

**MOST COMMON CM/ECF FILING  
ERRORS and HOW TO CORRECT THEM  
Northern District of Mississippi**

**1. Filing a document with un-redacted personal identifiers in/on it.**

- If you realize you filed a document with un-redacted personal identifiers on it, in violation of Rule 9037, what should you do? We now have a filing event for this entitled Motion to Restrict Public Access. (Not available under limited user access).
- Motion should be filed with the proposed order attached.
- Add or Select the Party filer. The system will not allow you to proceed without entering a party role. It is important that you select the correct role type. If appropriate, check the box to Associate yourself as Attorney and to receive e-mail notification.
- Check the box to “Refer to existing event(s)?” to identify the document. Select the category to which your event relates. Example: If the un-redacted information is in a motion, select Motion; if the information is in a notice, select Notice. If the information is in a Proof of Claim, click next to bypass the box and edit the text with the claim number.
- Once the order granting the Motion to Restrict Public Access is entered, only the Court staff users of CM/ECF will be able to see the un-redacted document. “Out-side” or non-court users will not be able to access the document. Accordingly, a new properly redacted document should be submitted. For Motions, etc., the “Amended Document” event may be used. This event allows you to refer to the original document and is found under BANKRUPTCY>Other>Amended Document. Users will be able to view the properly redacted and refile document. For Proofs of Claim, the claim should be amended by refile it. There is an “Amends Claim #\_\_\_\_\_” on the Proof of Claim information screen.

**2. Failure to execute Judge/Trustee Assignment for new cases.**

- To do this, you have to go outside your filing software and get into CM/ECF. Under “Bankruptcy Events”, choose “Judge/Trustee Assignment”. It is just one “click”. You don’t actually choose the Judge and Trustee. The system selects them for you based on the county of the debtor. You just execute the event.
- Our office sets the 341(a) meetings in Chapter 7 cases. The meeting is set and notice goes out automatically when the Judge/Trustee assignment event is executed. Accordingly, if you do not have all creditors uploaded at the time you execute the Judge/Trustee assignment event, notice of the 341(a) meeting is defective because the omitted creditors will not receive notice. If it is an emergency or “bare bones” filing with no matrix, do not execute the Judge/Trustee assignment event. The court will assign the Judge/Trustee and set the 341(a) meeting later manually when the creditors list is submitted.

- Go ahead and execute the Judge/Trustee assignment in all Chapter 13 cases regardless of whether all creditors have been submitted. The Ch. 13 trustee manually sets the 341(a) at a later date.
- 3. Incorrect event selections (especially stay relief, reaffirmation agreements and objections).**
- When in doubt about which event to use to file a document, call the clerk's office for advice. We would rather help you file a document correctly than attempt to correct an error after the fact.
  - Why are we so picky about using the proper event? Some events have built-in programming which initiates actions which automatically occur in the background, such as: setting deadlines, changing case status, linking to associated cases, gathering and reporting statistical information, spread of information to query screens for Court and public use. Using an incorrect event to file a document may cause unanticipated and unwanted actions to occur which would normally not be relative to the document you actually filed.

There are four **stay relief** choices under "Motions"

Relief from Stay (Fee & Objection Deadline)

[This includes a motion seeking relief from the debtor stay only ].

Relief from Stay (Co-debtor or Child Support, No Fee...)

[Use this when asking for relief from co-debtor stay]

Helpful Hint: When seeking relief from the debtor and co-debtor stay in the same motion, select Relief from Stay(Fee & Objection Deadline) then hold the control key down and select Relief from Stay(Co-debtor or Child Support, No Fee...) This allows you to file one motion under the two events.

Relief from Stay (Agreed, No Fee & No Obj. Deadline)

[Judge Olack requires a motion when submitting an Agreed Order lifting the stay]

Relief from Stay (Agreed w/Debtor Relinquish/TR Aban.)

[This was for filing the old one-page, three part Agreed Order Lifting the stay. We don't see this too much anymore.]

There are three **reaffirmation** events under "Other":

- Reaffirmation Agreement
- Reaffirmation Agreement Pro Se
- Recession of Reaffirmation Agreement

There is one reaffirmation event under "Motions", it is Reaffirmation. This is used to file a freestanding Motion to Approve a reaffirmation Agreement.

**With objections**, the selection of the event depends upon the pleading to which you are objecting.

If objecting to a plan...look under “Plan”.

If objecting to an Agreed Order or a Debtor’s Claim of Exemptions...look under “Other”.

If responding/objecting to a motion...look under “Answer/Response”.

If objecting to claim...look under “Claims Actions”.

If objecting to a motion in an Adversary Proceeding...look under “Adversary Events”

#### **4. Incorrect PDF attachments to events.**

- Before filing, **always** open the pdf and verify that you have the correct document. It takes just two “clicks” to open and review.
- If you realize after the fact that you have attached an incorrect pdf and have sent it to the court, call us asap. Most likely, you will simply have to resubmit using the correct pdf document. In instances where a fee is required (e.g. voluntary petition), the case administrator may ask for the correct document to be sent to the clerk’s office by email, fax or U.S. mail. We will then swap out the correct document for the incorrect one. This prevents you from being charge another fee as would happen if you tried to refile it yourself electronically.

#### **5. Incomplete PDF attachments.**

- Seen most commonly with Certificates of Service.
- By Standing Order, a Certificate of Service must have attached a copy of the document served and a list of the parties upon whom the materials were served.
- A phrase “served upon all creditors” is not good enough.

#### **6. Incorrect Debtor Information entered into CM/ECF (i.e. doesn’t match what is on the Vol. Petition)**

- Debtor information should match the information on the Voluntary Petition. Please use upper and lower case lettering and submit the name just as listed on the petition. If you have an opportunity to select a name from a list, be certain it is the same. If not, select “create new party” and enter as shown on the petition.
- Use the mailing address for the debtor, if different from physical address, when entering the debtor information because this is the address the system uses to send mail. The physical address is listed on the Voluntary Petition as a matter of record. Be sure to provide the CM/ECF system with the debtor’s proper mailing address.
- Be careful to correctly designate the case as “asset” or “no asset”. Deadlines are automatically set based on this information. Note: A Chapter 13 case should never be opened as a “no asset” case.

**7. PDF and Event do not match.**

If submitting a pdf containing multiple documents, make sure you select all the events relating to all of the documents in the pdf. You should not have a document within a PDF which is unaccounted for in that it has no event assigned to it. This happens most frequently when only the “bare bones” petition has been originally filed and the attorney follows up with the full documentation later after a deficiency notice has been issued. If submitting Schedules, Statement of Financial Affairs, Statement of Compensation, etc.,...you must select each corresponding event for these documents.

**8. Official Form B-21 should be filed separately, not has part of a multiple PDF.**

The B-21 contains the full social security number of the debtor. It must be filed separately for privacy purposes. The ECF system automatically recognizes the B-21 form and makes it a document which is only viewable by the court staff and not by the public. To file a B-21, look under “Bankruptcy” then “Other” and then click on “Official Form 21 Statement of Social Security Number”.

**9. Link relationships incorrect.**

For example, if you are objecting to a motion, you have to link your objection to that particular motion on file in the particular case. Linking is easy, just click a check mark. Another example is Certificates of Service, if you are serving a hearing notice and a copy of your motion, you would need to link the Certificate of Service to the motion and the hearing notice. You can multiple link. Omitting the link to a hearing is the most common error.

**10. Failure to upload creditors to database.**

The majority of software products upload creditors automatically. Some don't and you must do it yourself. Know which you have. As a simple test to see if the creditors have been uploaded, go into the case, click on “Query” on the tool bar ribbon across the top of the screen. Then click on “Creditor” then on “Run Query”. If the system responds by saying there are no creditors...your upload has not occurred. If the query pulls up a list of creditors, you can then compare it to your own list to make sure all creditors are now listed in the court's database. It is important to make sure that all creditors are in the database for proper noticing purposes.

- Confusion exists because there are two steps: (1) a matrix must be submitted in pdf form on the docket and then (2) creditors must be uploaded to a creditor database for noticing.
- The filer should verify the creditor database by viewing Query/Creditor/Run Query.
- If incorrect creditors have been uploaded to a case, contact the clerks office immediately. (They could be receiving a 341(a) notice even though they are not a creditor of this particular debtor).



#### **14. Amendments to Schedules...don't over-bill yourself!**

If you are amending Schedule D, E or F and are submitting a revised creditor matrix with it...you must pay a \$26 fee to add the creditor but not to submit the new matrix. If you select Amended Matrix in addition to Schedule D, E or F, you will be charged for two \$26 fees...one for the Amended Schedule and one for the revised matrix. For detailed instructions on Amendments, see **Appendix #1** attached hereto.

#### **15. Paying Court fees**

- Refer to the Administrative Procedures for Electronic Case Filing for paying fees.
- Fees are due and payable at the time of filing. The "Pay Later" feature is for the convenience of multiple filers. It allows you to pay after you have filed all your documents...but the fees must still be paid daily.
- When paying filing fees in installments, you must initially pay something. The system will not accept zero or "-0-". However, if you type in the *full* filing fee and submit it...the full fee is now due! You must put in and pay something. Suggestion: Type in and pay one-quarter or one-third of the scheduled fee.

#### **16. Adversary documents erroneously filed in the master case and vice versa.**

- Adversary proceeding documents should not be filed in the bankruptcy or master case.

#### **17. Failure to include counsel identification on proposed orders.**

- Local Rule 5005-1(a)(2)(H)(I) provides that on every pleading and other paper filed with the clerk and on every proposed order or judgement submitted to the court, the attorney shall include the following information: the attorney's name, complete address (including street address and, if applicable, post office box number), telephone number, e-mail address, and Mississippi Bar number (if the attorney is a member of the Mississippi Bar, and if not, the state and bar number, if any, of the bar in which the attorney is a member and regularly practices).

#### **18. Placing a signature line and date on proposed orders for Judge Olack.**

- Judge Olack orders are signed electronically. When drafting a proposed order or judgement for Judge Olack, omit the signature and date lines. They will be supplied by the electronic signature software. Instructions and a sample order may be found on the Northern District's website. On the welcome page, go to the ninth bullet down entitled "Effective April 20, 2009, all Judge Olack orders will be signed electronically".

# AMENDMENTS



**“HIT THE NAIL ON THE HEAD EVERY TIME!”**



COURT USERS NOTES FOR AMENDING SCHEDULES A-J,  
STATEMENTS, FORMS 22A, 22B AND 22C,

## **Amendment to Schedule D, E or F**

❖❖❖❖Note: If the amendment adds creditors, CLF 156 notice to Each Added Creditor and a Certificate of Service must be included in your PDF with your amended schedules as well as an **Amended Matrix**.

Step 1 Click the **Bankruptcy** hyperlink on the CM/ECF Main Menu  
The Bankruptcy Events screens displays.

Step 2 Click the **Other** hyperlink

## **APPENDIX #1**

(To item #14 on list of Most Common CM/ECF Filing Errors and How to Avoid Them for the Northern District Bankruptcy Court)

The Case number screen displays  
Enter the correct case number  
Click Next

The **Document Type** screen displays

Step 3 Select Schedule DEF

\*\*\***Note:** Selecting Amended Matrix here will prompt the system to charge two fees. One for the amended schedule and one for the amended matrix. (If an amended matrix is included in the PDF, type this at the “modify as appropriate screen” before submitting.)

Click Next

Step 4 The **Select Party** screen displays. **Note:** all participating parties on the case will display on this screen.

Select your client from the pick list.

**Note:** The submitting party(ies) normally would be the debtor(s).  
**Do not add the additional creditors at this screen.**

Click Next

Step 5 The PDF document screen will then display.

**Note:** To associate the imaged document to this entry follow the steps below:

Click [**Browse**], navigate to the directory where your PDF file is located and select it with your mouse.

**Note:** You should have in your PDF document the Amended Schedule, CLF 156 (notice to each added creditor, a certificate of service, and an Amended Matrix (if applicable))

**!!! ALWAYS CHECK DOCUMENTS BEFORE SUBMITTING !!!**

To make certain you are about to associate the correct PDF document for this entry. Right click on the filename with your mouse and select **Open**. This will launch the Adobe Reader to display the contents of the imaged document. Verify that the document is correct before you open it to the file name path.

**Note:** If you have an attachment to the document check the radio button to **YES**, if not leave at **NO**.

Step 6 CM/ECF will prompt you with the following questions: (Please answer the questions correctly so that you may proceed with the next screen to allow you to pay the required filing fees for the amendment.)

**Are you submitting Schedule D?**

Drop down box appears

Select Yes or NO if submitting Schedule D

Click Next

**Are you submitting Schedule E?**

Drop down box appears

Select Yes or No if you are not submitting Schedule E

Click Next

**Are you submitting Schedule F?**

Drop down box appears

Select Yes or No if you are not submitting Schedule F

Click Next

If you selected **Yes** to any of the schedules being amended you will be prompt with additional questions as it applies to that particular schedule. For example, if schedule D is being amended you will be prompted: **Is Schedule D Being Amended?**

Drop down box appears

Select Yes  
Click Next

**Enter Secured Claims Total as shown on Schedule D : (Total this figure must be the Schedule D TOTAL, Not just the amended amount**

Click Next

**Fee is automatic entered by the system (Do not alter)**

Click Next

**Step 7 Docket Text appears: You may modify as Appropriate**

**Note: If needed modify text to reflect (AMENDED MATRIX INCLUDED)**

Click Next

**Final Docket Text screen appears. Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**

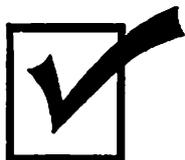
Click Next

**Step 8 The system will redirect you to [pay.gov](https://www.pay.gov) for payment of fees due by credit card.**

**Click [Pay Now] to begin the electronic payment process.**

**Your Notice of Electronic Filing Notice is behind the Credit Card Payment pop-up.**

## CHECK LIST FOR AMENDMENTS:



The Amended Schedule

(Enter into ECF the **TOTAL** for the specific schedule and not just the amended total)



THE CLF-156 (Notice to Added Creditor)

A copy of the 341a Notice should be sent with the Notice to Added Creditor



A Certificate of Service must be filed.



Amended Matrix (Only Added Creditors)

Do not file the complete Matrix again!!



Complete the internet fee payment process through Pay.gov



Be sure to add Creditors through Creditor Maintenance



If you have ANY questions, call the Court BEFORE attempting to file an amendment!!!

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF MISSISSIPPI**

IN RE:

CASE NO. \_\_\_\_\_

DEBTOR(S)

TO: CASE TRUSTEE (List trustee name and the applicable address, mailing or email)  
U. S. TRUSTEE (List applicable address, mailing or email)  
AFFECTED CREDITOR(S)  
(List name and address of each affected creditor or attach copy of Matrix containing name and address of each affected creditor)

**NOTICE TO EACH ADDED CREDITOR, TRUSTEE AND U.S. TRUSTEE**

PLEASE TAKE NOTICE that the undersigned debtor(s) has filed an amendment to the bankruptcy schedules to add one or more additional creditors, which said amendment lists the creditor noticed hereby as an additional scheduled creditor in the above captioned bankruptcy case.

Within twenty (20) days of the date of this notice, the added creditor has the right to request of the U.S. Trustee, McCoy Federal Building, 100 W. Capitol Street, Suite 706, Jackson, Mississippi 39269, an adjourned §341(a) creditors' meeting (see copy of original meeting notice enclosed) if the added creditor wishes to examine the debtor(s) under oath.

The added creditor has the right within sixty (60) days of the date of this notice to file a complaint objecting to the discharge of the debtor(s), or a complaint to determine the dischargeability of a debt, or to file a motion requesting an extension of time to file such a complaint, unless a longer period of time is provided by the Federal Rules of Bankruptcy Procedure.

If this is a CHAPTER 7, 12 OR 13 case and the attached §341 meeting notice contains language "Please Do Not File a Proof of Claim Unless You Receive a Notice To Do So", then, you do not need to file a claim at this time. However, if the notice contains a Proof of Claim deadline, as an added creditor you have 90 days from the date of mailing of this notice to file a Proof of Claim.

If this is a CHAPTER 11 case, you have the right to file a proof of claim by the bar date indicated on the attached §341 meeting notice or 30 days from the date of mailing of this notice, whichever is later.

PLEASE TAKE NOTICE ALSO that the undersigned debtor(s) and/or the debtor(s)' attorney is required to send a copy of the amended schedule to each added creditor, to the case trustee and to the U.S. Trustee.

\_\_\_\_\_  
DEBTOR(S) OR ATTORNEY FOR DEBTOR(S)

**CERTIFICATE OF SERVICE**

I, \_\_\_\_\_, Debtor(s) or Attorney for the above listed Debtor(s), do hereby certify that I have this date mailed a true and correct copy of the above Notice to Creditors, a copy of the §341 meeting notice, and the amended schedule(s) to the affected creditor(s), case trustee, if applicable, and U. S. Trustee at the above listed address(es).

THIS the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Debtor(s) or Attorney for Debtor

\_\_\_\_\_  
Name of Attorney

\_\_\_\_\_  
Address

\_\_\_\_\_  
Telephone Number