



# CM/ECF Training Material

## Attorney for Debtor(s)

(Revised November 8, 2024)



United States Bankruptcy Court  
Northern District of Mississippi

Please contact the Clerk's Office at 662-369-2596 to schedule a training session.

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## GENERAL COURT INFORMATION

### Location and Contact Information

<p><b><u>Office Location and Mailing Address:</u></b></p> <p>Thad Cochran U. S. Bankruptcy Courthouse 703 Hwy. 145 North Aberdeen, MS 39730</p> <p style="text-align: center;"><b><u>Hearing Locations</u></b></p> <p>Cochran U. S. Bankruptcy Courthouse 703 Hwy. 145 North Aberdeen, MS 39730</p> <p>Federal Building 911 Jackson Avenue Oxford, MS 38655</p> <p>Federal Building 305 Main Street Greenville, MS 38701</p>	<p style="text-align: center;"><b><u>Phone Numbers:</u></b></p> <p><b>Clerk’s Office:</b> (662) 369-2596</p> <p><b>Judge Woodard:</b></p> <ul style="list-style-type: none"> <li>▪ Chambers Line: (662) 369-2624</li> <li>▪ Settlement Line: (662) 369-2619</li> </ul> <p><b>Judge Maddox:</b></p> <ul style="list-style-type: none"> <li>▪ Chambers Line: (662) 369-8147</li> <li>▪ Settlement Line: (662) 369-9380</li> </ul>
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### Resources Available on Court’s Website ([www.msnb.uscourts.gov](http://www.msnb.uscourts.gov))

- Bankruptcy Forms (Local Forms and Templates)
- Administrative Procedures for Electronic Case Filing
- Local Rules of U. S. Bankruptcy Courts for Northern and Southern Districts
- Standing Orders
- Court Calendars (PDF of Docket, Interactive Calendar, ChapMobile App Info)
- How to Report Settlements and Request Continuances
- Opinions
- ECF Training Material

## GENERAL CM/ECF INFORMATION

### CM/ECF and PACER

PACER (Public Access to Court Electronic Records) allows users to view/print documents while the CM/ECF system allows users to e-file documents with the court. All users must have an individual PACER account to register to e-file and to e-file in the court's CM/ECF system.

### How to Access Court's CM/ECF System

- Go to <https://ecf.msnb.uscourts.gov>. (From [www.pacer.uscourts.gov](http://www.pacer.uscourts.gov) > **Find a Case/File Electronically** > **Court CM/ECF Lookup**.)
- Click on the **Northern District of Mississippi – Document Filing System** link.
- Login using your PACER username and password.
  - An important notice concerning redaction responsibility will appear on the next screen. Prior to clicking **Login**, a user must check the box to indicate that (s)he understands compliance with the redaction rules.
- The CM/ECF Main Menu Bar below will appear at the top of the screen.



Each menu item (tab) is a hyperlink to another set of options allowing users to file documents, query, view or print reports.

### Maintain Your ECF Account

ECF user is responsible for updating account information in PACER (at [www.pacer.uscourts.gov](http://www.pacer.uscourts.gov)) and in the ECF System (under **Utilities** > **Maintain Your ECF Account**).

### Payment of Fees

Fees are due the same day as the ECF filing. Failure to timely pay or seek alternate payment arrangements will result in a notification to the user that the ECF account has been disabled. Access to the ECF system will be limited until the user pays the delinquent fee(s). Once delinquent fees are paid, the ECF system will automatically enable the user's filing privileges.

### Redaction Responsibilities

Most ECF filing are immediately available for public access. The filing party is responsible for redacting private information prior to filing. A party may request redaction of private information by filing a **Motion to Redact Document** and submitting a proposed order (see forms on court's website). The Clerk's Office may restrict public access upon filing of the motion.

### Format and Size Requirements for CM/ECF

Documents filed electronically must be submitted in PDF format and conform to 8½ x 11 standard size. All CM/ECF users are required to comply with the Court’s local rules and administrative procedures.

### General Filing Information

#### Docket Event

The docket event is the order of CM/ECF menu selections for each filing. For example, the docket event for a Motion for Relief from Stay is *Bankruptcy > Motions/Applications > Relief From Stay (Fee)*.

<u>To Search and Select Event(s):</u>	<u>Multiple Events:</u>
Type a key word in the search field to find an event. Click on the name to select the event. The event will show in the “Selected Events” list.	If the pleading requests multiple or alternative relief(s), select all that apply. Hold the Ctrl key and click the additional event(s) to add to the list of Selected Events. <u>Note:</u> Some events must be filed separately.

**File a Motion**  
 23-10008-SDM John Doe and Susan Karen Baker  
 Type: bk Chapter: 7 v Office: 1 (Aberdeen)  
 Assets: n Judge: SDM

stay Click your selection, or use arrows to highlight it and press Enter. Hold down Ctrl to add additional items.

Available Events (click to select events)	Selected Events (click to remove events)
Extend Automatic Stay Impose Automatic Stay Relief from Stay (Agreed with DB Relinquish/TR Abandon) Relief from Stay (Agreed, No Fee & No Objection Deadline) <b>Relief from Stay (Codebtor or Child Support, No Fee)</b> Relief from Stay (Fee) Sanctions for Violation of the Automatic Stay Stay Stay Pending Appeal	Relief from Stay (Fee) Abandon (No Fee) Relief from Stay (Codebtor or Child Support, No Fee)

Next Clear

**Select the Party:** Choose or add the party—usually the party represented by the filing attorney. If the party is not listed, select **Add/Create New Party** to search for the party.

**File a Motion:**

[20-10098-SDM Ima Testin](#)

Type: bk	Chapter: 11 v	Office: 1 (Aberdeen)
Assets: y	Judge: SDM	Case Flag: Subchapter_V, SmBus, PlnDue

**Select the Party:**

Testin, Ima [Debtor]

U. S. Trustee, [U.S. Trustee]

[Add/Create New Party](#)

- If the search yields an exact match, select the party in the search results box and click **Select Name from List**. Choose the Role Type (e.g., creditor) and click Submit.
- If the search does not yield an exact match, click **Add/Create New Party**, input the Name, Address, Role Type (e.g., creditor), and click Submit.

**Notice of Electronic Filing:** Upon completion of a filing, a Notice of Electronic Filing (“NEF”) is automatically generated and emailed to registered ECF parties in the case. The NEF will include:

- A hyperlink to the case along with other case data;
- The document (docket) number of the filing;
- The docket text of the filing;
- A list of parties receiving (and not receiving) electronic notice.

**File a Motion:**

[18-10044-SDM Johnny B Appleseed](#)

Type: bk	Chapter: 13 v	Office: 1 (Aberdeen)
Assets: y	Judge: SDM	Case Flag: FeeDuelNST

**U.S. Bankruptcy Court**  
**Northern District of Mississippi**

**Notice of Electronic Filing**

The following transaction was received from Eight Attorney entered on 3/3/2021 at 4:56 PM CST and filed on 3/3/2021

**Case Name:** Johnny B Appleseed

**Case Number:** [18-10044-SDM](#)

**Document Number:** [72](#)

**Docket Text:**  
Application to Employ Eight Attorney as Special Counsel for *Johnny Appleseed* Filed by Eight Attorney on behalf of Eight Attorney. (Attorney, Eight)

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

**Document description:**Main Document  
**Original filename:**Sample Complaint.pdf  
**Electronic document Stamp:**  
[STAMP bkecfStamp\_ID=1009998712 [Date=3/3/2021] [FileNumber=112018-0]  
[a2cfbace2609a2771276842d5f180553b77789a30c3d4745dedb8337fc609659a456  
5d1646c11623edc3d2667da51c6a072e6289b5919207ee00922ba1812da]]

**18-10044-SDM Notice will be electronically mailed to:**

Janine Sickmeyer on behalf of Debtor Johnny B Appleseed  
janine@nextchapterbk.com, notices@nextchapterbk.com

**18-10044-SDM Notice will not be electronically mailed to:**

Eight Attorney on behalf of Spec. Counsel Eight Attorney  
Eight Attorney Lane  
Aberdeen, MS 39730

Five Attorney on behalf of Creditor Bank of Okolona  
Five Attorney Lane  
Aberdeen, MS 39730

Five Attorney on behalf of Creditor Example Creditor  
Five Attorney Lane  
Aberdeen, MS 39730



## **BANKRUPTCY CASE OPENING AND RELATED FILINGS**

### **Chapter 7 Petition Checklist (Non-Individual)**

Failure to timely file required documents may result in dismissal of the bankruptcy case. Documents that must be filed separately are notated with an asterisk (\*). All other documents may be filed with the Voluntary Petition as one PDF document.

#### **DOCUMENTS DUE WHEN BANKRUPTCY CASE OPENED**

- Voluntary Petition for Non-Individuals
- List of Creditors/Creditor Matrix in .txt and .pdf format
- Verification of Matrix (Local Form – see Bankruptcy Forms on court’s website)
- Corporate Ownership Statement (must be filed separately)\*

#### **DOCUMENTS DUE WITHIN 14 DAYS OF FILING THE PETITION**

- Summary of Assets and Liabilities for Non-Individuals
- Schedule A/B: Property
- Schedule D: Creditors Who Have Claims Secured by Property
- Schedule E/F: Creditors Who Have Unsecured Claims
- Schedule G: Executory Contracts and Unexpired Leases
- Schedule H: Codebtors
- Declaration Under Penalty of Perjury for Non-Individual Debtors
- Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy
- Disclosure of Compensation of Attorney for Debtor

## **Chapter 7 Petition Checklist (Individual)**

Failure to timely file required documents may result in dismissal of the bankruptcy case. Documents that must be filed separately are notated with an asterisk (\*). All other documents may be filed with the Voluntary Petition as one PDF document.

### **DOCUMENTS DUE WHEN BANKRUPTCY CASE OPENED**

- Voluntary Petition for Individuals
- List of Creditors/Creditor Matrix in .txt and .pdf format
- Verification of Matrix (Local Form – see Bankruptcy Forms on court’s website)
- Statement About Your Social Security Numbers (must be filed separately)\*
- Certificate of Credit Counseling (must be filed separately)\*
- Application to Pay Filing Fee in Installments (if applicable) (must be filed separately)\*
  - Disclosure of Pre-Petition Fees Paid by Debtor to Debtor’s Counsel
- Application to Have the Chapter 7 Filing Fee Waived (if applicable) (must be filed separately)\*
- Initial Statement About Eviction Judgment Against You (if applicable) (must be filed separately)\*

### **DOCUMENTS DUE WITHIN 14 DAYS OF FILING THE PETITION**

- Summary of Your Assets and Liabilities and Certain Statistical Information
- Schedule A/B: Property
- Schedule C: The Property You Claim as Exempt
- Schedule D: Creditors Who Have Claims Secured by Property
- Schedule E/F: Creditors Who Have Unsecured Claims
- Schedule G: Executory Contracts and Unexpired Leases
- Schedule H: Your Codebtors
- Schedule I: Your Income
- Schedule J: Your Expenses
- Schedule J-2: Expenses for Separate Household of Debtor 2 (if applicable)
- Declaration About an Individual Debtor’s Schedules
- Statement of Financial Affairs for Individuals Filing for Bankruptcy
- Statement of Intention for Individuals Filing Under Chapter 7
- Disclosure of Compensation of Attorney for Debtor
- Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (if applicable) (must be filed separately)\*
- Chapter 7 Statement of Your Current Monthly Income (“Means Test”) (must be filed separately)\*

## **Chapter 13 Petition Checklist**

Failure to timely file required documents may result in dismissal of the bankruptcy case. Documents that must be filed separately are notated with an asterisk (\*). All other documents may be filed with the Voluntary Petition as one PDF document.

### **DOCUMENTS DUE WHEN BANKRUPTCY CASE OPENED**

- Voluntary Petition for Individuals
- List of Creditors/Creditor Matrix in .txt and .pdf format
- Verification of Matrix (Local Form – see Bankruptcy Forms on court’s website)
- Statement About Your Social Security Numbers (must be filed separately)\*
- Certificate of Credit Counseling (must be filed separately)\*
- Application to Pay Filing Fee in Installments (if applicable) (must be filed separately)\*
  - Disclosure of Pre-Petition Fees Paid by Debtor to Debtor’s Counsel
- Initial Statement About Eviction Judgment Against You (if applicable) (must be filed separately)\*

### **DOCUMENTS DUE WITHIN 14 DAYS OF FILING THE PETITION**

- Summary of Your Assets and Liabilities and Certain Statistical Information
- Schedule A/B: Property
- Schedule C: The Property You Claim as Exempt
- Schedule D: Creditors Who Have Claims Secured by Property
- Schedule E/F: Creditors Who Have Unsecured Claims
- Schedule G: Executory Contracts and Unexpired Leases
- Schedule H: Your Codebtors
- Schedule I: Your Income
- Schedule J: Your Expenses
- Schedule J-2: Expenses for Separate Household of Debtor 2 (if applicable)
- Declaration About an Individual Debtor’s Schedules
- Statement of Financial Affairs for Individuals Filing for Bankruptcy
- Disclosure of Compensation of Attorney Debtor
- Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (must be filed separately)\*
  - Chapter 13 Calculation of Your Disposable Income (if applicable)
- Chapter 13 Plan and Motions for Valuation and Lien Avoidance (Local Form – see Bankruptcy Forms on court’s website) (must be filed separately)\*
  - Notice of Filing Chapter 13 Plan and Motions for Valuations and Lien Avoidance—due no later than 7 days after the filing of the Chapter 13 Plan or the Meeting of Creditors, whichever is later (Local Form – see Bankruptcy Forms on court’s website) (must be filed separately)\*

## **Bankruptcy Case Opening**

**NOTE:** The conventional filing procedures below may not be applicable for ECF filers using bankruptcy software that will automatically upload and file/open bankruptcy cases.

To open a bankruptcy case in CM/ECF:

1. **Docket Event: *Bankruptcy > Open Voluntary BK Case***
2. Select the **Chapter**, whether a **Joint Petition** and whether **Deficiencies** exist using the drop-down list.
  - **Deficiencies = y** (yes) if any required documents are omitted.
3. Search for the debtor by **Name** or **SSN/TIN**.
4. Enter the Name, SSN/TIN, Mailing Address, and County on the **Debtor Information** screen. (Leave the Phone, Fax, Email and Party Text fields blank.)
  - Note: For Joint Petitions, follow steps 3 and 4 above for the Joint Debtor.
5. Complete the required **Statistical Data** information:
  - Prior filing within last 8 years – Select **Yes** or **No**;
  - Fee Status –
    - Select **Paid** if the filing fee will be paid in full.
    - Select **Installment** if the filing fee will be paid in installments.
    - Select **IFP Filing Fee Waived** only if a request to waive the filing fee is filed simultaneously with the petition (Chapter 7 cases only).
  - Nature of Debt – Select **Consumer** or **Business**;
  - Asset Notice – Chapter 7 = **No**; All Other Chapters = **Yes**
  - Select the correct range of Estimated Number of Creditors, Estimated Assets, and Estimated Liabilities based on the information in the petition.
  - Nature of Business – Required if the nature of debt is Business.
6. Complete the **Summary of Assets and Liabilities and Certain Statistical Information** screen; or click Next if the schedules are not included.
7. The final **Statistical Information** screen will appear for input from line items from the Schedules and Means Test (if applicable).
8. Click **Browse** and upload the PDF file. The following documents may be uploaded together as one PDF document:
  - Voluntary Petition
  - Summary of Schedules
  - Schedules A-J
  - Statement of Financial Affairs
  - Disclosure of Compensation of Attorney for Debtor
  - Matrix (PDF Format)
  - Verification of Matrix
  - Statement of Intent (if applicable)

- If any of the above items are not included with the Voluntary Petition, you may file them separately. From the menu bar, select **Bankruptcy > Other** to find each item.
  - The following documents are due WITH the Voluntary Petition but must be filed as separate PDF documents:
    - Statement About Your Social Security Number
    - Certificate of Credit Counseling
    - Corporate Ownership Statement (if applicable)
    - Application to Pay Filing Fee in Installments (if applicable)
    - Application to Have Chapter 7 Filing Fee Waived (if applicable)
  - See the Bankruptcy Petition Checklists for a list of required documents that are due within 14 days of filing the Voluntary Petition.
9. If you indicated Deficiencies existed in Step 2, the **Incomplete Filing Due** deadline will appear.
10. For a chapter 7 case, indicate whether a **Presumption of Abuse** exists.
- Select **Yes** or **No** based on the Means Test information.
  - If no Means Test is filed at case opening, select **Unknown**.
11. On the **Filing Fee** screen, click Next if paying the filing fee in full. Enter the amount to be paid with the Voluntary Petition if paying in installments.
- If applicable, the ***Application to Pay Filing Fee in Installments*** and the ***Disclosure of Pre-Petition Fees Paid by Debtor to Debtor's Counsel*** must be filed immediately after the case is opened.
  - For chapter 7 only, change the amount to **0.00** if the debtor will request a waiver of the filing fee.  
Note: An ***Application to Have the Chapter 7 Filing Fee Waived*** must be filed immediately after the case is opened.
12. Review the docket text for accuracy and click Next until the **Notice of Bankruptcy Case Filing** appears. This screen confirms that electronic filing has been completed.
13. The **Summary of Current Charges** screen will appear. You may pay the fee now or click **Continue Filing** to pay the fee(s) later that day.
- Fees must be paid **by midnight** on the same date as the related ECF transaction or the user's filing privileges will be revoked until the delinquent balance is paid.

## **List of Creditors (“Creditor Matrix”)**

### **Filing Requirements:**

Upload the list of creditors (“creditor matrix”) into the CM/ECF database using a text (.txt) file AND file as a PDF document. The Judge/Trustee Assignment must be processed on the same day the Creditor Matrix is filed.

### **Uploading the List of Creditors (“Creditor Matrix”) Using a Text File**

**Docket Event: *Bankruptcy > Creditor Maintenance > Upload List of Creditors File***

**The matrix must be in an ASCII text format, usually a .txt file, before it can be uploaded.** After uploading the .txt file, the **Creditors Receipt** will appear. The list of creditors must meet the following specifications:

- The name and address of each creditor must be five (5) lines or fewer.
- Each line may contain no more than 40 characters including blank lines.
- Names and addresses should be left justified (no leading spaces).
- If attention lines are used, they should appear on the second line of the address.
- City, State, and Zip code must be on the last line.
- All states must be two-letter abbreviations.
- If a nine-digit Zip code is used, a hyphen must separate the first five digits from the last four digits.
- Each creditor must be separated by at least one blank line.
- Do not include case number, page numbers, line number, headers, footers, etc., in the document.
- Neither the debtor(s)’ nor the debtor(s)’ attorney’s name should appear on the matrix.

### **Filing the List of Creditors (“Creditor Matrix”) as a PDF**

**Docket Event: *Bankruptcy > Other > Creditor Matrix.***

**Note:** If creditors need to be added post-petition, an Amended List of Creditors should be filed with the appropriate Amended Schedule(s). (See Amended Schedules D, E/F.)

### **Judge/Trustee Assignment**

**Docket Event: *Bankruptcy > Judge/Trustee Assignment***

**Note:** No PDF is required. If filing several bankruptcy cases on the same day, you may run the Judge/Trustee Assignment after all cases are uploaded. A judge and trustee will be assigned to the case when complete. In chapter 7 cases, and meeting of creditors notice will be docketed.

### **Amended Schedule(s) D, E/F (Fee)**

Docket Event: *Bankruptcy > Other > Amended Schedules(s) D, E/F (Fee)*

#### **Filing Requirements:**

- **Amended Schedule(s)**
- **Amended Creditor Matrix** – PDF should only list added creditors or clearly indicate added/deleted creditors;
  - Filer must also input added creditor(s) in Creditor Database;
- **Notice to Added Creditor(s)** – Required only if §341 Meeting of Creditors Notice has been filed/docketed;
  - Fillable form available on court’s website;
  - Filer must serve a copy of the §341 Meeting of Creditors Notice to added creditor(s);
- **Filing Fee**
  - Required except when changing address of existing creditor or adding an attorney for an existing creditor;

#### **Filing Instructions:**

1. Upload all required documents listed above as one PDF document (or upload matrix and notice as attachments);
2. When prompted, provide the information regarding the amended schedule(s), claim amount(s) and added creditors.
3. Input added creditors in the Creditor Database (**Docket Event: Bankruptcy > Creditor Maintenance**).

**Note:** Amended Creditor Matrix and updated Creditor Database are required when a creditor is added to a bankruptcy case. To avoid multiple filing fees, the amended matrix may be filed with the amended schedules as described above. Otherwise, the filer must answer prompts correctly when filing the matrix to avoid multiple fees.

### **Amended Schedule(s) D, E/F (No Fee)**

Docket Event: *Bankruptcy > Other > Amended Schedules D, E/F (No Fee)*

**Filing Requirements and Instructions:** Amended Schedule(s) D, E/F required.

If the filer is **NOT** adding creditors to the case, select **no** to the question when prompted.

**Note:** This event should only be used when changing the address of an existing creditor or adding an attorney for an existing creditor. A fee is required otherwise.

### **Application to Pay Filing Fee in Installments**

Docket Event: *Bankruptcy > Motions/Applications > Paying Filing Fee in Installments*

**Filing Requirements and Instructions:** Application required. The *Disclosure of Pre-Petition Fees Paid by Debtor to Debtor's Counsel* form must be filed concurrently with this application. See court's website for form.

Note: The entire fee must be paid no later than 120 days after the petition date. Failure to timely pay the fee in full will result in dismissal of the bankruptcy case.

### **Disclosure of Pre-Petition Fees Paid by Debtor to Debtor's Counsel**

Docket Event: *Bankruptcy > Other > Disclosure of Pre-Petition Fees Paid to Debtor's Attorney (Local Form MSNB-LR 1006-1)*

**Filing Requirements and Instructions:** If the Disclosure form is not attached to the Application above, check the box next to **Refer to existing event(s)** and relate it to the Application.

### **Application to Waive Chapter 7 Filing Fee**

Docket Event: *Bankruptcy > Motions/Applications > Have Chapter 7 Filing Fee Waived*

**Filing Requirements and Instructions:** Application required.



## CHAPTER 13 PLAN AND RELATED FILINGS

### Chapter 13 Plan and Notice

Follow these steps to file the Chapter 13 Plan and required Notice:

1. File Chapter 13 Plan using **Docket Event: *Bankruptcy > Plan > Chapter 13 Plan***.
2. After the Chapter 13 Trustee files the § 341 Meeting of Creditors Notice, complete the Notice of Chapter 13 Plan (see form on court's website).
3. Serve a copy of the Plan and Notice to all creditors and file the Certificate of Service with a copy of all documents attached using Docket Event: ***Bankruptcy > Other > Notice and Certificate of Service of Chapter 13 Plan or Amended Plan***.

### Amended Chapter 13 Plan

**Docket Event: *Bankruptcy > Plan > Amended Chapter 13 Plan***

**Filing Requirements and Instructions:** Amended Chapter 13 Plan, 30-Day Notice (see form on court's website) and Certificate of Service required.

**Note:** An amended plan may only be filed **prior to confirmation of the plan**. Once the confirmation order is entered, a Motion to Modify Chapter 13 Plan must be filed to change the plan.

### Motion to Modify Chapter 13 Plan

**Docket Event: *Bankruptcy > Motions/Applications > Motion and Notice to Modify Confirmed Plan***

**Filing Requirements and Instructions:** Motion to Modify, 30-Day Notice and Certificate of Service required. Also upload e-order and relate it to the Motion.

Enter the date the Motion and 30-day notice were served when prompted. CM/ECF will automatically calculate and include the response deadline in the docket text.

(See Reference: Amended Standing Order – Procedure for Modification of Chapter 13 Plan on court's website.)

## **Motion to Suspend Plan Payments**

**Docket Event:** *Bankruptcy > Motions/Applications > Suspend Plan Payments*

**Filing Requirements and Instructions:** Motion to Suspend Plan Payments required. Also upload e-order and relate it to the Motion.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must serve the **Hearing Notice and Motion to Suspend Plan Payments** to all creditors. The filer must file/docket the Certificate of Service with a copy of the Hearing Notice and Motion to Suspend Plan Payments attached.

**Note:** Failure to comply with the two deadlines in the Order Directing the Filer to File a Certificate of Service may result in an order striking the motion.

## COMMON MOTIONS/APPLICATIONS

### Motion to Borrow

**Docket Event:** *Bankruptcy > Motions/Applications > Borrow*

**Filing Requirements and Instructions:** Motion to Borrow required. Also upload e-order and relate it to the Motion.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must **serve** the **Hearing Notice and Motion to Borrow** to all creditors. The filer must **file/docket** the Certificate of Service with a copy of the Hearing Notice and Motion to Borrow attached.

**Note:** Failure to comply with the two deadlines in the Order Directing the Filer to File a Certificate of Service may result in an order striking the motion.

### Motion to Avoid Lien

**Docket Event:** *Bankruptcy > Motions/Applications > Avoid Lien on Household Goods*

**Filing Requirements and Instructions:** Motion to Avoid Lien and Certificate of Service required. Filer must include the name and address of the creditor whose lien the debtor seeks to avoid on the Certificate of Service. Also upload e-order and relate it to the Motion. See court's website for required form order.

**Filer must add the Creditor to the Party list when prompted.**

The Court will issue and serve a Notice of the response deadline to all interested parties. **Do not file an additional Certificate of Service after this notice is issued.**

**Note:** The procedure above also applies to **Motion to Avoid Judicial Lien.**  
(Docket Event: *Bankruptcy > Motions/Applications > Avoid Judicial Lien*)

## Converting Case to Chapter 7 (By Motion or Notice)

**By Motion – Docket Event:** *Bankruptcy > Motions/Applications > Convert Case to 7*

**Filing Requirements and Instructions:** Upload Motion to Convert and Certificate of Service.

The Court will prepare a form order converting the case.

**By Notice – Docket Event:** *Bankruptcy > Notice of Voluntary Conversion*

**Filing Requirements and Instructions:** Upload Notice of Voluntary Conversion and Certificate of Service.

The Court will prepare a form order converting the case.

## Motion to Voluntarily Dismiss Chapter 13 Case

**Docket Event:** *Bankruptcy > Motions/Applications > Dismiss Case for Other*

**Filing Requirements and Instructions:** Motion to Dismiss Chapter 13 Case and Certificate of Service required. Also upload e-order and relate it to the Motion.

A hearing notice is not generally issued. Proposed orders are immediately routed to chambers as the Court may consider these motions *ex parte*.

**Note:** See court's website for form motion and order. Failure to use these forms may result in issuance of a hearing notice or a request to resubmit documents.

## Motion to Reinstate Case

**Docket Event:** *Bankruptcy > Motions/Applications > Reinstate Case*

**Filing Requirements and Instructions:** Motion to Reinstate Case required. Also upload e-order and relate it to the Motion.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must **serve** the **Hearing Notice and Motion to Reinstate** to all creditors. The filer must **file/docket** the Certificate of Service with a copy of the Hearing Notice and Motion to Reinstate attached.

**Note:** Failure to comply with the two deadlines in the Order Directing the Filer to File a Certificate of Service may result in a court order striking the motion.

## **Motion to Reopen Case**

**Docket Event:** *Bankruptcy > Motions/Applications > Reopen*

**Filing Requirements and Instructions:** Motion to Reopen required. Also upload e-order and relate it to the Motion.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must **serve** the **Hearing Notice and Motion to Reopen Case**. All parties on the current mailing matrix must be served if the case is being reopened to obtain a discharge. The filer must **file/docket** the Certificate of Service with a copy of the Hearing Notice and Motion to Reinstate attached.

**Note:** Failure to comply with the two deadlines in the Order Directing the Filer to File a Certificate of Service may result in a court order striking the motion.

## **Motion to Shorten Time**

**Docket Event:** *Bankruptcy > Motions/Applications > Extend/Shorten Time*

**Filing Requirements and Instructions:** Motion to Shorten Time and Certificate of Service required. Also upload e-order and relate it to the Motion. See court's website for required form order.

**Note:** The related pleading must be filed immediately prior to the Motion to Shorten Time. The filer will be prompted to relate/link the motion to the related pleading.

A hearing notice is not generally issued. Proposed orders are immediately routed to chambers as the Court may consider these motions *ex parte*.

## **Motion to Extend Time**

**Docket Event:** *Bankruptcy > Motions/Applications > Extend/Shorten Time*

**Filing Requirements and Instructions:** Motion to Extend Time and Certificate of Service required. Also upload e-order and relate it to the Motion.

A hearing notice is not generally issued. Proposed orders are immediately routed to chambers as the Court may consider these motions *ex parte*.

## Application to Employ

Docket Event: *Bankruptcy > Motions/Applications > Employ*

**Filing Requirements:** Application/Motion to Employ with Affidavit of Disinterested Party Pursuant to Rule 2014(a) included or filed as an attachment required. Also upload e-order and relate it to the Application.

### Filing Instructions:

- **Select the Party –**
  - Only bankruptcy counsel for the debtor may select the debtor as the represented party on this screen.
  - All other filers must add the professional (e.g., attorney, accountant, realtor, special counsel, etc.) seeking employment as a party using the **Add/Create New Party**. Then select the professional as the represented party.
    - **Note:** Select the appropriate role type (e.g., “special counsel”). The filer may edit the docket text to include additional information about the employment relationship sought.
- Browse for PDF, add any attachments, and click Next.
- Input the Name of Person to be Employed and the Type of Position (e.g., Special Counsel, Accountant, Auctioneer) when prompted.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must **serve** the **Hearing Notice and Application to Employ** to all creditors. The filer must **file/docket** the Certificate of Service with a copy of the Hearing Notice and Application to Employ attached.

**Note: Failure to comply with the two deadlines in the Order Directing the Filer to File a Certificate of Service may result in a court order striking the motion.**

## **Application to Compromise Controversy**

**Docket Event:** *Bankruptcy > Motions/Applications > Compromise Controversy*

**Filing Requirements:** Application to Compromise Controversy with terms of the settlement included or attached as an exhibit required. Also upload e-order and relate it to the Application.

**Note:** Entry of an order approving employment (if applicable) is generally required prior to consideration of an application to compromise controversy.

### **Filing Instructions:**

- **Select the Party** – Select or Add the professional who negotiated and is seeking approval of the settlement.

**Note:** Only bankruptcy counsel for the debtor should select the debtor as the represented party on this screen.

- Browse for PDF, add any attachments, and click Next.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must **serve** the **Hearing Notice and Application to Compromise Controversy** to all creditors. The filer must **file/docket** the Certificate of Service with a copy of the Hearing Notice and Application to Compromise Controversy attached.

**Note:** Failure to comply with the two deadlines in the Order Directing the Filer to File a Certificate of Service may result in a court order striking the motion.

## **Application for Compensation**

**Docket Event:** *Bankruptcy > Motions/Applications > Compensation*

**Filing Requirements and Instructions:** Application/Motion for Compensation required. (The application must specify the person to receive compensation and the amount(s) requested.) Also upload e-order and relate it to the Application.

**Note:** Entry of an order approving employment (if applicable) is generally required prior to consideration of an application for compensation.

### **Filing Instructions:**

- Select or Add the party seeking compensation.
- Browse for PDF, add any attachments, and click Next.
- The Filer **MUST** enter the Fee and Expense amounts when prompted.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

The Court will issue a Hearing Notice to the Filer. The Court will also issue an Order Directing the Filer to File a Certificate of Service providing two deadlines: (1) the deadline to serve all parties and (2) the deadline to file the certificate of service.

The filer must **serve** the **Hearing Notice and Application for Compensation** to all creditors. The filer must **file/docket** the Certificate of Service with a copy of the Hearing Notice and Application for Compensation attached.

**Note:** Failure to comply with the two deadlines in the Order Directing the Filer to File a Certificate of Service may result in a court order striking the motion.



## RESPONSES AND OBJECTIONS

### Response

Docket Event: *Bankruptcy > Answer/Response > Reference an Existing Motion/Application*

**Filing Requirements:** Response and Certificate of Service required.

- Choose Response (not Objection) when responding to a pending motion or other pleading.
- Select or Add the party responding.
- Browse for PDF, add any attachments, and click Next.
- Select the filing to which the response relates.
- Review the docket text for accuracy and click Next until you receive a Notice of Electronic Filing.

### Objection to Mortgage Payment Change

Docket Event: *Bankruptcy > Other > Objection to Mortgage Payment Change/Postpetition Fees*

**Filing Requirements and Instructions:** Objection to Mortgage Payment Change/Post-Petition Fees and Certificate of Service required.

**Note:** Filer must relate/link the objection to the Notice of Mortgage Payment Change to which the objection is filed.

### Objection to Claim

Docket Event: *Bankruptcy > Claim Actions > Objection to Claim*

**Filing Requirements and Instructions:** Objection, 30-day Notice and Certificate of Service required. (See 30-Day Notice of Objection to Claim form on court's website.)

## OTHER COMMON FILINGS

### Certificate of Service

Docket Event: *Bankruptcy > Other > Certificate of Service*

**Filing Requirements and Instructions:** The **Certificate of Service** should be dated the date the documents were served and include the following:

- The **names** of the parties served;
- The **manner of service** (whether by mail or electronically);
- The **address(es)** of parties served **by mail**;
- If served **electronically**, notate parties served **via CM/ECF** (for registered filers only) or include **email address** if served via email; and
- A copy of **all documents served** (e.g., the pleading and court notice issued) must be attached.

When asked if the Certificate of Service is related to an event, select the event to which the Certificate of Service corresponds.

### Reaffirmation Agreement

**If Signed by Counsel for Debtor(s):**

Docket Event: *Bankruptcy > Other > Reaffirmation Agreement*

**Filing Requirements and Instructions:** Reaffirmation Agreement including Coversheet required. All parties involved must sign and date the reaffirmation agreement. All parts must be completed and submitted.

**If NOT Signed by Counsel for Debtor(s):**

Docket Event: *Bankruptcy > Other > Reaffirmation Agreement (Pro Se)*

**Filing Requirements and Instructions:** Reaffirmation Agreement including Coversheet required. All parties involved must sign and date the reaffirmation agreement. All parts (except attorney certification) must be completed and included.

## SUBMITTING PROPOSED ORDERS

### Proposed Order Upload (e-Orders)

#### **Docket Event: *Bankruptcy > Order Upload***

Local Bankruptcy Rules require ECF users to submit a proposed order when a motion/application is filed. (See Miss. Bankr. L. R. 5005-1(a)(2)(D)). If a hearing is scheduled, a proposed order is due within 14 days of hearing dates.

**Order Requirements:** All proposed orders must comply with the following:

Document Size: 8½ x 11 standard paper size; not to exceed 100 MB.

<u>Margins:</u>	<u>First Page</u>	<u>Subsequent Pages</u>
	3" Top	1" Top
	1" Bottom	1" Bottom

End of Order: Leave one blank line after the last paragraph in the order. The next line should only contain **##END OF ORDER##** in the center.

Only signatures (if applicable) and the submitter's information should be below this text. Do not include a signature line for the judge.

No Attachments: Orders must be submitted as one PDF. Do not upload attachments/exhibits to orders.

### Order Upload Options

**Single Order Upload** – Use when the proposed order is related to a document/pleading filed in the case. Always use if the order will resolve a pending matter.

**Sua Sponte Order Upload** – Use when the proposed order is not related to a document/pleading filed in the case. This is often used when agreed orders are submitted in lieu of filing a motion (e.g., agreed orders lifting the automatic stay).

### Order Types

ORDER TYPES	
Ex Parte (No Hearing Required)	Proposed order on a pleading that does not require a hearing;
Agreed Order	Proposed order signed by all parties. Hearing was not scheduled or not held;
Noticed/No Response	Pleading and response/objection deadline were properly noticed and no response was filed;
Hearing Held	Proposed order results from a hearing held on the pleading;
Hearing Scheduled	Proposed order resolves pleading set for hearing;
Other	Any other type of order;

### Single Order Upload

- If the related document number is unknown, leave blank and click Next to search for the document.
- You must select at least one **Category**. Use the Ctrl key to select more than one category.
  - You may also search within a range of **Dates Filed** and/or **Document Numbers**.
- Check the box next to the related document.
- Select **Order Type** (see table above) and **Hearing Date** (if applicable).
- If you receive a **Warning** that an order already exists for the document, select **Replace the Order**. Do not upload another order if the subsequent order should be entered instead.

### Sua Sponte Order Upload

- Select **Order Type** (see table above) and **Hearing Date** (if applicable).
- **Order Description** = **Sua Sponte** (unless other option is applicable).

### Check Status of Proposed Order

From CM/ECF Menu select **Utilities > Order Query**.

ORDER STATUS	
Being Processed	Order awaiting review and/or entry;
Docketed	Order has been signed and docketed;
No Action Taken	Order was replaced or disapproved;

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## ADVERSARY PROCEEDINGS

### File a Complaint

**Filing Requirements and Instructions:** Complaint, Filing Fee (if applicable) and Corporate Ownership Statement (if applicable) required.

Follow these steps to open an adversary proceeding and file a complaint:

1. **Docket Event: Adversary > Open Adversary Proceeding.**
2. Input Case Data: **Complaint** value = **y**.
3. Input Associated Case information:
  - **Lead Case Number:** Input related bankruptcy case number.
  - **Association Type** = Adversary.
4. The Judge Assignment screen appears. Click Next.
5. Select or Add the **Plaintiff(s) Information**.
  - The Plaintiff's **Name** and **Role in Bankruptcy Case** are required (e.g., debtor, creditor, trustee, etc.).
    - i. Do not input information in the County, Phone, Fax, Email or Party Text fields.
  - If applicable, select *Alias* and/or *Corporate Parent/Affiliate* to enter information.
  - Click Submit and repeat steps above until all Plaintiffs have been added. Then click *End Plaintiff Selection*.
6. Select or Add the **Defendant(s) Information**.
  - The Defendant's **Name** and **Role in Bankruptcy Case** are required (e.g., debtor, creditor, trustee, etc.).
    - i. Do not input information in the County, Phone, Fax, Email or Party Text fields.
  - If applicable, select *Alias* and/or *Corporate Parent/Affiliate* to enter information.
  - Click Submit and repeat steps above until all Defendants have been added. Then click *End Defendant Selection*.
7. Input **Adversary Statistical information**:
  - Select the appropriate **Party Code**, **Rule 23 (class action)**, **Jury Demand** and **State Law** options from the drop-down lists.
  - **Demand** – If there is a dollar demand, enter the amount in thousands to the nearest thousand. For example, 5 = \$5000; 50 = \$50,000.
  - **Primary Nature of Suit** – Select up to five from the drop-down list.

8. Browse for PDF, add any attachments, and click Next.
9. Two questions will appear regarding **Fee Deferment/Exemption**. Read these questions carefully. If the plaintiff is not eligible for deferment or exemption, leave the default of **n** (no) and click Next.

**Note:** A motion must be filed to seek deferment of the filing fee. No motion is required if the plaintiff is eligible for an exemption.

10. The **Filing Fee** screen will appear (unless you answered y in 9 above).
11. Review the docket text for accuracy and click Next until you receive a **Notice of Electronic Filing**.
  - The adversary proceeding number assigned will appear on this screen along with the main bankruptcy case number.
  - The adversary proceeding filing information will automatically populate to the main bankruptcy case.

### **Issuance and Service of Summons**

The Clerk's Office will issue ONE Summons to the Filer to be used for all Defendants.

- A copy of the Summons and Complaint must be served upon each named Defendant (and any other parties required to be served) within **7 days** of issuance of the summons.
  - Review Fed. R. Bankr. P. 7004 for service requirements.
  - If service does not comply with Rule 7004, the filer should file a **Request for Alias Summons** for issuance of a subsequent (alias) summons. (See procedure below.)
- Complete the certificate of service (2<sup>nd</sup> page) issued with the summons. Copies may be used as needed to indicate proof of service to each party served.
  - Indicate clearly on the certificate of service if the defendant was served by serving an officer, registered agent, or attorney for defendant (e.g., John Doe c/o Jane Doe, Registered Agent, P. O. Box 1, City, ST Zip).
- File a copy of both pages of the summons for each defendant. See **Summons Service Executed**.

## Summons Service Executed

Docket Event: *Adversary > Summons Executed & Other Actions > Summons Service Executed*

### Filing Requirements:

- Copy of Summons with Completed Certificate of Service.

### Filing Instructions:

File a copy of both pages of the Summons as follows:

1. Browse for PDF, add any attachments, and click Next.
2. Select the **Defendant/Party** to whom the summons was served/executed and click Next.
3. Input the **Date** on which the party was served and click Next. (This date should match the service date on the certificate of service.)
4. Review the docket text for accuracy and click Next until you receive a **Notice of Electronic Filing**.

**Note:** If an Alias Summons was served, select “Alias” in the prefix dropdown menu of the docket text.

## Request for Alias Summons

Docket Event: *Adversary > Other > Request for Alias Summons*

### Filing Instructions:

- Select the party requesting the Alias Summons (this is not the party to be served) and click Next until you receive a Notice of Electronic Filing. No document is required.

## **Application to Clerk for Entry of Default**

**Docket Event:** *Adversary > Motion > Clerk's Entry of Default*

**Filing Requirements and Instructions:** Application to Clerk of Entry of Default is required. See court's website for required form.

A Clerk's Entry of Default will be docketed if the record reflects default by the defendant(s). A Notice of Deficiency and Denial of Application for Entry of Default will be docketed if the record does not clearly indicate default.

## **Motion for Default Judgment**

**Docket Event:** *Adversary > Motion > Default Judgment*

**Filing Requirements and Instructions:** Motion/Application for Default Judgment is required. See court's website for template (but not required) form. Also upload e-order and relate it to the Motion.

The Court will review and determine whether a hearing is necessary.