



A CM/ECF Newsletter

Sponsored by the
United States Bankruptcy Court
District of Nevada

THE BANKRUPTCY BUGLE

MAY 2008

HELP DESK: 866-232-1266

HelpDesk@nvb.uscourts.gov

“SECRET... CONFIDENTIAL... SCANDALOUS or DEFAMATORY”



No, this isn't a story from the National Enquirer or the Star...it's the title of Local Rule (LR) 9018, which sets out procedures on filing documents under seal, also known as *In Camera*. This is the subject

of this month's topic... **UNDER SEAL vs REDACTION**. *What* is the difference?

Under seal means that the document to be filed contains sensitive material that the filing party does not want made public, though it will officially be a part of the court record. Some examples of sensitive information that may not be appropriate to include in a document for public viewing may be financial information, copies of private, sensitive correspondence, or perhaps documents relative to a minor, and other matters covered under the Judicial Conference's Privacy Policy. For more information on the Privacy Policy, visit our website at www.nvb.uscourts.gov. **NOTE: To file under seal you must make this motion BEFORE THE DOCUMENT IS FILED.**

Redact means that there is sensitive information to be removed from an **existing** document. This includes personal information such as social security numbers, names of minors and other items outlined in the Judicial Conference's Privacy Policy.

So, to sum it up, you can seal an entire document if you take steps to do so before filing it. If sealing is not appropriate or feasible, you can redact information in a document before filing (by blacking out the personal information, or

something similar) in the manner specified by FRBP 9037. Finally, if you mistakenly file a document with information that should have been redacted, but wasn't, you can seek to redact that information after the fact, but must do so by motion; you can't "take it back" on your own.

To file **UNDER SEAL**, you will docket the Motion to File Under Seal electronically (Motion > Seal), unless prohibited by law or the filing is exempt from electronic filing. You must then serve (**over the counter**, in a large manilla envelope with the COVER PAGE of the motion securely attached to the outside of the envelope) paper copies of the entire un-redacted version of the motion for an *in camera* review by the presiding judge. Be sure this motion is clearly marked "UN-REDACTED".

After the court has reviewed the *in camera* submission and approves the motion to file under seal, the appropriate order should be uploaded electronically in compliance with LR 9021, directing that all or part of the document be filed under seal, or be made part of the official file, or be permitted to be withdrawn. The original document in its entirety will remain with the Clerk of the Court in a secured area. The final step now is to e-file the original motion COVER SHEET ONLY, and any other documents required.

To **REDACT** specific, sensitive information in a document already filed, you will need to e-file a Motion to Redact electronically (Motions / Applications > Redact) requesting that the information be removed from the **publicly viewed** docket. At this time you also should upload an order to redact for the judge's signature.



Get your **BANKRUPTCY BUGLE** while the news is still sizzling! Want to be the first in town to “*READ ALL ABOUT IT*”? If you

want to be one of those “In-The-Know” Bugle Fans, you can sign up to receive your Bugle via e-mail right from the court! Just drop us a line at the address below and give us your current e-mail address and we’ll do the rest! Write us at:

HelpDesk@nvb.uscourts.gov.

Fine Print: This offer is good until the Court comes up with a better idea. Subject to change with or without notice. Subscriber responsible for e-mail address updates.

OPENING A NEW PETITION

After opening a voluntary petition by either manual input or program upload, the following steps should be taken:

(Note- 1-6 should be done immediately after opening.)

- 1 Upload **MATRIX**
- 2 Docket **JUDGE/TRUSTEE ASSIGNMENT**
- 3 Docket **STATEMENT OF SOCIAL SECURITY**
- 4 Docket **DECLARATION OF ELECTRONIC FILING**
- 5 Docket **MEANS TEST (Individuals Only)**
- 6 Docket **CERTIFICATE OF CREDIT COUNSELING (Individuals Only)**
- 7 Docket **CHAPTER 13 PLAN (If Applicable)**

ALL Chapter 13 and 11 cases are opened as ASSET cases!

NOTICING BANKRUPTCIES



After you’ve opened a new bankruptcy case, don’t forget to check our website at:

<http://www.nvb.uscourts.gov/> and click on Court Information >Public Notices and choose Registry of Mailing Addresses of Federal and State Governmental Units to view the list of government agencies that require notice of new cases that have been filed. There are a lot of different agencies for different chapters, for both Reno and Las Vegas cases, please check out the link so you don’t leave anyone out!

E-ORDERS

We recently upgraded our e-order program, and you may notice a couple of small changes...the “Do It Again” link has changed to “Upload Single (bk)” and the case name will now appear in the Order Query.



PASSWORDS and LOGINS

The login assigned by the court to an individual represents one way you sign your document. You have agreed to be responsible for anyone who uses that login. This also includes financial responsibility. That is why it is so important to change your passwords often! CM/ECF passwords should be changed on a regular basis and should **always** be changed when you have staff turnover.



COURTESY COPIES

All Nevada Bankruptcy judges require paper courtesy copies on matters with a hearing date and time. Courtesy copies are required to be filed within 24 hours of the electronic filing or at least 10 business days prior to the hearing.



NEVADA NUGGETS

By Claimjumper Jake 'n Mugsy

Howdy! There's not many of us old-timer's around anymore that can remember too far back before the asphalt jungles took over the sage and the pine. Back when the Truckee River ran high and swift, when the Indians owned Lake Tahoe (why heck, my great-grandpappy bought waterfront property for \$1.00 an acre cause nobody else wanted that "worthless land"!).

Gold was first discovered in the Sierra Nevada range around 1849, and about a year later a pretty big strike was located near Dayton, Nevada, in a place called Gold Canyon. Meanwhile, the mines in Virginia City were going huckledeebuck! One of the largest gold and silver strikes ever discovered was made on the Comstock Lode in 1873! This find was later named the "Big Bonanza" and was said to have produced more than \$100 million over a six year period! The wooden sidewalks of Virginia City echoed with the sounds of heavy miners' boots, ladies' fine shoes and swirling satin petticoats, and the unmistakable sounds of silver dollars and gold and silver nuggets prosperously changing hands.

Passing by the saloons you could hear the player pianos mixed with the clinking of shot glasses and shouts of laughter...all the sounds of a bustling community, just like many throughout the state in those days, boomtowns that sprouted up practically over night in the desert, many only to be abandoned and reclaimed by that very same desert a few short years later.

Standing out in the quiet desert today, with a soft breeze blowing, smell of sage in the air, the haunting call of a mother quail and her brood somewhere close by, and the bluest sky you can imagine - if you're lucky, and you listen real good, you might still be able to hear the sounds of the past. Voices long ago who lived in wild places known as...Johnnie...Black Horse...Grant City...Unionville...Vya...Yankee Blade...Ruby Hill...and the hundreds of other towns that were home to those who helped tame the west. Home to the true Nevada pioneers. *To be continued...*



E-SERVICE REMOVAL

If you're getting e-mail service of on-going activity in a case you have resigned from or are finished working on, the only way to stop receiving e-service is to file an Ex-Parte Motion AND Order requesting that your name or firm name be removed from the service list. Only after a judge has signed an order granting your request is the Clerk's office allowed to remove anyone from e-service.



GREETINGS TO NEW E-FILERS

Every month new CM/ECF e-filers are joining the District of Nevada. We welcome you all, and want to assure you the Court's goal is to serve, assist and support you and your staff so that the transition from paper docketing to electronic filing becomes an asset to your office.

Even when classes have ended, our staff is here to support you - you're not on your own!

Call our **HELP DESK** at **866-232-1266** for any assistance you may need for e-filing.

The hours of operation are: Monday - Friday from 9 AM - 4 PM. Closed from 12:00 PM to 1:00 PM, and all official federal holidays. If you don't need immediate assistance, you can also e-mail us at:

HelpDesk@nvb.uscourts.gov.

We'll process your request as soon as possible.

