part of the document would be associated (linked) to the event and subsequent parts would be attachments to the main document.

E. Judge/Trustee Assignment

The System will attempt to place all cases filed by an attorney during a single day on the same § 341 meeting calendar if the attorney runs the Judge/Trustee Assignment after having opened all cases for a given day. If the filer performs the Judge/Trustee Assignment after opening each case at various times throughout the day, the cases will not be grouped together on the § 341 calendar. If the filer fails to perform the Judge/Trustee Assignment procedure, the ECF System will automatically assign the Judge and Trustee at midnight each day. When the System performs the Judge Trustee Assignment, an attorney's cases will not be grouped together for the § 341 meeting calendar.

F. Copies for Trustee

The debtor(s) shall bring a hard copy of the bankruptcy petition, schedules, statement of affairs, and all related documents and amendments to the § 341 meeting of creditors. This copy must contain either the original or a copy of the debtor(s)' signature. Additionally, unless a particular trustee directs otherwise, immediately upon filing the petition, the debtor(s) must mail or deliver a hard copy of the petition, schedules and statement of

affairs to the case trustee. A hard copy of any amendments to these documents filed before the § 341 meeting of creditors shall also be provided to the trustee. In a Chapter 13 case, the debtor(s) shall also provide the trustee with a hard copy of any Chapter 13 plan filed prior to the § 341 meeting of creditors. The trustee's copy of the petition, schedules, statement of affairs, and plan must contain a copy of the debtor(s)' signatures. The trustee may continue the meeting of creditors if the trustee does not receive the required hard copies. A certificate of service showing these documents have been provided to the trustee is not necessary except as otherwise required for service of the Chapter 13 plan under L.B.R. 3015-2 C., or for amended schedules under L.B.R. 1009-1 B.

G. Multi-Part Motions

Any motion that includes alternative relief, must be filed as a multi-part motion. The filer must select all applicable events from the "Motions/Applications" feature by selecting the first relief type, holding the "control" key, and selecting additional relief types requested. The "Generic Motion" event should be used only if a more descriptive relief type does not exist.

H. Emergency Matters

Any party seeking to have a matter addressed on an emergency/expedited basis shall file the document electronically and contact the Courtroom deputy for the appropriate judge to advise of the filing. The judge may require a fax copy of the pleading.

I. Exhibits

- 1. <u>Most Exhibits Not to be Filed</u>. With limited exceptions, most exhibits are NOT to be filed with the Court when filing a motion, pleading, or claim. Instead, an Exhibit Summary (Local Form 9), (Appendix A-6) should be used in place of the exhibits. The Exhibit Summary Form should be part of, or filed as an attachment to the motion, pleading, or claim to which it relates.
- 2. **Exhibits Permitted to be Filed**. Exhibits are permitted to be filed only as follows:
 - a. if the exhibit(s) is/are two pages or less in length;
 - b. if the exhibit is an affidavit;
 - c. if the exhibit is filed in support of a motion for summary judgment; or
 - d. if the case is under Chapter 13, selected pages are permitted as attachments to motions for relief provided the exhibits contain evidence of perfection.
- 3. <u>Trial Exhibits</u>. Exhibits for trial (on an adversary or contested matter) should NOT be filed with the Court. Exhibits should be listed on an Index of Exhibits (Local Form 20) and copies of the index and all exhibits should be delivered to Court in paper format three days prior to trial. (*See Local Rules*).

- 4. **Exhibits for Appeal**. Transcripts and items designated in the record on appeal should NOT be filed with the Bankruptcy Court. After a transcript has been requested, the transcription company will provide the Court with the transcript in PDF format and provide a hard copy to the requesting party.
- 5. Service of Exhibits and Copies for Court. On request, the filer must provide a copy of exhibits without charge to opposing counsel and must provide hard copies for the Court prior to hearing. Such copies are to be delivered to the Court; they are NOT to be filed with the Court.

J. Adversary Proceedings

The Adversary Coversheet must be filed electronically with the adversary complaint. It may be filed as part of, or as an attachment to the adversary complaint. The adversary coversheet is available in word processed format on the Court's website under Local Forms. The summons must be submitted in paper format. (*See Exceptions to Electronic Filing below*).

K. Effect of Electronic Filing

- 1. <u>Entry on Docket</u>. Electronic transmission of a document to the System, confirmed by the Court's transmission of its Notice of Electronic Filing, constitutes filing of the document for all purposes of the Federal Rules of Bankruptcy Procedure and the Rules of this Court and constitutes entry of the document on the docket kept by the Clerk of Court under Fed. R. Bankr. P. 5003.
- 2. <u>Official Record</u>. The official record in a case is the electronic record of the document as stored by the Court. The filing party is bound by the document as filed electronically through the System. A document filed electronically is deemed filed at the date and time stated on the Notice of Electronic Filing from the Court.

L. Pro Hac Vice

A motion and proposed order for admission pro hac vice can be filed in paper format. It must be accompanied by a check for the required admission fee payable to the Clerk, U. S. District Court. Upon admission, the attorney must promptly register to file electronically. Any attorney admitted to this Court pro hac vice is required to file electronically unless the Court grants permission to file in paper format.

M. System Failure

A registered participant whose electronic filing is made untimely as the result of a technical failure by the Court's System may seek appropriate relief by motion. A filer must attest by affidavit in support of such motion to having made reasonable attempts to file electronically.

N. Exceptions to Electronic Filing

- 1. **Documents under Seal/Protected Documents**. Documents may be filed under seal on motion to the Court. Registered participants shall file such motion electronically; however, the actual document(s) to be sealed shall not be filed unless the motion is granted. If the documents are required for the Court to rule on the motion, the documents should be submitted to the Court in an envelope for *in camera* review. If the motion is granted, the movant shall submit the documents to the Court in an envelope indicating they are being filed under seal and movant shall affix to the envelope a copy of the order authorizing the filing under seal.
- 2. <u>Summons.</u> For each defendant in an adversary, the plaintiff shall submit a completed summons form in paper format after filing the adversary complaint. The Court will issue the summons and return the hard copy to the plaintiff.

III. NOTICE AND SERVICE OF DOCUMENTS

A. Notice of Electronic Filing

When a document is entered into the ECF, the System will automatically generate a Notice of Electronic Filing and transmit an e-mail to all registered participants in the case providing a link to view the document filed. The Notice of Electronic Filing will indicate the time of filing, the name of the filing party, the name of the attorney filer, the type of document filed, and the text of the docket entry. A list of those persons who will receive the document electronically through the System and a list of those to whom it will not be sent electronically is also provided on the Notice. By accessing the "Mailings" option under "Utilities," and specifically, the "Mailings Information for a Case" feature, a filer can see a list of which attorneys will receive electronic service in the case and which are not. There are no PACER or other fees for accessing this feature under "Utilities."

B. Consent to Electronic Service and Effect of Notice

Pursuant to Fed. R. Civ. P. 5(b)(2)(D), Fed. R. Bankr. P. 9022, and L.B.R. 5005-1, with the exception of service of process under Fed. R. Bankr. P. 7004, registration to file electronically constitutes the participant's consent to receive notice and service by electronic means and is a written waiver of service by other means (e.g. first-class mail). For registered participants, notice through the Court's ECF System constitutes service of the documents referenced in the Notice of Electronic Filing.

C. Certificate of Service

The certificate of service should indicate on whom the document was served and the manner of service. If service is made through the ECF System, it is sufficient for the certificate of service to state that service was made by the ECF Notice of Electronic Filing and to show the names of those served without listing each participant's e-mail address. When some parties are served in paper and others by electronic means through ECF, the certificate of service may delineate those served electronically from those served by other means and provide addresses only for those served by other means. Alternatively, if addresses are provided for all parties, including those served through ECF, it is sufficient to state: "The following parties were served by U.S. Mail, postage-prepaid unless served electronically through ECF." Attorneys can identify which attorneys will receive electronic service in any particular case by using the "Mailings Information for a Case" feature under "Utilities." (See further instruction in Section III. A. above).

D. Service of Summons

Nothing herein shall be construed to eliminate the necessity of serving a summons and complaint in accordance with the Federal Rules of Civil Procedure and Federal Rules of Bankruptcy Procedure 7004.

IV. SIGNATURES

A. Login Constitutes Signature

The user login and password required to transmit documents to the System serve as the filing user's signature on all electronic documents filed with the Court. They also serve as a signature for the purposes of Fed. R. Bankr. P. 9011, for the Rules of this Court, and for any other purpose for which a signature is required in connection with proceedings before the Court. The filing or submission of a document required to be signed by another person is the filer's representation that the party whose signature is required has, in fact, signed the document. The filing of a stipulation or other document requiring signatures of more than one party constitutes a representation by the filer that all parties whose signatures are represented on the document have, in fact, signed the document.

B. Format

No signatures are required to appear on documents filed electronically. The Court does not require a "/s/" or other indicia of signature for the attorney's, the debtor's, or other signature. The filer's login and password serve as the filer's signature and representation concerning other signatures as stated in paragraph A.

C. Retention

The person filing or submitting any document required to be signed by the debtor(s) or by other entity(ies), must retain the original signed document for a period of two (2) years after the closing of the case unless the Court orders a different period. Such documents include those signed under penalty of perjury, those requiring verification under Fed. R. Bankr. P. 1008, and those containing an unsworn declaration as provided in 28 U.S.C. § 1746. On request of the Court, or any party in interest, or when the signature is at issue, the filer must provide original documents for review.

V. FEES

A. Credit/Debit Cards

Electronic filing requires use of a credit/debit card to pay filing fees. ECF Version 2.3 permits filers to apply charges directly to a credit/debit card using secured Internet access without having a credit/debit card "on file" with the Court. Instructions for internet credit card payment are included in Appendix A-7.

B. Delinquent Fees

When a fee is required with any pleading or document filed electronically, and the fee is not simultaneously paid with a credit/debit card because the credit/debit card is rejected, the filer must deliver the required fee to the Court within two (2) business days of the filing or the Court will automatically dismiss the case or deny the pleading for failure to pay the required fee.

C. Installment Fee Applications

When permitted in individual cases, Installment Fee Applications may be filed electronically to address the filing fee required for new petitions.

VI. ORDERS

A. Time of Submission

Proposed orders must be submitted simultaneously with filing any motion or pleading, except for matters submitted on "negative notice," or as otherwise permitted by the Court. Orders on motions that may be filed on "negative notice" shall be submitted to the Court with a certificate of no response or resolution after expiration of the last date for serving and filing objections to the underlying pleading.

B. Manner of Submission

1. <u>**E-mail Transmission**</u>. Proposed orders shall be submitted to the Court by e-mail as an attached document in <u>**WordPerfect**</u> or <u>**Word**</u> format and shall be sent to the e-mail address that corresponds with the Judge assigned to the case

referenced in the proposed order. The number of orders attached to an e-mail message is not limited. However, the combined size of the e-mail may not exceed 30 MB.

Send orders to:		
Chief Judge Barta -	BartaOrders@moeb.uscourts.gov	
Judge Schermer -	SchermerOrders@moeb.uscourts.gov	
Judge Surratt-States -	StatesOrders@moeb.uscourts.gov	
Judge McDonald -	McDonaldOrders@moeb.uscourts.gov	

2. <u>Naming Convention</u>. The proposed order must conform to the following naming convention: *case number with judge code, descriptive file name (e.g. party and type of pleading) and appropriate file-type extension (".wpd" or ".doc"*). Omit hyphens in case number. For example:

0254321172 Ford Motor Relief.wpd 0254321399 GECC Cash Collateral.doc

Judge Codes:	Chief Judge Barta	-	172
	_Judge Schermer	-	399
	_Judge Surratt-States	-	659
	Judge McDonald	-	293

3. Content of E-mail Message.

<u>Subject line</u>. The subject line of the e-mail message should indicate the name of the attorney or law firm submitting the order(s).

Message. The e-mail message must contain the following information in the body of the message for each order or series of orders attached:

- 1) the name of the party on behalf of whom the order(s) is/are submitted; and
- 2) the date and time of the hearing to which the order(s) relates/relate if the matter was set for hearing. If the matter did not require a hearing, the message should indicate "no hearing necessary."

C. Entry of Orders and Service

- 1. **Entry**. All orders, decrees, and judgments of the Court will be docketed electronically by the Court in accordance with these procedures. Any order docketed by the Court and transmitted through the ECF System without the original signature of the judge has the same force and effect as if the judge had affixed the judge's signature to a paper copy of the order.
- 2. <u>Service</u>. Upon the entry of an order, decree, or judgment, the System will send an e-mail notification of the entry of the order to all registered participants in the case. For an interim period, the Court will also mail a hard copy of the order

through the Bankruptcy Noticing Center (BNC) to those parties designated on the order's service list.

VII. APPEALS

A. Documents Required for Appeal

- 1. **Appeals to the Bankruptcy Appellate Panel**. The notice of appeal must be filed in PDF format. The order being appealed does not need to be attached to the notice of appeal because the filer must "link" the notice to the order. No other filing is required with the Bankruptcy Court.
- 2. Appeals to the District Court. The notice of appeal must be filed in PDF format. The order being appealed does not need to be attached to the notice of appeal because the filer must "link" the notice to the order. The District Court Civil Cover Sheet and Tracking Sheet, must be filed as PDF documents and must be attached to, or part of, the Notice of Appeal. (These forms are available from the District Court's website). The Designation of Record and Statement of Issues on Appeal must be filed in PDF format. The appellant and appellee are responsible for delivering hard copies of all documents, pleadings, exhibits, and transcripts referenced in the Designation of Record to the District Court when such documents are due. Such documents should NOT be filed in paper or electronic format with the Bankruptcy Court.

VIII. PUBLIC ACCESS TO THE DOCKET SYSTEM

A. Internet Access with a Password

Any person with a valid PACER login and password may access the System at the Court's Internet site: http://www.moeb.uscourts.gov. A PACER login and password can be secured by contacting the PACER Service Center at **1-800-676-6856** or online at http://pacer.psc.uscourts.gov.

B. E-mail Notification, "Free Look," and Daily Summary

The System will send an e-mail notification to all registered participants in a case providing a link to view the document filed. Participants are not 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 the e-mail notification. Using the "Utilities" option, and specifically, the "Maintain your User Account" and "E-mail Notification" feature, attorneys can elect to receive either e-mail notification throughout the day each time a document is filed or a daily summary report sent at midnight each night, listing all cases by name, number and document name.

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C. Public Access at the Court

The public will have electronic access to <u>view</u> bankruptcy records at no charge at the courthouse in St. Louis, Missouri during regular business hours. A fee will be charged for printed copies. The Court provides a computer and scanning stations at the public intake counter for filing electronically.

D. Hard Copies and Certified/Exemplified Copies

Hard copies and Certified/Exemplified copies of electronically filed documents may be purchased through the Clerk's Office. The fee for copying, certification, and/or exemplification will be in accordance with the fees imposed by 28 U.S.C. §1930.

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United States Bankruptcy Court Eastern District of Missouri

ELECTRONIC CASE FILING (ECF) SYSTEM

https://ecf.moeb.uscourts.gov

Full Participant Registration Form and User Agreement

This form is to be used by attorneys to register for **FULL FILING PRIVILEGES.** Full Filing Privileges allow the user to file documents with the United States Bankruptcy Court for the Eastern District of Missouri via the Internet using the Court's ECF system. Each attorney desiring to file pleadings or other papers electronically must complete and sign this Participant Registration Form and User Agreement. To register for an account on the Court's ECF system, please provide the information requested below:

Name (Last, First, Middle):				
Last four digits of Social Security Number:				
State Bar ID #:	_ State of Admission: _			
Eastern District of Missouri Bar #:				
Firm Name:				
Firm Address:				
Firm City, State and Zip:				
Phone Number: FAX Number:				
E-Mail Address:				
Send Notice to These Additional E-Mail Ad	ddresses:			
Send Electronic Notice (only check one):	Each Filing	End of Day Summary		

By submitting this registration form, participant agrees to the following:

- 1. This ECF system is used to file and view electronic documents, docket sheets, and notices in the U.S. Bankruptcy Court for the Eastern District of Missouri. **NOTE: This is a restricted Web site for official court business only.** Unauthorized entry or use, or any use that attempts to circumvent access controls or the PACER billing processes is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged. Any prohibited activities or usage may result in immediate withdrawal of access privileges, referral for prosecution, and/or permanent suspension of filing and use privileges in this Bankruptcy Court.
- 2. Federal Rule of Bankruptcy Procedure 9011 requires that every pleading, motion, and other paper (except lists, schedules, statements or amendments thereto) filed with the Court be signed by at least one attorney of record or, if the party is not represented by an attorney, by the party. The unique password issued to participant identifies that participant to the Court each time participant logs-on to the ECF system. The use of participant's password constitutes the signature of participant for purposes of Federal Rule Bankruptcy Procedure 9011 on any document or pleading filed electronically using participant's password. Therefore, participant must protect and secure the password issued by the Court.
- 3. Participant must select and activate a new password in the ECF system if an employee or associate of participant who has been authorized to use participant's login and password no longer serves in such a capacity. If participant has any reason to suspect the password has been compromised, it is participant's duty to change the password immediately.
- 4. Participant agrees to maintain a current and active e-mail address to receive notification from the ECF system. Participant also agrees to maintain a current postal address to receive notification from the Bankruptcy Noticing Center.
- 5. Participant agrees that originals of all electronically filed pleadings, affidavits, and other documents that contain original signatures and/or require verification under Federal Rule Bankruptcy Procedure 1008, or an unsworn declaration as provided in 28 U.S.C. Section 1746, must be maintained by the participant who filed the document for a period not less than two years after the case is closed. If the party who filed the document is not represented by counsel or is not yet a participant in the ECF system, it is the party's responsibility to maintain the document. The Court's two year retention requirement is not meant to supersede any requirements imposed by a local or state bar or the Rules of Professional Conduct that may require a longer period of retention.
- 6. Participant agrees that registration for the use of the ECF system constitutes: (1) written consent to receive notice electronically and waiver of the right to receive notice by first-class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Federal Rule of Bankruptcy Procedure 7005; (2) consent to electronic service and waiver of the right to service by personal service or first class mail pursuant to Federal Rule of Civil Procedure 5(b)(2)(D) and Federal Rule of Bankruptcy Procedure 7005, except with regard to service

of a summons and complaint. Waiver of service and notice by first class mail applies to notice of the entry of an order or judgment under Federal Rule of Bankruptcy Procedure 9022. Notice by electronic means is complete as contemplated by Federal Rule of Bankruptcy Procedure 9036.

- 7. Participant will file documents using the Court's ECF system. However, to simply view information on a specific case, participant must access the Court's records through the Public Access to Court Electronic Records (PACER) Service Center. Therefore, a PACER login is required in addition to the ECF system password issued by the Court. To register for PACER participant must complete the online form or submit a registration form which is available on the PACER website (http://pacer.psc.uscourts.gov).
- 8. Participant agrees to abide by the local rules and procedures of U.S. Bankruptcy Court of the Eastern District of Missouri concerning the use of the ECF system. The Court's rules and procedures can be located on the Court's website at www.moeb.uscourts.gov.

Applicant Name (please print)	Applicant Signature	
Date		

Please return to: ECF Registration

U.S. Bankruptcy Court Eastern District of Missouri 111 S. 10th Street, 4th Floor St. Louis, MO 63102

United States Bankruptcy Court Eastern District of Missouri

ELECTRONIC CASE FILING (ECF) SYSTEM

https://ecf.moeb.uscourts.gov

Limited Participant Registration Form and User Agreement

This form is to be used by **NON-ATTORNEYS** to register for **LIMITED FILING PRIVILEGES**. Limited Filing Privileges allow the user to file <u>selected</u> documents with the United States Bankruptcy Court for the Eastern District of Missouri via the Internet using the Court's ECF system. To register for LIMITED electronic filing privileges, please complete and return this Limited Participant Registration Form and User Agreement. Each person desiring limited filing privileges must complete and return a separate Limited Participant Registration Form and User Agreement. [Note: A limited user will NOT receive e-mail notification of documents filed in the case. An attorney must register for FULL ECF filing privileges, which will include e-mail notifications, by completing a Full Participant Registration Form and User Agreement].

Name (Last, First, Middle):	
Last four digits of Social Security Number:	
Firm/Company Name:	
Firm/Company Address:	
Firm/Company City, State and Zip Code:	
Phone Number:	FAX Number:
E-Mail Address:	

By submitting this registration form, participant agrees to the following:

1. This ECF system is used to file and view electronic documents, docket sheets, and notices in the U.S. Bankruptcy Court for the Eastern District of Missouri. **NOTE:** This is a restricted Web site for official court business only. Unauthorized entry or use, or any use that attempts to circumvent access controls or the PACER billing processes is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged. Any prohibited activities or usage may result in immediate withdrawal of access privileges, referral for prosecution, and/or permanent suspension of filing and use privileges in this Bankruptcy Court.

- 2. Pursuant to Federal Rule of Bankruptcy Procedure 9011, every pleading, motion, and other paper (except lists, schedules, statement or amendments thereto) shall be signed by at least one attorney of record or, if the party is not represented by an attorney, all papers shall be signed by the party. The unique password issued to participant identifies that participant to the Court each time participant logs-on to the ECF system. The use of participant's password constitutes the signature of participant for purposes of Federal Rule Bankruptcy Procedure 9011 on any document or pleading filed electronically using participant's password.
- 3. Participant must select and activate a new password in the ECF system if an employee or associate of participant who has been authorized to use participant's login and password no longer serves in such a capacity. If participant has any reason to suspect the password has been compromised, it is participant's duty to change the password immediately.
- 4. Participant agrees to maintain a current postal address to receive notification from the Bankruptcy Noticing Center.
- 5. As a participant with limited filing privileges, participant will have access to perform the following transactions:
 - a. Proof of Claim
 - b. Creditor's Request for Service/Notice
 - c. Notice of Transfer of Claim
 - d. Reaffirmation Agreements
- 6. Participant will file documents by using the Court's ECF system. However, to simply view information on a specific case, participant must access the Court's records through the Public Access to Court Electronic Records (PACER) Service Center. Therefore, a PACER login is required in addition to the ECF password issued by the Court. To register for PACER participant must complete the online form or submit a registration form which is available on the PACER website (http://pacer.psc.uscourts.gov).
- 7. Participant agrees to abide by the local rules and procedures of U.S. Bankruptcy Court of the Eastern District of Missouri concerning the use of the ECF system. The Court's rules and procedures can be located on the Court's website at www.moeb.uscourts.gov.

Applicant Name (p	please print)	Applicant Signature	
Date			
Please return to:	ECF Registration		

U.S. Bankruptcy Court Eastern District of Missouri 111 S. 10th Street, 4th Floor St. Louis, MO 63102

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MISSOURI

INSTRUCTIONS FOR CM/ECF MATRIX

Dana C. McWay
Clerk Of Court

Dated: May 1, 2003

POLICY STATEMENT FOR CREDITOR MATRIX

Preparing and filing the creditor matrix shall conform to the established Matrix Instructions provided by the Court. The matrix may not be accepted as filed if the matrix is not in proper format.

INSTRUCTIONS FOR FILING CREDITOR MATRIX FOR CM/ECF

In order to ensure your matrix is in proper format for use with the CM/ECF system, your matrix must be prepared following these guidelines. Your cooperation is essential. Unless the matrix is filed by uploading it electronically through ECF, you must file a printed matrix following this format and simultaneously submit the matrix electronically on a diskette or compact disk (CD).

- 1. Names and addresses should be typed in a single column, left-justified with a one-inch margin, rather than in three columns (see example attached). The document must have no less than 1 inch margins at the top, bottom, and sides of the page.
- Word processing software may be used to create the file. The text MUST be created in Courier 10 pitch. The file MUST be saved as ASCII DOS text. The file MUST be named creditor.txt.
- 3. Each name/address must consist of no more than five (5) total lines, with at least one blank line between each of the name/address blocks. If the address has only two lines, DO NOT leave a blank line between the first and second line. A blank line indicates two separate addresses.

Example: Steve Smith, Jr.
1114 Market St.
Suite 704
St. Louis, MO 63101

- 4. City, State and Zip code MUST be on the last line. Nine digit zip codes should be typed with a hyphen separating the two groups of digits.
- 5. Each line must be 40 characters or less in length.
- 6. Official U.S. Postal Service state abbreviations are required.
- 7. Only one space is required between city, state and zip code.
- 8. DO NOT include the following parties. (They were formally required on creditor matrices). These names will be retrieved automatically and added to the matrix. In Chapter 13 cases, the Missouri Department of Revenue MUST be included on the matrix.
 - a. Debtor
 - b. Joint Debtor
 - c. Attorney for Debtor(s)
 - d. Office of the U.S. Trustee
 - e. Case Trustee
- 9. When filing in paper format, you must also submit the matrix as a text file on diskette or compact disk (CD). The diskette should be 3.5" DOS formatted to 1.44M or 720K. The CD must be IBM compatible.
- 10. Only ONE creditor matrix may be put on a single diskette or CD.

- 11. Each diskette must be identified with the debtor's name on a label.
- 12. Diskettes and CDs will be discarded after the data has been uploaded into the automated system.
- 13. You MUST file a "Verification of Creditor Matrix" in accordance with Local Rules.

INSTRUCTIONS FOR AMENDED MATRIX

- 1. An amended matrix MUST be submitted in single-column format as described above.
- 2. List ONLY those creditors to be added or those with an address change. DO NOT submit a complete new matrix with previously submitted creditors. The amended matrix MUST be attached to a Memorandum as required by Local Rule 1009-1 and MUST include a Verification of Creditor Matrix.
- 3. To amend a matrix, the attorney must file the amended matrix in PDF format with an appropriate cover memorandum and verification, and MUST either add the additional creditor(s) using the Creditor Maintenance event or upload a new matrix in .txt format.

AVOID

- Unreadable type faces such as proportionally-spaced fonts, or exotic fonts (such as Olde English or script). Use only Courier 10-point font.
- Incorrect computer settings which will cause unreadable lists. Make certain your computer is set correctly.
- 3. Typing anything other than the names and addresses in proper column format on any page of the matrix. Do not include lines, debtor name, page numbers, or anything else on the matrix.
- 4. Using all upper case letters (ALL CAPS). Use upper and lower case letters.
- 5. Listing account numbers or attention lines on the last line of the address; put this information on the second line of the address.

Example Creditors List: Courier 10 Pitch
(the preferred type to be used in typing matrices for CM/ECF)

Household Finance P.O. Box 1234 Springfield, IL 60189

St. Peter's Hospital 789 Hospital Road St. Louis, MO 63048

Jonathan R. Smith 1111 Market St. Suite 121 St. Louis, MO 63101

John Doe 10345 Collier Ave. St. Louis, MO 63103

Al's Auto Sales 8904 Grand Ave. St. Louis, MO 64209

Famous Barr c/o John Smith 121 Blue Bird Lane St. Louis, MO 63101

David Jones and Company Acct. 123456789 234 Sunny Drive St. Louis, MO 63401

FORM 21. STATEMENT OF SOCIAL SECURITY NUMBER

[Caption]

STATEMENT OF SOCIAL SECURITY NUMBER(S)

A.	Name of Debtor (enter Last, First, Middle):						
	(Check	the ap	ppropriate box and, if applicable, prov	ide the required information)			
		Debtor has a Social Security Number and it is: (If more than one, state all)					
		Debt	tor does not have a Social Security Nur	mber.			
A.	Name	Name of Joint Debtor (enter Last, First, Middle):					
	(Check the appropriate box and, if applicable, provide the required information)						
		Joint Debtor has a Social Security Number and it is: (If more than one, state all)					
		Joint	Debtor does not have a Social Securit	y Number.			
I dec	lare und	er pena	alty of perjury that the foregoing is true	e and correct.			
		X					
			Signature of Debtor	Date			
		X	Cianatana af Laint Daltan	Dete			
Signature of Joint Debtor Date			Date				

Joint debtors must provide information for both spouses.

Penalty for making a false statement. Fine of up to \$250,000 or up to 5 years imprisonment or both. 18 U.S.C. § 152 and 3571.

Creating Portable Document Format (PDF) Files

There are two ways to convert documents into PDF (Portable Document Format) files. They can be created from documents that are in a word processing format, or they can be created utilizing scanning equipment and Adobe Acrobat software. This module will guide you through the process of converting a word processing document to PDF format. Since there are various brands of scanning equipment used by many attorneys, we can only refer you to your equipment user's guide and Adobe Acrobat manual for further instructions when converting to PDF by scanning the document.

Converting Word Processing Documents to PDF Format

(Note: This example demonstrates the process using WordPerfect. However, if you have MS Word, you may apply the same steps provided below)

- **STEP 1** Type document in word processing; save to hard drive.
- STEP 2 With the document open on the screen, click on *File* from the drop down menu and select the *Print* option.
- **STEP 3** The **Print** dialog box displays.
 - ◆ Click on the down arrow ▼ to the right of Current printer: field. Note: In MS Word, you would click on the down arrow ▼ to the right of Name: within the Printer dialog box.
- **STEP 4** A list of available printers displays.
 - ♦ Click to highlight and select the **Acrobat PDF Writer** printer.
 - ♦ Click the [Print] button to create the PDF formatted document.

Note: The file will not actually print out; instead the document will be translated into PDF format.

- STEP 5 The PDF File Save As dialog box displays.
 - Navigate to the appropriate folder (directory) chosen for saving the PDF image.
 - ◆ Click inside the File name: box and type the name chosen for the image.
 Note: The .pdf extension will automatically be added to the filename you type. (i.e., if you name your file: hallmotn, the file will be saved with the name: hallmotn.pdf).
 - ♦ Click the [Save] button.

Important:

An Adobe PDF image file has now been created, and will be associated with the docket event during the docketing process.

The PDF image cannot be viewed or altered in the word processing program. You will, however, be able to view the image during docketing to assure that you are associating the correct image with the docket event.

The original text document remains on your hard drive as originally saved.

If you need to make changes to a document that has already been turned into an image (but not yet docketed), delete the incorrect PDF image file. Re-open the text document in word processing and make the necessary changes. Save the corrected text document and then re-create the PDF image file.

UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MISSOURI DIVISION

In re	DEBTO	OR NAME)))	Case No Chapter
			EXH	IBIT SUMMARY
			tion, ple	exhibits are referenced in support ofeading, or claim to be filed). Copies of these exhibits es:
	1			
	2			
	3			

Signature Block (See L.B.R. 9011-1)

(The Exhibit Summary is to be attached to and filed with the motion, pleading, or claim to which it relates. Pursuant to L.B.R. 9040-1, the Exhibit Summary shall describe the exhibits in sufficient detail to permit the Court and parties to evaluate the factual elements relevant to the motion, pleading, or claim. The description shall include the following, when applicable:

- 1. basis for the debt, including date;
- 2. balance of the indebtedness; and
- 3. date and manner of perfection, including book and page number, certificate of title, or UCC-1 recording.

If exhibit(s) is/are two pages or less in length, the exhibit(s) may be filed in place of an Exhibit Summary.)





United States Bankruptcy Court for the Eastern District of Missouri

ON-LINE CREDIT CARD ATTORNEY MANUAL

(Revised: August 2004)

I. Background

The CM/ECF On-Line Credit Card module is designed to allow filers to pay filing fees interactively as part of the electronic filing process. Attorney filers can choose to pay after every transaction or can simply make one payment at the end of the day for all transactions.

II. Opening a New Bankruptcy Case

The CM/ECF On-Line Credit Card module can accommodate new cases that are to be fully paid at the time of filing or that are filed as installment cases.

After you submit this screen



You will receive this screen...



Make no change to the dollar amount if the full filing fee is being paid. Enter 0.0 if there is no installment payment at the time of filing the new petition. If there is an installment payment made at the beginning of the case, enter the partial payment amount as 50.00, if hypothetically, the payment amount is \$50.00. To modify the amount, it is necessary to select Installment as the Fee status at the SARD screen.

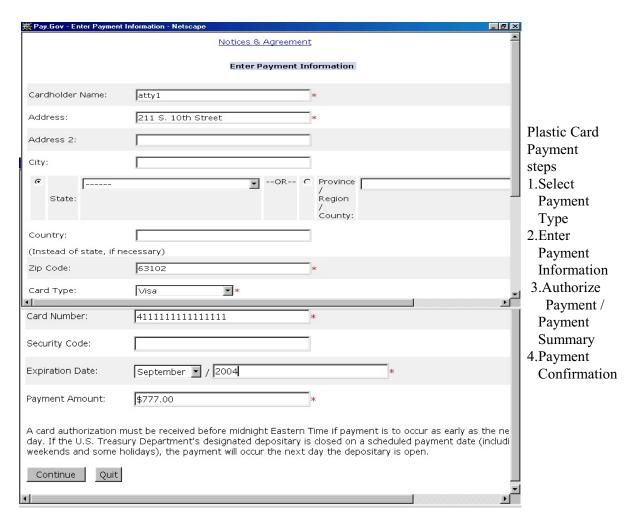
At the end of your transaction, you will receive a list of all filings with fees due. If you are done for the day, select "Pay Now." If you have more cases or pleadings requiring fees to file, select "Continue Filing."

IF YOU DETECT AN ERROR—If there is an error on the summary of current charges screen, **DO NOT** select the Pay Now option. Contact Dana LaRosa, Financial Specialist of the Bankruptcy Court, at telephone number (314) 244-4902, so the error can be corrected before an incorrect charge is made to your credit card.

IF YOU CONTINUE FILING—You will receive an opportunity to Pay Now after each subsequent transaction or you may pay at the end of the day using the Utilities menu option, Internet Payments Due. (See Section VI.)

III. Paying Your Filing Fees

If the **Pay Now** option is chosen, the filer will be electronically connected to the U.S. Treasury site. The filer will be prompted for card type, card number and expiration date as shown below:



All of the fields which have a red asterisk next to them are required fields. However, the only fields that the user should have to modify or add information themself are the Card Type, Card Number, and Expiration Date. The rest of the required information for the user's address is

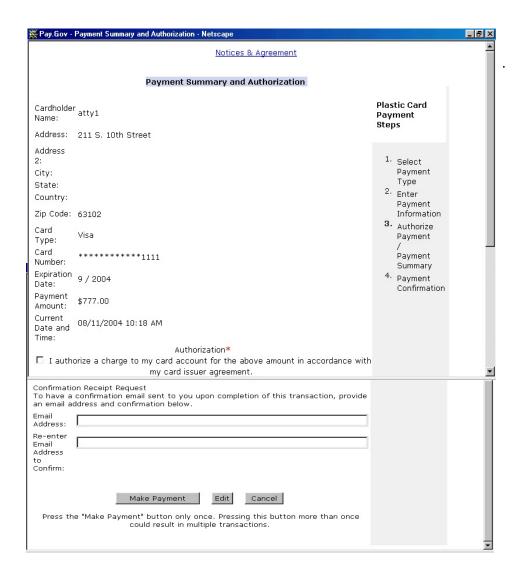
pulled from the user's CM/ECF account. If this information does not appear automatically, please review your account information through Maintain Your ECF Account in the Utilities menu. If the payee fails to provide the credit card number, the month of expiration of the credit card, and the year of expiration of the credit card, the following messages will appear:

Errors were found in your request.

Please enter the expiration month of the card. Please enter the Card Number. Please enter the expiration year of the card.

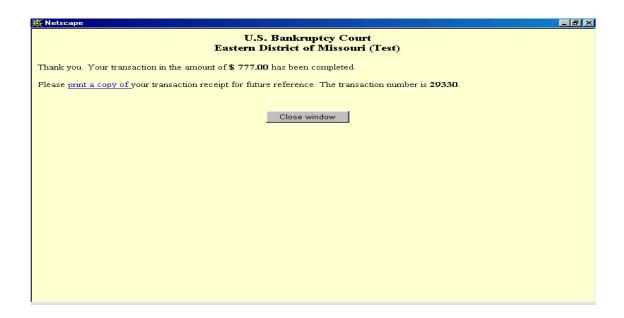
Please correct these errors and attempt the action again.

When the credit card transaction is approved, the following screen will appear:



If everything appears to be acceptable on the screen, the authorization box should be checked. If the user wants a confirmation e-mail sent to their address, the two e-mail address lines should be filled in with the user's e-mail address. However, all that is necessary to accept the screen is for the user to click the authorization box and then click Make Payment. If there are mistakes on this screen, Edit should be clicked to take the user back to the Payment Information screen to make the necessary changes. If the user decides that they do not want to authorize payment at this time, Cancel should be clicked.

When the Make Payment option is clicked and the credit card transaction is approved, the following message will appear:



Additionally, a receipt entry will be posted to the case(s) that have been paid.

08/11/2004 2 Receipt of filing fee for Voluntary Petition (Chapter 7)(03-40254) [misc,volp7a] (209.00). Receipt number 29330, amount \$ 209.00. (U.S. Treasury) (Entered: 08/11/2004)

IV. Filing a Motion

The CM/ECF credit card module works similarly for motions and notices which require fees. The only difference is that it is impossible to modify the fee amount through an attorney login. For a complete list of all filing fees, please go to the court web site at www.moeb.uscourts.gov and go to the General Office Information, Filing Fees.

V. Reports

Two new reports are available under Utilities: <u>Internet Payment History</u> and <u>Internet Payments</u> Due.



<u>Internet Payment History</u> allows an attorney who has Internet payment privileges to review his/her completed credit card payments over any specified time period.

<u>Internet Payments Due</u> allows an attorney who has Internet payment privileges to pay immediately all outstanding fees without docketing another pleading or opening another case. This report displays details for each pending fee. **Use this report if you are done filing for the day and forgot to select the Pay Now option on your last filing.**

VI. Security

Your browser must support 128-bit Encryption. To determine whether your current browser supports 128-bit encryption, take the following steps:

Microsoft Internet Explorer 5.5

- 1. Click on the "Help" tab on your menu bar at the top of the screen
- 2. Scroll down and select "About Internet Explorer."
- 3. A small window will appear in the center of your screen indicating the version, as well as the encryption or cipher strength of your browser (either 40-bit, 56-bit or 128-bit). If the screen indicates you have a 40-bit or 56-bit version, or if it doesn't indicate the encryption level, you will need to upgrade to a version with 128-bit encryption.

Netscape Navigator/Communicator 4.x

- 1. Click on the "Help" tab on your menu bar at the top of the screen.
- 2. Scroll down and select" About Navigator" or "About Communicator."
- 3. A screen will appear that lists the details of your browser. Look for a section on the left and toward the middle that begins "Contains encryption software from RSA Data Security, Inc...." If the next paragraph begins, "This version supports U.S. security....," your browser has 128-bit encryption. If it says that you have international security, your browser has 40-bit or 56-bit encryption and you will need to upgrade to a version with 128-bit encryption.

Instructions to Enter B21 Form Event in CM/ECF

<u>Introduction</u> - According to Rule 1007(f), a Social Security Verification Form (Form B21) must be submitted with every new petition filed by an individual debtor. The Court had previously required attorneys to submit the B21 Form via e-mail. Because some e-mail packages did not successfully communicate with the Court's e-mail package, the Court has created a new private event within CM/ECF called B21 Form for use in submitting the Social Security Verification Form. A private event generates a confirmation receipt of the Notice of Electronic Filing but neither generates a Notice of Electronic Filing e-mail nor appears on the Public Docket Report. The B21 Form event is also a Batch event which means the event can be entered in multiple cases at one time. It provides the same docket text for each case but permits a separate PDF attachment to be made for each case number entered.

<u>Instruction</u> - Steps on how an attorney should docket the B21 Form event follows.

I. <u>Finding Batch Category</u> - The Batch category is found under the Bankruptcy Events menu and is named Attorney Batch Filings (Multiple Cases and Documents). An example of how the Bankruptcy Events menu displays is provided below with the Batch category highlighted in red. Click on Attorney Batch Filings to move to the next screen.



II. <u>Case Number(s) to Enter</u> - The user must enter the case number(s) in which the B21 Form(s) will be attached. Since this is a Batch event, multiple case numbers can be entered at the case number screen. It is also acceptable to enter just one case number. An example is provided below of how the screen appears with two case numbers entered. After the case number(s) is/are entered, the user clicks Continue to move to the next screen.



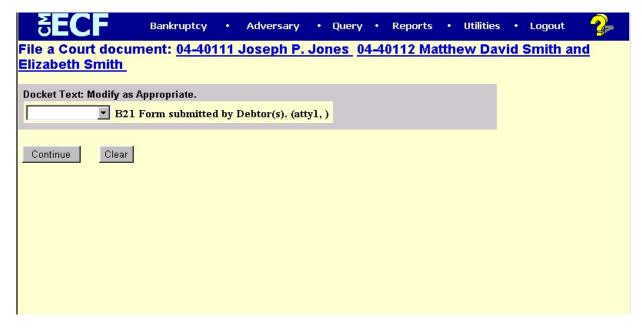
III. Selection of Event - The user then selects the B21 Form event to be docketed to the case(s) selected in the prior screen. Because only one event will appear, the user must simply highlight B21 Form and click Continue. An example is provided below.



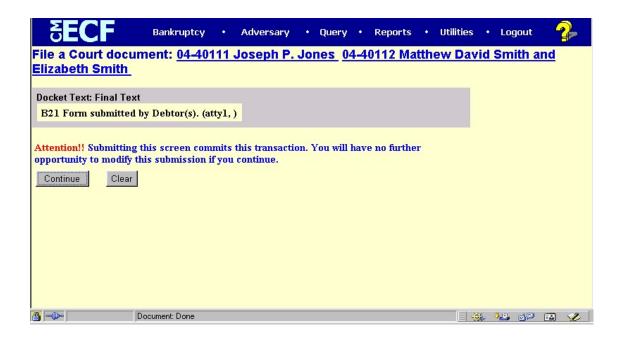
IV. <u>Browsing of PDF(s)</u> - The user will then receive a screen in which the user must browse and choose a PDF version of the B21 Form for each case number selected. Each browse option must have a PDF attachment or the user will not be able to continue to next screen. It is important for the user to open each PDF prior to attaching it to the case to prevent the wrong B21 Form from being attached. Once all of the browse options are complete, the user should click Continue to move the next screen. See example below of the browse screen.



V. <u>Modify Docket Text</u> - The only modification a user should make to the docket text would be to include the word Amended if this is not the original B21 Form being submitted. For that purpose, a box is available at the front of the text in which the word Amended can be selected. For original submissions of the B21 Form, no modification of the docket text is necessary. The user clicks Continue to move to the next screen. An example of this screen is provided below.



VI. Final Docket Text - The user then receives the final docket text. Once Continue is clicked, the transaction is complete and the user cannot make any changes to the entry. An example of this screen is provided below.



VII. <u>Notice of Electronic Filing Receipt</u> - The user will receive a confirmation receipt of the Notice of Electronic Filing for this transaction after final entry of the event. Because the event is private, no e-mail of the Notice of Electronic Filing is generated. To retain a copy of the receipt, the user can print a copy or save to an electronic file of the screen shown below.





File a Court document: 04-40111 Joseph P. Jones 04-40112 Matthew David Smith and Elizabeth Smith

U.S. Bankruptcy Court

Eastern District of Missouri (Test)

Notice of Electronic Filing

The following transaction was received from atty1, entered on 11/4/2004 at 5:14 PM CST and filed on 11/4/2004

Joseph P. Jones Case Name: Case Number: 04-40111

Document Number: 7

Matthew David Smith and Elizabeth Smith Case Name:

Case Number: 04-40112 Document Number: 3

Docket Text:

B21 Form submitted by Debtor(s). (atty1,)

The following document(s) are associated with this transaction:

Case Number: 04-40111 Document description:

Original filename: H:\testform.pdf Electronic document Stamp:

[STAMP bkecfStamp ID=1031339175 [Date=11/4/2004] [FileNumber=20168-0] [030c8874af5807a7d5e16a4ce3af80b796a9bc2cd0df330f981511e715ff4e6c76f29

4ccd59c582a0153b21fa00daff095da04ba416a86f90b2ec9bb110e25f7]]

Case Number: 04-40112 Document description:

Original filename: H:\test form.pdf Electronic document Stamp:

[STAMP bkecfStamp_ID=1031339175 [Date=11/4/2004] [FileNumber=20169-0] 8ba9ddbd5da9ab6eeb028e9fd4db12ecc280f8839c59b956c7a31e6034cc8e0bfe919

8b309508ba17d7a51de0b05b9cf0e4a0164a27e9c67ba587a25c6f1fcb1]]