

Court Location and Contact Information

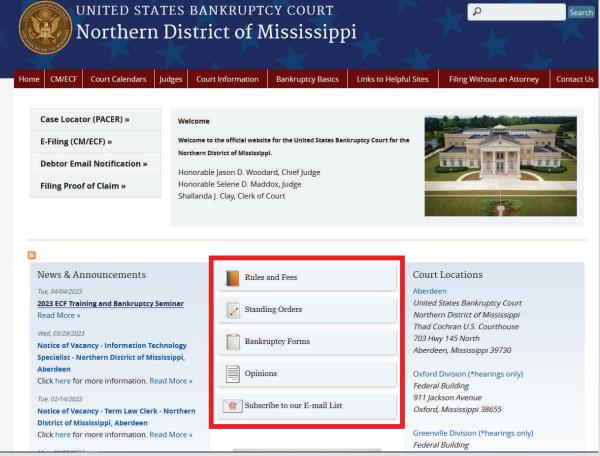
Office Location and Mailing Address: Cochran U. S. Bankruptcy Courthouse 703 Hwy. 145 North	Phone Numbers: Clerk's Office: (662) 369-2596
Aberdeen, MS 39730	
Hearing Locations	Judge Woodard: Chambers Line: (662) 369-2624
Cochran U. S. Bankruptcy Courthouse 703 Hwy. 145 North Aberdeen, MS 39730	 Settlement Line: (662) 369-2619
Federal Building 911 Jackson Avenue Oxford, MS 38655	 Judge Maddox: Chambers Line: (662) 369-8147 Settlement Line: (662) 369-9380
Federal Building 305 Main Street Greenville, MS 38701	

Resources Available on Court's Website

CHECK US OUT – <u>www.msnb.uscourts.gov</u>

- Bankruptcy Forms (Local Forms and Templates)
- Administrative Procedures for ECF
- Local Rules
- Standing Orders
- Court Calendars
- How to Report Settlements and Request Continuances
- Opinions
- ECF Training Material

Resources Available on Court's Website



Local Forms

- Notice to Added Creditor(s) (effective 12/10/2020)
- Notice to Added Creditor(s) Fillable Form (effective 12/10/2020)
 - ECF Instructions for Amending Creditor Matrix to Add Creditor(s)
 ECF Instructions for Amending Schedules D, E/F to Add Creditor(s)
- Adversary Proceeding Cover Sheet (Not required when the adversary proceeding is filed electronically.)
- Adversary Proceeding Pretrial Conference Documents (Judge Woodard)
 - Instructions for Pretrial Conference
 - Pretrial Order Form
- Application for Entry of Default
- Application for Default Judgment
- Ballot Summary & Certification (Ch. 11 cases)
 Certification and Motion for Chapter 13 Discharge
- Corporate Ownership Statement
- Declaration Re: Motion to Extend the Automatic Stay
- Declaration Re: Motion to Impose the Automatic Stay
- Notice and Motion for Entry of Order Declaring Lien Satisfied Rule 5009(d)
- Order Declaring Lien Satisfied Rule 5009(d)
- Disclosure of Pre-petition Fees (Rule 1006-1)
- Exigent Circumstances Certification
- Chapter 13 Confirmation Order
- Chapter 13 Plan Form (effective 12/1/2017)
- Notice of Filing Chapter 13 Plan (effective 12/1/2017)
- Sample Certificate of Service: Notice and Chapter 13 Plan (effective 12/1/2022)
- 30-Day Notice of Amended Chapter 13 Plan (effective 6/1/2018)
- Notice of Objection to Claim (effective 12/1/2017)
- Notice Regarding Corrected Social Security Number NOTE: This form is not for Privacy Act compliance.
- Objection to Secured Claim
- Order Avoiding Judicial Lien
- Order Avoiding Nonpossessory, Nonpurchase Money Lien
- Order Confirming Chapter 13 Plan
- Order Extending Stay
- Order Imposing Stay
- Order Granting Joint Administration
- Order Granting Motion to Lift Stay
- Order Granting Motion to Shorten Notice Time
 Order Resetting 341 and Resolving Show Cause Hearing
- Redaction of Previosly Filed Document
 - Motion to Redact Document Movant Filed Original Unredacted Document (effective 12/1/2019)
 - Order Granting Motion to Redact Document Movant Filed Original Unredacted Document (effective 12/1/2019)
 - Motion to Redact Document by Other Party Movant Did Not File Original Unredacted Document (effective 12/1/2019)
 - o Order Granting Motion to Redact Document by Other Party Movant Did Not File Original Unredacted Document (effective

12/1/2019) • Matrix

- Verification of Matrix
- Unclaimed Funds
 - Instructions for Application for Payment of Unclaimed Funds
 - Application for Payment of Unclaimed Funds (effective 12/1/2019)
 - Order Granting Application for Payment of Unclaimed Funds (effective 12/1/2019)

Voluntary Dismissal of Chapter 13 Case

- Debtor(s)' Motion to Dismiss Chapter 13 Case
 Order Dismissing Chapter 13 Case on Motion of Debtor(s)
 - order Dismissing Chapter 15 Case on Motion of Debtor(s)

Local Forms

General ECF and Court Information

Example of Required Local Form

Found on Bankruptcy Forms page

Order Granting Motion to Shorten Notice Time UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

IN RE:

[DEBTOR] [JOINT DEBTOR], Case No. XX-XXXXX-XXX

Debtor.

Chapter XX

ORDER GRANTING MOTION TO SHORTEN NOTICE TIME REGARDING [CORRESPONDING MOTION] (DKT. # X)

This matter is before the Court on the Motion to Shorten Notice Time regarding Debtor's¹ [CORRESPONDING MOTION], filed on [DATE] (the "Motion to Shorten") (Dkt. # X). The Court has reviewed the Motion to Shorten and finds it well-taken. Accordingly, is hereby

ORDERED, ADJUDGED, AND DECREED that the Motion to Shorten (Dkt. # X) is **GRANTED.** The Debtor shall serve a copy of the **[CORRESPONDING MOTION]** (Dkt. # X) and the Notice issued by the Court on all parties within three days of the entry of this Order, and the response deadline shall be the 13th day following entry of this Order.

##END OF ORDER##

¹ All references to "Debtor" shall refer to both debtors in a case filed jointly by two individuals.

Modified to fit on one page for TRAINING PURPOSES ONLY

Example of Required Local Form

Found on Bankruptcy Forms page

Order Avoiding Nonpossessory, Nonpurchase Money Lien UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

IN RE:

[DEBTOR] [JOINT DEBTOR],

Debtor.

Case No. XX-XXXXX-JDW

Chapter X

ORDER AVOIDING NONPOSSESSORY, NONPURCHASE MONEY LIEN (DKT. # X)

This matter comes before the Court on the above-referenced Debtor's¹ Motion to Avoid Nonpossessory. Nonpurchase Money Lien of [CREDITOR] (the "Creditor") pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 (the "Motion")(Dkt. # X). The Debtor has represented to the Court that all parties in interest were timely served with the Motion, and no party has objected to the relief requested in the Motion by the deadline set by the Court. Based on the Debtor's representations, the Court finds and concludes as follows:

- The Debtor exempted certain household goods of the type set forth in 11 U.S.C. § 522(f)(1)(B), as listed on Schedule C filed by the Debtor in this bankruptcy case. Movant may include the following language if they would like to list specific items of property [, specifically, LIST OF ITEMS]
- The existence of the Creditor's lien against the Debtor's property impairs exemptions to which the Debtor would be entitled under Title 85, Chapter 3 of the Mississippi Code and 11 U.S.C. § 522(b). Accordingly, it is hereby

ORDERED, ADJUGED AND DECREED that

- 1. The Motion is GRANTED.
- The nonpossessory, nonpurchase money lien held by the Creditor against the Debtor's ([exempt household goods of the type set forth in 11 U.S.C. § 522(f)(1)(B)] OR [list

specific items listed in paragraph 1, above]) is AVOIDED, and the lien is hereby extinguished as to that property and shall not survive bankruptcy, affix to, or remain enforceable against that property, unless this case is dismissed prior to entry of the Debtor's discharge.

3. To the extent the Creditor's lien is avoided by this Order, Creditor shall be treated as a

general unsecured creditor in this case.

##END OF ORDER##

Example of Required Local Form

Found on Bankruptcy Forms page

Application for Entry of Default

CLF 17 (Rev. 07-07-94)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

IN RE:

vs.

DEBTOR (S)

PLAINTIFF(S)

ADVERSARY PROCEEDING NO.

DEFENDANT (S)

CASE NO.

APPLICATION TO CLERK FOR ENTRY OF DEFAULT AND SUPPORTING AFFIDAVIT

TO THE CLERK OF THE UNITED STATES BANKRUPTCY COURT FOR THE NORTHERN DISTRICT OF MISSISSIPPI:

Pursuant to Rule 7055, Federal Rules of Bankruptcy Procedure, and Rule 55(a), Federal Rules of Civil Procedure, the Clerk of Court is hereby requested to enter default against defendant(s)

ATTORNEY OF RECORD FOR PLAINTIFF(S)

STATE OF MISSISSIPPI COUNTY OF

Affiant is attorney of record for plaintiff(s) and has personal knowledge of the facts set forth in this affidavit, and deposes: that the defendant(s) against whom entry of default is requested herein was/were duly served with a copy of the summons and a copy of the complaint on the date and in the manner described in the certification of service appended to the summons returned herein; that, unless otherwise alleged pursuant to 50 App. U.S.C., Sec. 520, the individual defendant(s) is/are not in military service; that, as required by Rule 7012(a), Federal Rules of Bankruptcy Procedure, more than 30 days (35 days if the United States or an officer or agency thereof was required to answer) have elapsed since the date of issuance of the summons herein; and that said defendant(s) has/have failed timely to serve an answer as required by Rule 7012, Federal Rules of Bankruptcy Procedure.

AFFIANT/ATTORNEY FOR PLAINTIFF(S)

SWORN TO AMD SUBSCRIBED before me on this the _____ day of

NOTARY PUBLIC

My Commission Expires:



CM/ECF Page

1-111 2	TATES BANKRUPTCY COURT Search						
e CM/ECF Court Calendars	Judges Court Information Bankruptcy Basics Links to Helpful Sites Filing Without an Attorney Contact U						
Training Material - Attorney for Debtor(s)	Home CM/ECF						
Training Material - Attorney for Creditor	The Court has upgraded to the Next Generation of CM/ECF (NextGen). NextGen provides ECF users						
ePOC (Electronic Proof of Claim) Procedure	access to both PACER and CM/ECF with one login and password (aka Central Sign On). PACER ACCOUNT REQUIRED TO E-FILE						
eFinCert (Electronic Financial Certificate)	All ECF users must login to an individual PACER account via <u>www.pacer.uscourts.gov</u> to e-file and to register to e-file in the Court's CM/ECF system. If you do not already have your own individual PACER						
e-Order Information Filing Agents	account, click here for instructions on how to register. Shared accounts cannot be used for ECF registration.						
LL1200 and an	For PACER assistance: Email: pacer@pcs.uscourts.gov a; Phone: 800-676-6856						
	Click here for Attorney ECF Registration Instructions. Click here for Limited User (Non-Attorney) ECF Registration Instructions.						
	If you were an ECF filer in this Court prior to the NextGen upgrade on April 27, 2020, you must link your existing CM/ECF account with your upgraded individual PACER account to continue to e-file. See the "Move to NextGen CM/ECF" information at www.pacer.uscourts.gov for instructions. A new registration to e-file will be rejected.						
(LOCAL RULES AND ADMINISTRATIVE PROCEDURES						
	All CM/ECF users are required to comply with the Court's local rules and administrative procedure which are available at the links below:						
	Administrative Procedures for ECF System						
	Uniform Local Rules of the U.S. Bankruptcy Courts for the Northern and Southern Districts of Mississippi						

Administrative Procedures for ECF

- Governs electronic filing in our court;
- Document size and formatting requirements;
- Certificate of Service requirements;
- Signature requirements;
- Instructions for documents to be Filed Under Seal;
 - Exception to mandatory electronic filing
- Requirement to Maintain Your ECF Account

Local Rules and Standing Orders

- Is there a local rule and/or standing order governing your filing?
 - E.g., Specific filings, expedited or emergency matters, noticing requirements, etc.
- Mandatory electronic filing for attorneys;
- Use of ECF login and password constitutes an attorney's "signature"—MUST match the electronic signature displayed on the filing;
- Requirement to submit proposed orders;

Standing Orders

General ECF and Court Information

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

STANDING ORDER DELEGATING CERTAIN NOTICING RESPONSIBILITIES

WHEREAS, Rule 2002, Rules 9013 and 9014, Federal Rules of Bankruptcy Procedure, and certain other provisions of law and language included in the Federal Rules of Bankruptcy Procedure authorize this Court to delegate certain noticing responsibilities as the Court may direct; it is

ORDERED as follows:

(1) The plan proponent in a Chapter 11 case shall give the debtor, the trustee, the U.S. Trustee, all creditors and indenture trustees no less than 28 days notice of (a) the time fixed for filing objections and the hearing date to consider approval of a **disclosure statement**; and (b) the time fixed for filing objections and hearing date regarding **confirmation of a plan**;

(2) In all cases, the moving party shall give the debtor, the trustee, the U.S. Trustee, all creditors and indenture trustees not less than 21 days notice of (a) a proposed use, sale or lease of property of the estate other than in the ordinary course of business, unless the court for cause shown shortens the time or directs another method of giving notice; (b) the hearing on approval of a compromise or settlement of a controversy, unless the court for cause shown directs that notice not be sent; (c) the hearing on dismissal or conversion of a case to another chapter; (d) the time fixed to accept or reject a proposed modification of a plan; and (e) hearings on all applications for compensation or reimbursement of expense totaling in excess of \$1000;

(3) In all cases, the moving party shall give the debtor, the trustee, the U.S. Trustee, all creditors and indenture trustees (except as otherwise expressly provided by law, Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules, or another order of this court), not less than 21 days notice of the date when objections must be filed in all contested matters (i.e., all matters other than adversary proceedings) except as to motions for relief from the automatic stay under 11 U.S.C. Sec. 362 and motions to avoid liens under 11 U.S.C. Sec 522(f); and

(4) Within seven (7) business days from the issuance of the appropriate Notice of Motion for Relief from Stay or for Adequate Protection in a Chapter 11 case, the moving party shall serve a copy of the Chapter 11 Motion, along with said Notice, upon the debtor, the attorney of record for the debtor, the trustee, if any, the U.S. Trustee, all holders of liens on any property as to which relief is sought, all members of the unsecured creditors' committee, if any, and the attorney for said committee, if any. A copy of said motion and said notice of hearing shall be served on the twenty (20) largest unsecured creditors if there is no unsecured creditors' committee.

The moving party in paragraphs (1), (2), (3) and (4) shall file in the office of the Clerk of this court, within seven (7) business days from the date of the issuance of said notice, a certificate of service, with a copy of the materials served, that states upon whom the materials were served and the date of service. It is the responsibility of the moving party, not the Clerk of this court, to ascertain the names and addresses of the parties to be served.

DATED: February 1, 2010

Entored 2. 1-10 at P.M. United States Dankrupicy Court Northern District of Mississippi David J. Puddister, Clark

DAVID W. HOUSTON, III JUDGE, U.S. BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

Court Calendars Page

- To view the official court docket (used by judge during court proceedings:
 - Select the judge's calendars > Select the court date;
 - A PDF of the judge's court docket will display;

2/201/11/2			BANKRUPT Strict of N	cy court Aississipp	pi	A P	Search
Home CM/ECF	Court Calendars	Judges	Court Information	Bankruptcy Basics	Links to Helpful Sites	Filing Without an Attorne	y Contact Us
ChapMobile	Арр	Home					
Interactive P	ublic Calendar	Cou	ırt Calendars				
Judge Wooda	ard Calendars						
Judge Maddo	ox Calendars						
	ettlements and Continuances						
Requesting c	continuances						
						(General C

Court Calendars Page REPORTING SETTLEMENTS

- Judge Maddox's Settlement Line: 662-369-9380
- Judge Woodard's Settlement Line: 662-369-2619
- DO NOT leave message on individual voicemailbox of court personnel. (Do not call the courtroom deputy's direct line.)
- Leave a message including:
 - Date of Hearing;
 - Case Name;
 - Case Number;
 - Calendar Page if available;
 - Party Responsible for Submitting Order; and
 - · Caller's Name and Phone Number.

Court Calendars Page REQUESTING CONTINUANCES

- Contact the judge's chambers to request continuance
 - Judge Maddox: 662-369-8147;
 - Judge Woodard: 662-369-2624;
- DO NOT leave message on individual voicemailbox of court personnel. (Do not call the courtroom deputy's direct line.)
- If opposing parties do not agree to the continuance, <u>a</u> motion must be filed.

Court Calendars: Settlements & Continuances

General Court and ECF Information

UNITED STATES BANKRUPTCY COURT 0 Northern District of Mississippi lome CM/ECF Court Calendars Judges Court Information Bankruptcy Basics Links to Helpful Sites Filing Without an Attorney Contact Us ChapMobile App Home » Court Calendars Interactive Public Calendar **Reporting Settlements and Requesting Continuances** Judge Woodard Calendars The court's procedures for reporting a settlement and requesting a continuance are described in detail below. Please note that the deadline to report a settlement or request a continuance is before noon on the business day prior to the scheduled Judge Maddox Calendars hearing. Otherwise, the matter will be called for hearing in open court. Reporting Settlements and Requesting Continuances **REPORTING SETTLEMENTS**

Parties may notify the court that a matter set for hearing has been settled by using the settlement call-in message system (hereafter referred to as the "settlement line") for the appropriate judge. To report a settlement <u>before the deadline referenced</u> <u>above</u>, please dial the judge's settlement line number listed below:

- Judge Maddox's Settlement Line: (662) 369-9380;
- Judge Woodard's Settlement Line: (662) 369-2619;

Your message should be less than five minutes and include the following information:

- Date of Hearing;
- Case Name;
- Case Number;
- Judge's calendar page if available;
- · Party responsible for submitting the order; and
- · Caller's name and phone number.

Calls regarding settlements will not be returned unless additional information is needed. Do not use the above settlement line numbers to request a continuance. Instead, see the information below.

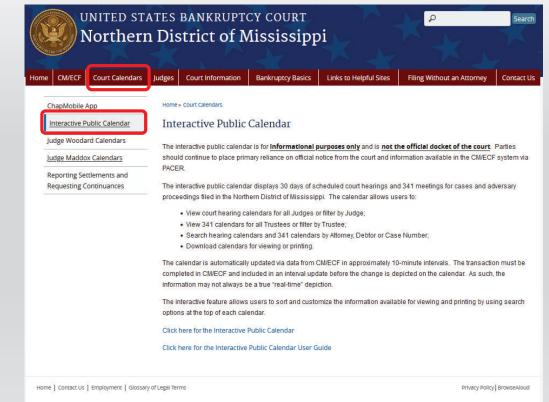
REQUESTING CONTINUANCES

Parties may request that a matter set for hearing be continued to a later date by calling the chambers line for the appropriate judge. Please note that if all parties do not agree to continue the matter, a motion must be filed by the requesting party. To request a continuance <u>before the deadline referenced above</u>, dial the judge's chambers line listed below:

- Judge Maddox's Chambers: (662) 369-8147;
- Judge Woodard's Chambers: (662) 369-2624;

Interactive Public Calendar

- Displays 30 days of scheduled court hearings and 341 meetings;
- View court hearing calendars;
- View 341 calendars;
- Search hearing calendars and 341 calendars by Attorney, Debtor, or Case Number;
- Download calendars for viewing or printing.



Interactive Public Calendar

ර හි	Interactive Public Calendar 34				1 CALENDAR	Q	
		← ™	, NOV 8, 2022 TOD	AY >			Â
	ATTORNEY SEAR	RCH SEARCH	BY DEBTOR NAME	SEARCH BY	CASE NUMBER		
Q Filter Ju	Q Filter Judge (3 character minimum)						
Sun	Mon	Tue	Wed	Thu	Fri	Sat	
30	31	1 •	2	3	4	5	
6	7	8	9	10 •	11	12	
13	14	15 •	16		18	19	
20	21	22 •	23	24	25	26	
27	28	29	30		2	3	
4	5	6	7	8	9	10	
	10:29 - JASON D. WOODARD - OXFORD FEDERAL BUILDING						

The interactive public calendar will not display the Hearing Calendar and the 341 Calendar simultaneously. The Hearing Calendar is the home (default) screen.

To view the 341 Calendar, click the 341 Calendar link in the upper right corner.

Click the back arrow in the top left corner to return to the Hearing Calendar.



ChapMobile App

- **Hearing Calendar**: Displays hearing data by judge. Search by Debtor or Case Number.
- **341 Calendar**: Displays 341 meetings by trustee. Search by Debtor, Case Number or Attorney.
- Attorney Search: Search by attorney name to view upcoming hearings.
- **My Lists**: Displays personalized lists of Attorneys, Debtors, and Case Numbers for quick access to scheduled hearings and 341 meetings.
- **Locations**: View court hearing locations, contact information and website.
- **Settings**: Reset preferences and view app information.



Clerk's Office

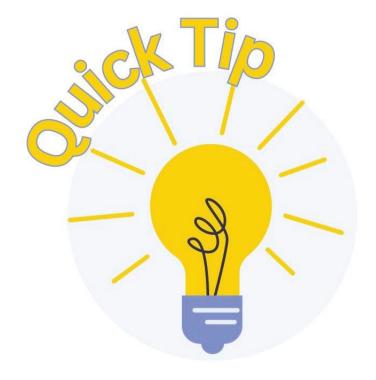
OFFICIAL CUSTODIAN OF RECORDS AND CASE DOCKETS

- Case Management—review and process filings
- Automated and deadline-driven workflow

CASE MANAGEMENT TOOLS

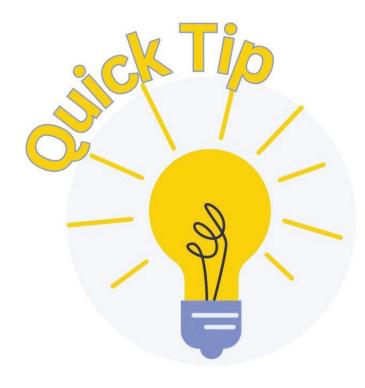
- Request for Corrective Action (Clerk's Office and Law Clerks)
 - Clerk's Office Incorrect Case Information or Procedural Deficiencies
 - Law Clerks Substantive Issues with Proposed Order
- Order to Submit Proposed Order
 - Default Occurs; No Proposed Order Submitted with Pleading
- Notice to Resubmit Order
 - Incorrect Case Information, Formatting Issues, or Other Procedural Issues

Monitor your deadlines!!!



Can't meet a deadline? File a motion to extend time—no phone requests!!!

Order denying or dismissing your request (or case) may be entered once deadline expires.



Read the prompts on your screen!!! Provide ALL required information!!! DO NOT click "Next" unless you have complied with these two things.

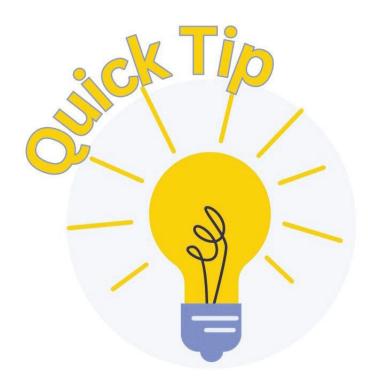
Clerk's Office

CONTACT US

- Do not hesitate to call us with questions.
 - Received a corrective action notice that you don't understand?
 - Not sure of appropriate event for your filing?

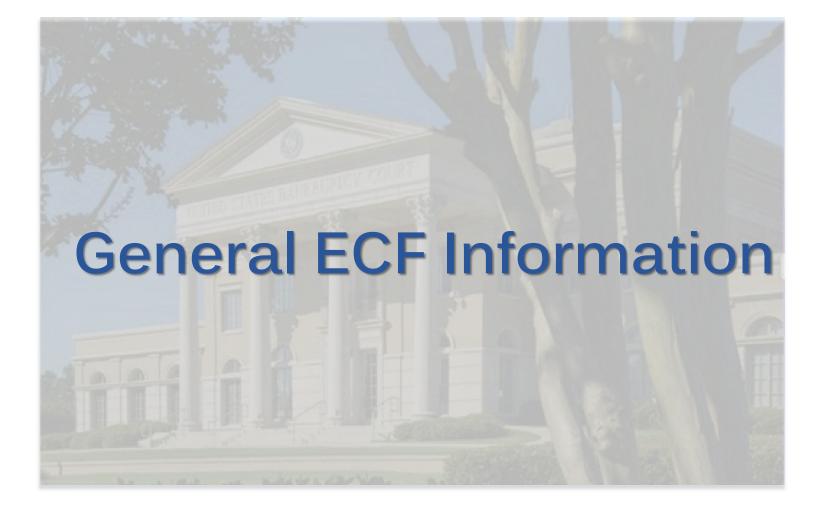
REMINDERS—

- Personnel in the clerk's office cannot give legal advice.
- We will assist with procedural questions if/when we can.
- Lots of gray area in between:
 - Most procedures stem from requirements of the Bankruptcy Code and/or Rules.



The filer is responsible for determining the parties to be served.

Do not contact the clerk's office to ask about service requirements.



General ECF Information PACER vs. ECF

- PACER Public Access to [ALL] Court Electronic Records
- ECF Court's electronic case files system—allows users to e-file in a specific court
- Individual PACER account required—no longer "shared" accounts
- One login Access PACER and ECF System

MAINTAIN YOUR ACCOUNT

- User is responsible for updating account information in PACER and ECF System
- Review and update when changes occur (e.g., relocation, staffing changes, new email address, etc.)
 - Name
 - Address
 - Phone Number
 - Primary Email Address
 - Secondary Email Address(es)

MAINTAIN YOUR PACER ACCOUNT

- Review and make changes to PACER account at <u>www.pacer.uscourts.gov</u>.
- Select Manage Your Account > Manage My Account Login > Maintenance Tab



MAINTAIN YOUR ECF ACCOUNT

- Login to Court's ECF System to review and make changes under Utilities > Maintain Your ECF Account
 - Select *Email Information* to add secondary email address(es) and set notification preferences
 - Select *Return to Account Screen*, then *Submit* to save changes

General ECF Information MAINTAIN YOUR ECF ACCOUNT

Maintain User Accourt	nt		Email information for Eight Attorney
		and a same to the	Primary Update my primary email address
	<u>1</u>	dit my name and address information	email address
Last name	Attorney First	name Eight	Secondary
Middle name	Gene	ration	email attorneyeight@gmail.com secondary attorneyeight@gmail.com paraglegalforattyeight@gmail.com
Title		Type aty	address attorneyeight@yahoo.com email attorneyeight@yahoo.com address
Office	Add	Headers to PDF Documents	Enable confirmation of Free Look Use to verify your one free look will be used when a document link is clicked from CM/ECF
Address 1	Eight Attorney Lane		emails (NEFs).
Address 2			Send the notices specified below
Address 3			🔽 to my primary email address
City	Aberdeen	State MS	To the secondary addresses
Country		ounty	Send notices in cases in which I am involved
Phone		Fax	Send notices in these additional cases
Alternate Phone	Text	Phone	• Send notices for adversary proceedings in which I am directly involved and for their related bankruptcy cases
Bar ID	Bar	status	• Send notices for adversary proceedings in which I am directly involved but not for their related bankruptcy cases
Initials		DOB	You may receive notices for some bankruptcy cases if it is required by the Clerk of Court.
Person end date			⊙ Send a notice for each filing
	Mana unan iafan making		Send a Daily Summary Report
Email information	More user information		
			Format notices O HTML
Submit	Clear		○ Text
			Return to Account screen Clear

General ECF Information REDACTION

- Filing party is responsible for redacting private information:
 - Social Security Number or Tax Identification Number
 - Date of Birth
 - Name of a Minor
 - Financial Account Number
- ECF Filing Generally = Instant Public Access!!!
- See Administrative Procedures for ECF for instructions on documents to be <u>filed under seal</u>.

TIMELY PAYMENT OF FEES REQUIRED

- Fees are due same day as ECF filing;
- Failure to timely pay or seek court approval (an order) for alternate payment arrangement...
 - E-filing privileges will be revoked until fees are paid.
- Contact court to prevent duplicative fee payment (e.g., re-filing a document for which fee has been paid);
- If duplicative fee is paid, a motion/order for refund is required;

General ECF Information WHEN ARE FEES NOT REQUIRED

• Fee is EXEMPT

- Debtor files a motion to reopen a case solely to file an action related to discharge;
- Debtor filed an adversary complaint;
- Fee is DEFERRED
 - Only the Trustee may seek to defer a fee for certain filings
- Fee is WAIVED
 - Debtor files an application to waive a filing fee (e.g., Chapter 7 filing fee waived due to insufficient income based on poverty level);

FORMATTING AND SIZE REQUIREMENTS

- PDF format only
 - PDF should be flattened
- Conform to 8¹/₂ x 11 standard size

CM/ECF MENU

CMmECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

DOCKET EVENT

- Order of ECF menu selections for each filing
 - Bankruptcy > Motions/Applications > Relief from Stay (Fee)

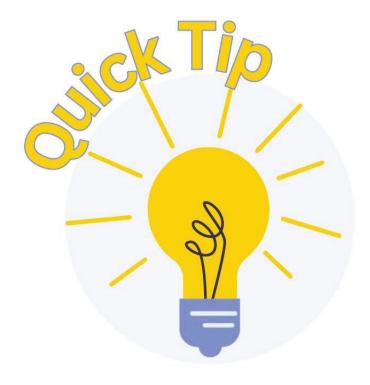
How to Create a Flattened PDF

Convert a Word Document to a Flattened PDF Format:

• File > Print > Print to PDF > Name and Save the file to PDF format.

Flatten a Document Saved in PDF Format:

- File > Print > Print to PDF > Print > Name and Save the file.
- This is required for fillable PDF forms to "lock" the form—prevents further editing.



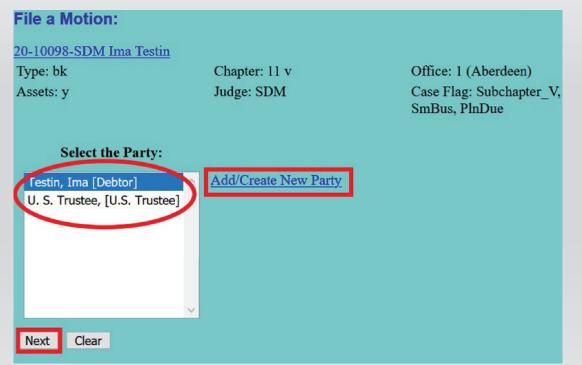
HOW TO SEARCH AND SELECT MULTIPLE EVENTS

To Search and Select Event(s):	Multiple Events:
find an event. Click on the name to	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 I	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 (cli	ck to select events)	Selected Events (click to remove events)
Relief from Stay (Agree	d with DB Relinquish/TR Abandon) d, No Fee & No Objection Deadline) otor or Child Support, No Fee)	Relief from Stay (Fee) Abandon (No Fee) Relief from Stay (Codebtor or Child Support, No Fee)
Next Clear		
		General Court and ECF Information

General ECF Information HOW TO SELECT THE PARTY

- Choose or add party usually the party represented by the filing attorney.
- Party not listed? Add/Create New Party to search.



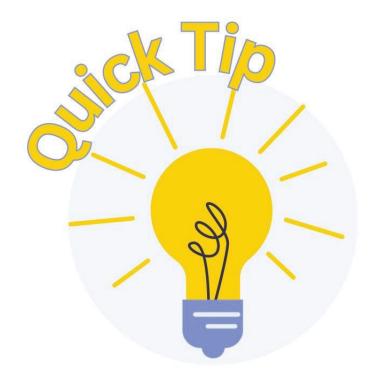
General Court and ECF Information

General Printed Material/Slideshow Information

If the Certificate of Service is listed as a "Filing Requirement," it should be filed initially with the pleading as one PDF.

If the Certificate of Service is in the "What Happens Next?" section, it will be filed after the court issues some type of notice, using the Certificate of Service docket event.

Bankruptcy > Other > Certificate of Service



Notice of Default or Noncompliance Pursuant to Order FILING REQUIREMENTS

- Notice
- Certificate of Service

WHAT HAPPENS NEXT?

- No action taken unless a response is filed.
- Court will <u>issue and serve</u> Hearing Notice to interested parties if response is filed.



Motion to Suspend Plan Payments

FILING REQUIREMENTS

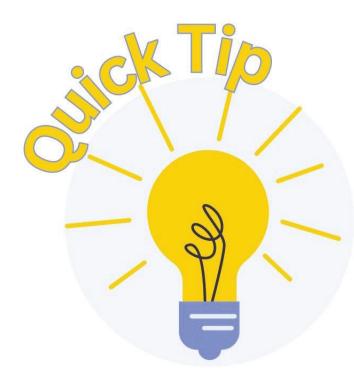
- Motion
- Upload proposed order

WHAT HAPPENS NEXT?

- Hearing Notice Issued
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Motion, then files Certificate of Service with the court

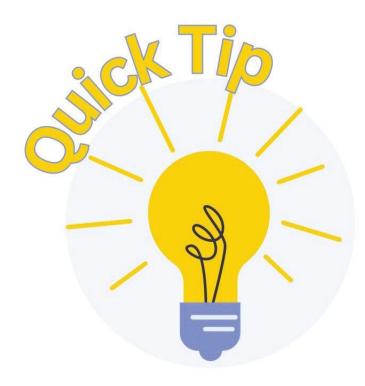






Documents that must be filed separately are notated with an asterisk (*).

All other documents can be filed with the Voluntary Petition as one PDF document.



These checklists are included in your Attorney for Debtor Training Material and on the Court's website.

DOCUMENTS DUE AT TIME OF CASE OPENING:

- Voluntary Petition for Individuals
- List of Creditors/Creditor Matrix
- Verification of Matrix
- Statement About Your Social Security Numbers*
- Certificate of Credit Counseling (or certificate pursuant to 11 U.S.C. § 109(h)(3))*

* Document must be filed as separate PDF and docket event Case Openings and Related Filings

DOCUMENTS DUE AT TIME OF CASE OPENING – IF APPLICABLE:

- Application to Pay Filing Fee in Installments*
 - Disclosure of Pre-Petition Fees Paid by Debtor to Debtor's Counsel (see form on court's website)
- Initial Statement About Eviction Judgment Against You*

DOCUMENTS DUE WITHIN 14 DAYS OF FILING PETITION :

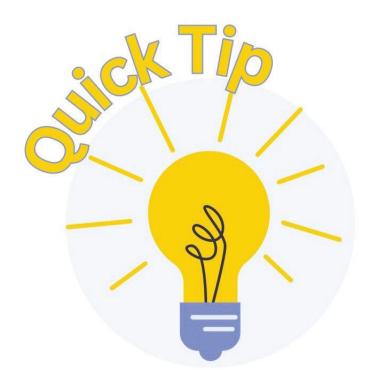
- Summary of Your Assets and Liabilities and Certain Statistical Information
- Declaration About an Individual Debtor's Schedules
- Statement of Financial Affairs for Individuals Filing for Bankruptcy
- Disclosure of Compensation of Attorney Debtor
- Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period*
 - Chapter 13 Calculation of Your Disposable Income (if applicable)
- Chapter 13 Plan and Motions for Valuation and Lien Avoidance*

* Document must be filed as separate PDF and docket event

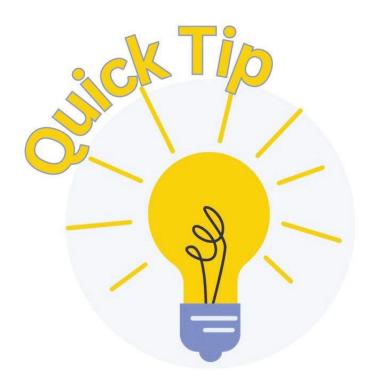
DOCUMENTS DUE WITHIN 14 DAYS OF FILING PETITION :

- 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)

*Document must be filed as separate PDF and docket event



Failure to timely file required documents may result in dismissal of the bankruptcy case.

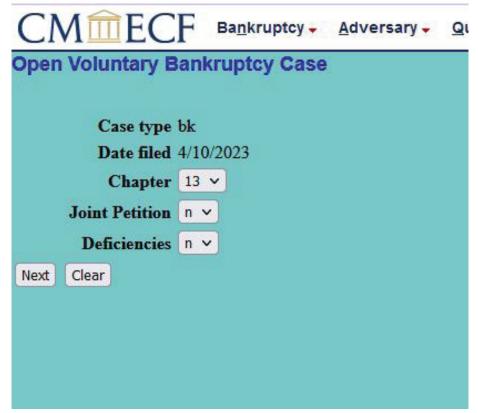


Conventional filing procedures may not be applicable for ECF filers using bankruptcy software that will automatically upload and file/open bankruptcy cases.

Docket Event CMmECF Bankruptcy - Adversary - Query Reports - Utilities - Search Help Log Out **Bankruptcy Events** Answer/Response... Appeal Claim Actions Creditor Maintenance... File Claims Motions/Applications Notices **Open Voluntary BK Case** Open Involuntary BK Case Other Plan Judge/Trustee Assignment Case Upload Mailing Matrix by Case Order Upload

Opening Chapter 13 Case

- Select case and whether filing a Joint Petition.
- Select whether Deficiencies exist.
 - If all required documents will be filed along with Voluntary Petition, select n.
 - If all required schedules and documents will be filed at a later date, select y.



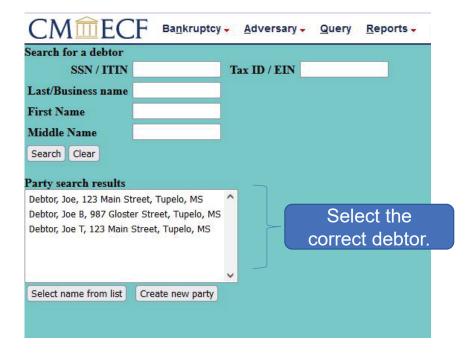
Case Openings and Related Filings

Searching for Debtor in Database

CMmEC	EF Bankruptcy	✓ <u>A</u> dversary <u>Query Reports</u> <u>U</u> tilities <u>Search</u> Help	Log Out
Open Voluntary E	Bankruptcy Cas	Se	
Search for a debtor			
SSN / ITIN	000-00-0000	Tax ID / EIN	
Last/Business name	Debtor	Search database for debtor via	
First Name	Joe	Social Security Number, name, or	
Middle Name	т.	Tax ID.	
Search Clear			

Searching for Debtor in Database

Debtor Found in Database



Debtor Not Found in Database





Creating New Party

Opening Chapter 13 Case

CMmecf	Ba <u>n</u> kruptcy <mark>→</mark>	Adversary -	<u>Q</u> uery	<u>R</u> eports -	Utilities -	Sear <u>c</u> h	Help	Log	
Open Voluntary Bank	ruptcy Case	•							
Nature	e status Paid of debt notice yes editors	 ✓ ✓ ✓ 	~ ~	 In C P C Nature H S R S C C 	of debtor ndividual corporation (i artnership Other e of business lealth Care B ingle Asset F ailroad tockbroker commodity B clearing Bank lone of the al	s Business Real Estate Broker	, ndicat	e ca	se-specific information down menus and radio buttons.
Next Clear									

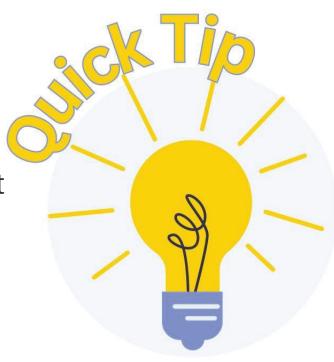
Opening Chapter 13 Case

Next Clear

Dpen Voluntary Bankruptcy Case Prior filing within last 8 years no Fee status Paid Paid O Individual Corporation (includes LLC & LLP) Nature of debt Partnership Other Partnership Asset notice Yes Estimated number of creditors Health Care Business Single Asset Real Estate Railroad Stockbroker Commodity Broker Clearing Bank None of the above		ptcy - <u>A</u> dversary -	<u>Q</u> uery	<u>Reports</u> -	Utilities -	Sear <u>c</u> h	Help	Log	
 Free status Paid Corporation (includes LLC & LLP) Nature of debt Corporation (includes LLC & LLP) Partnership Other Nature of business Single Asset Real Estate Railroad Stockbroker Commodity Broker Clearing Bank None of the above 	Open Voluntary Bankruptc	y Case							
Nature of debt Corporation (includes LLC & LLP) Select "Paid" if the filing fee will be paid at time of case opening. Asset notice yes Nature of business Other Description (includes LLC & LLP) Select "Paid" if the filing fee will be paid at time of case opening. Estimated number of creditors Nature of business Other Estimated assets Select "Installment" Estimated liabilities Stockbroker Select "Installment" Clearing Bank None of the above None of the above Nature of the above	•			8. 5 .					
Estimated number of creditors Health Care Business Single Asset Real Estate Single Asset Real Estate Railroad Stockbroker Commodity Broker Clearing Bank None of the above opening.	Nature of debt	~		O Pa	artnership	ncludes L	LC & L.	LP)	filing fee will be
Estimated assets Railroad Stockbroker Stockbroker Commodity Broker Clearing Bank None of the above Select "Installment"				О Н	ealth Care B	usiness			
O Clearing Bank O None of the above				 R St 	ailroad tockbroker				
				O C	learing Bank				Installments will be

During case opening:

- Failure to select *Installment* as the "Fee Status" will result in the entire filing fee being charged to your ECF account.
- The filing fee amount input on a later screen must match the initial amount shown on the application to pay the fee in installments.
- Failure to input and pay the correct amount during case opening will result in your ECF account being locked for delinquent fees.



Statistical Information

- If Schedules have been completed at the time of case opening, input totals from your completed forms.
- If Schedules have not been completed and you are filing an incomplete or "emergency" filing, leave statistical information blank – do not input zeros.

CMmECF	Ba <u>n</u> kruptcy -	<u>A</u> dversary -	Query	Reports -	Utilities 🗸	Sear <u>c</u> h	Help	Log Out	
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Open Voluntary Bankruptcy Case

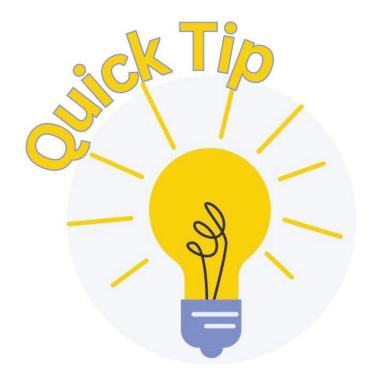
New Statistical Reporting Requirements: You Are Now Required to Input Totals From Schedules A/B,D,E/F,I,J,J-2, Current M

Summary of Assets and Liabilities and Certain Statistical Information

Report the totals from Schedules A/B, D, E/F, I, J, Forms 122, and Nondischargeable Debt in the boxes provided.

NAME OF SCHEDULE/FORM	ASSETS	LIABILITIES	OTHER
Schedule A/B - Total Real Estate/Property			
Schedule A/B - Total Personal Property			
Schedule D - Total Secured Claims			
Schedule E/F - Total Priority Unsecured Claims			
Schedule E/F - Total Nonpriority Unsecured Claims			
Schedule I - Monthly Income			
Schedule J - Monthly Expenses			6
Current Monthly Income (Official Form 122A-1, 122B or 122C-1)			
Total Nondischargeable Debt (Official Form 106Sum, 9g)			
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E/F, or total nondischargeable debt is not known			

Next Clear



If you are *NOT* filing schedules at the time of case opening, <u>be sure to</u> complete the statistical information upon filing of schedules.

Statistical Information

CMmECF Bankruptcy - Adversary - Qu	ery <u>R</u> eports -	<u>U</u> tilities 🗸 🖇	Sear <u>c</u> h	Help	Log Out
Open Voluntary Bankruptcy Case					
Schedules					
Schedule I line 2: Monthly gross wages, salary, and commission	Debtor	Spou	se		
Schedule I line 6: Subtotal of payroll deductions	Debtor	Spou	se		
Schedule J line 23c: Monthly net income					
Next Clear					

- Input figures from Schedules I & J for Debtor and Spouse if
- applicable.
- The next screen will allow you to browse and upload a PDF.

Filing Fee

- Once on the <u>Filing Fee</u> screen, accept the default fee amount and click "Next" if paying the filing fee in full.
- If filing an *Application to Pay Filing Fees in Installments*, enter the amount to be paid with the Voluntary Petition.
 - 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.



Notice of Bankruptcy Case Filing

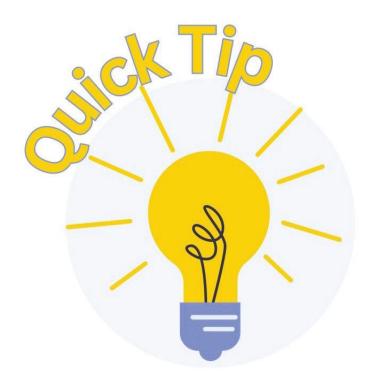
- Once the Voluntary Petition has been successfully filed, the <u>Notice of Bankruptcy</u> <u>Case Filing</u> will appear.
- This Notice confirms that an electronic filing has been completed.
- The case number will be assigned and provided on the Notice.

CM ECF Bankruptcy - Adversary - Query Reports - Utilities - Search Help Log Out **Open Voluntary Bankruptcy Case** lotice of Bankruptcy Case Filing The following transaction was received from Six Attorney entered on 4/13/2023 at 1:24 PM CDT and filed on 4/13/2023 Case Name: Joe Debtor Case Number: Document Number: 1 **Docket Text:** Chapter 13 Voluntary Petition Individual . Government Proof of Claim due by 10/10/2023. (Attorney, Six) The following document(s) are associated with this transaction: Document description: Main Document Original filename:a. Emergency VolP.pdf Electronic document Stamp: [STAMP bkecfStamp_ID=1009998712 [Date=4/13/2023] [FileNumber=118073-0] 6887df47f71aca4db833249a7a0b7d0c6de87268a72580583fd462bc2412731e9490 7e5a813e37962dbcd1fa8cb4d3f60e0e1eba81ca454f757c5ff106ecb1fa]] 23-10046 Notice will be electronically mailed to: 23-10046 Notice will not be electronically mailed to: Six Attorney on behalf of Debtor Joe Debtor Six Attorney Lane Aberdeen, MS 39730 U.S. Trustee 501 East Court Street, Suite 6-430 ackson MS 39201 **Case Openings and Related Filings**

Summary of Current Charges

- The <u>Summary of Current</u>
 <u>Charges</u> screen will
 appear.
- This summary reflects all delinquent fees for the user account.
- You may pay the fee indicated on the **Filing Fee** screen now by selecting "**Pay Now.**"
- To pay the fee(s) later that business day, select "Continue Filing."

Date Incurred	Description	Amount
2022-10-11 10:23:23	Amended Schedule(s) D,E/F (Fee)(22-10105-JDW) [misc,amdsdef] (32.00)	\$ 32.00
2022-10-11 11:12:55	Motion to Convert Case to Chapter 7(22-10105-JDW) [motion,mcnv7] (25.00)	\$ 25.00
2022-12-16 14:46:30	Voluntary Petition (Chapter 11)(22-10117) [misc,volp11a] (1738.00)	\$1738.00
2023-01-18 09:43:11	Voluntary Petition (Chapter 11)(23-10014) [misc,volp11a] (1738.00)	\$1738.00
2023-01-18 09:46:12	Voluntary Petition (Chapter 11)(23-10015) [misc,volp11a] (1738.00)	\$1738.00
2023-01-18 09:49:42	Voluntary Petition (Chapter 11)(23-10016) [misc,volp11a] (1738.00)	\$1738.00
2023-01-18 10:08:18	Voluntary Petition (Chapter 11)(23-10017) [misc,volp11a] (1738.00)	\$1738.00
2023-01-18 10:11:15	Voluntary Petition (Chapter 11)(23-10018) [misc,volp11a] (1738.00)	\$1738.00
2023-01-19 10:08:05	Voluntary Petition (Chapter 11)(23-10025) [misc,volp11a] (1738.00)	\$1738.00
2023-01-19 10:13:05	Voluntary Petition (Chapter 11)(23-10026) [misc,volp11a] (1738.00)	\$1738.00



Fees must be paid on the same day as the related ECF transaction or the user's filing privileges will be revoked until the delinquent balance is paid in full.

List of Creditors ("Creditor Matrix")

FILING REQUIREMENTS:

- The Creditor Matrix PDF can be included with the Voluntary Petition or filed as a separate PDF using the docket event Bankruptcy > Other > Creditor Matrix.
- Once docketed, the matrix must be uploaded to the CM/ECF Database using a .txt file.

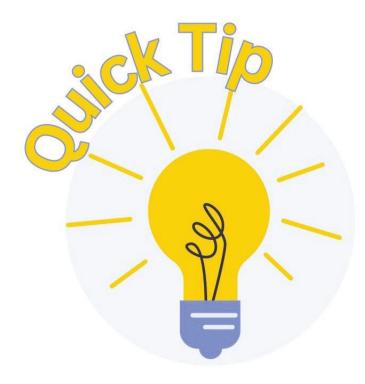


List of Creditors ("Creditor Matrix")

.TXT REQUIREMENTS

- The name and address of each creditor must be five lines or less.
- Each line can contain no more than 40 characters.
- Names and address should be left-justified.
- Separate creditors should be separated by a blank line.

- If attention lines are used, they should appear in the second line.
- All states must be two-letter abbreviations.
- If a nine-digit zip code is required, a hyphen should be used.
- Do not include case number, page numbers, headers, etc.



If you use a Windows operating system, the easiest way to create a .txt file is using Notepad program.

Some bankruptcy filing software will create the .txt file for you. 23-10046 Joe Debtor Case type: bk Chapter: 13 Asset: Yes Vol: v Date filed: 04/13/2023 Date of last filing: 04/13/2023

Creditors

Auburn Family Medical Clinic 149 N Eason Blvd Tupelo, MS 38804-9403	(23895) (cr)
Bridgecrest 7300 E Hampton Ave Ste 100 Mesa, AZ 85209-3324	(23896) (cr)
Chicago, IL 60680-9441 Franklin Collection Service, Inc. PO Box Tupelo, MS 38803-3910	(23901) (cr)
Comcast 1701 John F Kennedy Blvd Philadelphia, PA 19103-2838	(23897) (cr)
Credit One Bank PO Box 60500 City of Industry, CA 91716-0500	(23898) (cr)
Diversified Consultants PO Box 1391 Southgate, MI 48195-0391	(23899) (cr)
Fay Servicing LLC Attn: Bankruptcy Dept PO Box 809441	(23900) (cr)
Kohls/Capital One Attn: Credit Administrator PO Box 3043 Milwaukee, WI 53201-3043	(23902) (cr)
Midland Fund Attn: Bankruptcy 350 Camino de la Reina Ste 100 San Diego	(23903) (cr)
North MS Medical Center 830 S Gloster St Tupelo, MS 38801-4934	(23904) (cr)

- Once the .txt file has been successfully uploaded, the list of creditors will appear in the database.
- You can search the case database by querying the case number and selecting "Creditor."

Judge/Trustee Assignment

- To prompt the automated assignment of a Judge and Trustee to the case, select *Bankruptcy* > *Judge/Trustee Assignment*.
- CM/ECF will assign the proper Judge and Trustee based on the debtor's address.
- A confirmation screen will appear.

Case	Judge	Trustee	341 Meeting	Confirmation Hearing	Docket Date
23-10045 Joe Debtor	Maddox, Selene D.	Vardaman, Terre M.			

Chapter 7 (Individual)

DOCUMENTS DUE AT TIME OF CASE OPENING:

- Voluntary Petition for Individuals
- List of Creditors/Creditor Matrix
- Verification of Matrix
- Statement About Your Social Security Numbers*
- Certificate of Credit Counseling (or certificate pursuant to 11 U.S.C. § 109(h)(3))*

*Document must be filed as separate PDF and docket event

Chapter 7 (Individual)

DOCUMENTS DUE AT TIME OF CASE OPENING *IF APPLICABLE:*

- Application to Pay Filing Fee in Installments*
 - Disclosure of Pre-Petition Fees Paid by Debtor to Debtor's Counsel
- Application to Have the Chapter 7 Filing Fee Waived*
- Initial Statement About Eviction Judgment Against You*

*Document must be filed as separate PDF and docket event

Chapter 7 (Individual)

DOCUMENTS DUE WITHIN 14 DAYS OF FILING THE PETITION:

- Summary of Your Assets and Liabilities and Certain Statistical Information
- 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
- Chapter 7 Statement of Your Current Monthly Income*
 - Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (if applicable)

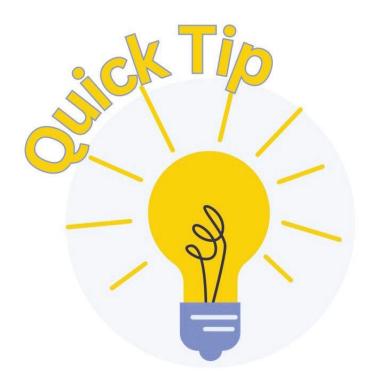
*Document must be filed as separate PDF and docket event

Chapter 7 (Individual)

DOCUMENTS DUE WITHIN 14 DAYS OF FILING THE PETITION:

- 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)

*Document must be filed as separate PDF and docket event



Opening a Chapter 7 Bankruptcy Case is essentially the same as opening a Chapter 13 with a few key differences.

Opening C	Chapter 7 Case
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CM ^m ECF ^{Bag}	<u>n</u> kruptcy – <u>/</u>	Adversary -	Query	<u>R</u> eports -	Utilities -	Sear <u>c</u> h	Help	Log	
Open Voluntary Bankrup	otcy Case								
Prior filing within last 8 yea Fee stat Nature of de Asset not Estimated number of credite Estimated ass	tus Paid ebt ice yes ors	 ✓ ✓ ✓ 	~	 Ir C P O Nature H S 	of debtor ndividual corporation (i artnership other e of business lealth Care B ingle Asset R ailroad	usiness		LP)	
Estimated liabilit	ties		~		tockbroker ommodity B	roker	ndicat	e ca	se-specific information
				0 C	learing Bank one of the ab	^c u			down menus and radio buttons.
Next Clear									

Opening Chapter 7 Case

Next Clear

Fee status Paid Individual fee will be paid Nature of debt Corporation (includes LLC & LLP) of case open Nature of debt Partnership Other Asset notice yes Nature of business Estimated number of creditors Image: Asset Real Estate Single Asset Real Estate Single Asset Real Estate Select "IFP filing Stockbroker Select "IFP filing Will be file Stockbroker Other Select "IFP filing	СМ СК Вап	kruptcy - <u>A</u>	dversary -	<u>Q</u> uery	Reports -	Utilities -	Sear <u>c</u> h	Help	Log	
Fee status Paid Individual fee will be paid Nature of debt Corporation (includes LLC & LLP) of case open Nature of debt Partnership Other Asset notice yes Nature of business Select "Installm an Application Estimated number of creditors Image: Corporation (includes LLC & LLP) Filing Fee in Install Single Asset Real Estate Single Asset Real Estate will be file Estimated liabilities Stockbroker Select "IFP filing Commodity Broker Waived" if a	Open Voluntary Bankrup	cy Case								
O None of the above Chapter 7 Filin	Fee state Nature of del Asset notio Estimated number of credito Estimated asse	Paid Paid ce yes rs	~		 In C P C Nature H S R S C C 	ndividual orporation (i artnership other e of business lealth Care B ingle Asset F ailroad tockbroker ommodity B learing Bank	s Susiness Real Estate Froker		LP)	Select "Paid" if the filing fee will be paid at time of case opening. Select "Installment" if an Application to Pay Filing Fee in Installments will be filed. Select "IFP filing fee waived" if an Application to Have Chapter 7 Filing Fee Waived will be filed.

Case Openings and Related Filings

its

During case opening:

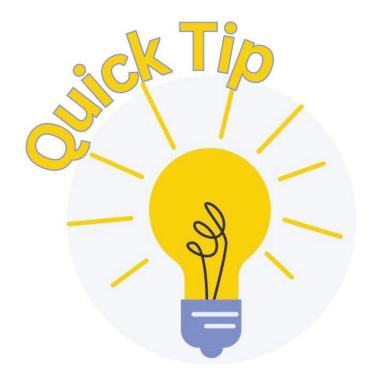
- Failure to select *Installment* or *IFP Filing Fee Waived* as the "Fee Status" will result in the entire filing fee being charged to your ECF account.
- The filing fee amount input on a later screen must match the initial amount shown on the application to pay the fee in installments.
- Failure to input and pay the correct amount during case opening will result in your ECF account being locked for delinquent fees.

Statistical Information

 If Schedules have not been completed and you are filing an incomplete or "emergency" filing, leave statistical information blank.

CMmECF Bankruptoy - Adversary - Query Reports - Utilities - Search Help Log Out

Open Voluntary Bankruptcy Case Schedules Schedule I line 2: Monthly gross wages, salary, and commission Debtor Schedule I line 6: Subtotal of payroll deductions Dahtor Schedule J line 23c: Monthly net income Form B122A-1 Line 1: Marital and filing status Line 11: Total current monthly income Spouse Line 13: Number of people in debtor's household Line 13: Applicable median family income Form B122A-1Supp Line 1: Declaration of non-consumer debt Line 2: Disabled veteran Form B122A-2 Line 4: Adjusted current monthly income Vational Standards ine 6: Food, clothing and other items Line 7c: Out-of-pocket health care allowance: people under 65 years of age Line 7f: Out-of-pocket health care allowance: people 65 years of age or older Local Standards Line 8: Housing and utilities; insurance and operating expenses ine 9c: Housing and utilities; Net mortgage or rent expense Line 11: Local transportation expenses: number of vehicles Line 12: Vehicle operation expense OR Line 14: Public transportation exp Line 13c: Net Vehicle 1 ownership or lease expense: Line 13f: Net Vehicle 2 ownership or lease expense Line 15: Additional public transportation expense Other Expenses Line 24: Total expenses allowed under IRS expense allowance Line 29: Education expenses for dependent children younger than 18 Line 30: Additional food and clothing expense Line 32: Total additional expense deductions Line 37: Total deductions for debt navment Line 38: Total deductions from income Determine Presumption of Abuse Line 39c: Monthly disposable income Line 39d: 60-month disposable income Line 40: Initial presumption determination Line 41a: Total nonpriority unsecured debt Line 41b: 25% of total nonpriority unsecured debt Line 42: Secondary presumption determination Next Clear



If you are *NOT* filing schedules at the time of case opening, <u>be sure to</u> complete the statistical information upon filing of schedules.

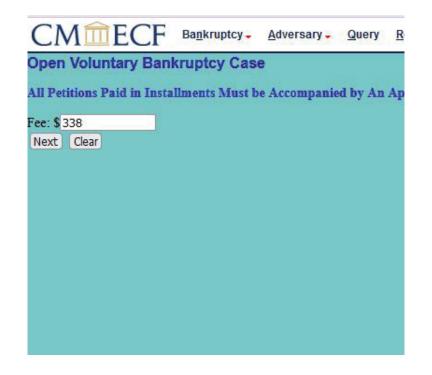
Presumption of Abuse

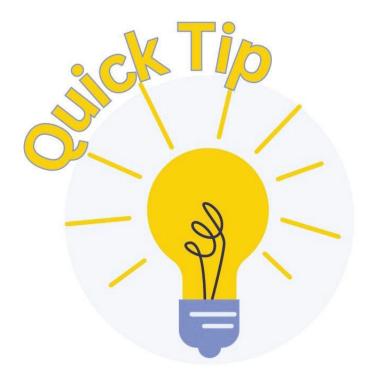
- Indicate whether a Presumption of Abuse exists.
 - Select yes or no based on the information from the Chapter 7 Statement of Current Monthly Income ("Means Test.")
- If no Means Test is filed at the time of case opening, select unknown.

	no	^	
resumption of Abuse	yes unknown	×	
Next Clear			

Filing Fee

- Once on the <u>Filing Fee</u> screen, accept the default fee amount and click "Next" if paying the filing fee in full.
- If filing an *Application to Pay Filing Fees in Installments*, enter the amount to be paid with the Voluntary Petition.
 - 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.





If the Statement About Your Social Security Number, Verification of Matrix, Creditor Matrix, and Certificate of Credit Counseling are not filed with the Voluntary Petition (in the same PDF or separate), the Court will issue a 2-Day Order and Notice of Deficiency.

Any other deficient documents will be included in the 14-day Order and Notice of Deficiency.

Failure to submit, extend time, or waive will result in dismissal of the case.

CM/ECF ntcdef2 (07/10/20)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

In Re: Thomas Bell Debtor(s) Case No.: 23-10047 Chapter: 7 Judge:

ORDER AND NOTICE AS TO DEFICIENCY(IES) AND PROPOSED DISMISSAL OF CASE FOR FAILURE TO FILE DOCUMENTS DUE WITH THE VOLUNTARY PETITION

Pursuant to Federal Rules of Bankruptcy Procedure, the debtor shall file certain documents with the voluntary petition. In order for this case to be administered, it is necessary that the documents described below be filed by the deadline indicated:

List of Creditors (Matrix) due: 4/17/23

Verification of Matrix due: 4/17/23

Statement of Social Security Number due: 4/17/23

Credit Counseling Certificate or Statement Pursuant to 109(h) due: 4/17/23

Any extension of time may be granted only on motion for cause shown.

If the required documents are not timely filed by 4/17/23, the Court will enter an ex parte order dismissing the case without further notice or hearing.

Dated and Entered: 4/13/23

Judge, U.S. Bankruptcy Court

2-Day Order and Notice of Deficiency

Case 23-10047 Doc 3 Filed 04/13/23 Entered 04/13/23 15:14:46 Desc Notice of Deficiency Page 1 of 1

> CM/ECF volpmd (Rev. 01/03/17)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

In Re: Thomas Bell Debtor(s) Case No.: 23-10047 Chapter: 7 Judge:

ORDER AND NOTICE AS TO DEFICIENCY(IES) AND PROPOSED DISMISSAL OF CASE

Pursuant to the U.S. Bankruptcy Code, Federal Rules of Bankruptcy Procedure, Uniform Local Rules, and standing orders, the Debtor(s) has 14 days from the date of filing the above-captioned case to file the required paperwork and pay fees as applicable. The Court will not routinely grant extensions of time to file such paperwork. A motion for extension must be supported by good cause.

In order for this case to be administered, it is necessary that the documents described below be filed within 14 days:

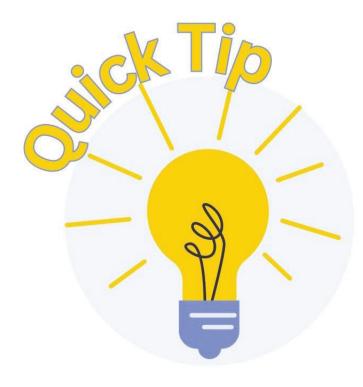
> Aty Disclosure Stmt. due 04/27/2023 Summary of Schedules due 04/27/2023 Schedule A/B due 04/27/2023 Schedule C due 04/27/2023 Statement of Financial Affairs due 04/27/2023 Schedule D due 04/27/2023 Schedule E/F due 04/27/2023 Schedule G due 04/27/2023 Schedule I due 04/27/2023

If the required paperwork and/or fees are not timely filed and/or paid by 4/27/23 the Court will enter an ex parte order dismissing the case without further hearing.

Dated and Entered: 4/13/23

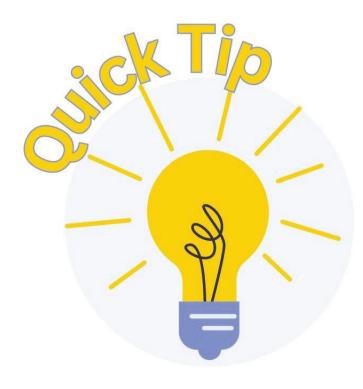
Judge, U.S. Bankruptcy Court

14-Day Order and Notice of Deficiency



Deficiency notices can (AND SHOULD!) be used as checklists to prevent dismissal of the case.

Failure to file *just one* of the documents listed on the Order and Notice of Deficiency will result in dismissal!



You may file an Amended Voluntary Petition to correct certain information for the debtor (e.g., misspelled name or wrong county of residence).

You may **NOT** file an Amended Voluntary Petition to:

- Add or remove a debtor;
- Change the bankruptcy chapter

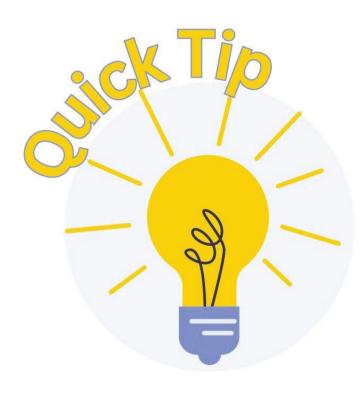
Application to Pay Filing Fee in Installments

FILING REQUIREMENTS

- Application
- Disclosure of Pre-Petition Fees
 - May be filed in same PDF or separately

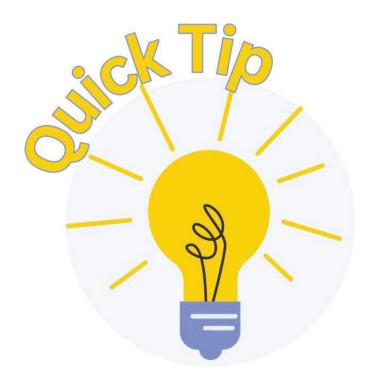
WHAT HAPPENS NEXT?

 Application will be considered and subsequently denied or granted



When preparing your application **REMEMBER**:

The entire filing 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.



If the Application to Pay Filing Fee in Installments is denied, the remainder of the fee will be due 14 days from the date of entry of the order.

Disclosure of Pre-Petition Fees Paid by Debtor to Debtor's Counsel FILING REQUIREMENTS

• Disclosure (See court's website)

REMINDERS-

 If the Disclosure is not included in the Application to Pay Filing Fees in Installments PDF, check box next to Refer to existing Event(s) and relate it to the application.

Application to Have Chapter 7 Filing Fee Waived FILING REQUIREMENTS

Application

REMINDERS—

• The application must conform substantially to Official Form 1038 *Application to Have the Chapter 7 Filing Fee Waived.*

WHAT HAPPENS NEXT?

• Application is submitted to chambers for review



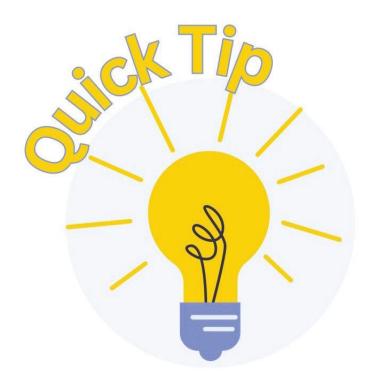
OVERVIEW OF FILING REQUIREMENTS:

- Amended Schedule(s)
- Amended Creditor Matrix*
- Notice to Added Creditors*
 - Fillable form is available on Court's website
- Filing Fee*

*exceptions apply

EXCEPTIONS TO FILING REQUIREMENTS:

- Amended Creditor Matrix*
 - Only required if creditors are being added or deleted
- Notice to Added Creditors*
 - Only required if § 341a Meeting of Creditors Notice has been docketed
- Filing Fee*
 - Except when changing address of existing creditor or adding an attorney to an existing creditor



The amended matrix should clearly indicate which creditors are being added or deleted.

This can be in the form of a list with the added/deleted creditors only or in the form of the entire creditor matrix with the added/deleted creditors marked with an asterisk, etc.

Example Creditor 124 Fake Road Aberdeen, MS 39730

Example Amended Matrix

Amended Schedule(s) D, E/F

Example Amended Matrix

Amended Schedule(s) D, E/F

Auburn Family Medical Clinic 149 N Eason Blvd Tupelo, MS 38804-9403

Bridgecrest *** 7300 E Hampton Ave Ste 100 Mesa, AZ 85209-3324

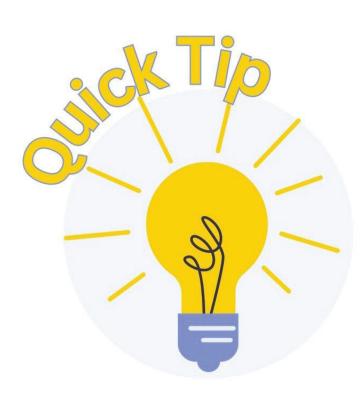
Chicago, IL 60680-9441 Franklin Collection Service, Inc. PO Box Tupelo, MS 38803-3910

Comcast 1701 John F Kennedy Blvd Philadelphia, PA 19103-2838

Credit One Bank PO Box 60500 City of Industry, CA 91716-0500

Diversified Consultants *** PO Box 1391 Southgate, MI 48195-0391

Fay Servicing LLC Attn: Bankruptcy Dept PO Box 809441



Local Forms

Notice to Added Creditor(s) (effective 12/10/2020)

Notice to Added Creditor(s) – Fillable Form (effective 12/10/2020)

- ECF Instructions for Amending Creditor Matrix to Add Creditor(s)
- ECF Instructions for Amending Schedules D, E/F to Add Creditor(s)
- Adversary Proceeding Cover Sheet (Not required when the adversary proceeding is filed electronically.)
- Adversary Proceeding Pretrial Conference Documents (Judge Woodard)
 - Instructions for Pretrial Conference
 - Pretrial Order Form
- Application for Entry of Default
- Application for Default Judgment
- Ballot Summary & Certification (Ch. 11 cases)
- Certification and Motion for Chapter 13 Discharge
- Corporate Ownership Statement
- Declaration Re: Motion to Extend the Automatic Stay
- Declaration Re: Motion to Impose the Automatic Stay
- Notice and Motion for Entry of Order Declaring Lien Satisfied Rule 5009(d)
- Order Declaring Lien Satisfied Rule 5009(d)
- Disclosure of Pre-petition Fees (Rule 1006-1)
- Exigent Circumstances Certification
- Chapter 13 Confirmation Order
- Chapter 13 Plan Form (effective 12/1/2017)
- Notice of Filing Chapter 13 Plan (effective 12/1/2017)
 - Sample Certificate of Service: Notice and Chapter 13 Plan (effective 12/1/2022)
- 30-Day Notice of Amended Chapter 13 Plan (effective 6/1/2018)

CLF 156 (Rev. 12/2020)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

CASE NO.	
CHAPTER:	

TO: AFFECTED CREDITORS: [List name and address of each added creditor here or notate "See Attached" and attach a list of <u>added creditors only</u> or <u>clearly indicate</u> the added creditors. CASE TRUSTEE: [Input trustee information] U. S. TRUSTEE

NOTICE TO ADDED CREDITOR(S), TRUSTEE AND U.S. TRUSTEE

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

Within **21 days** from the date of this notice, each added creditor has the right to request of the U. S. Trustee, 501 East Court Street, Suite 6-430, Jackson, Mississippi 39201, an adjourned §341(a) creditors' meeting if the added creditor wishes to examine the debtor(s) under oath. (See copy of original §341 meeting notice attached.)

Each added creditor has **60 days** from 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 a Proof of Claim deadline, as an added creditor you have 70 days from the date of this notice to file a Proof of Claim. However, if this is a Chapter 7 case and the 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.

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 this notice, whichever is later.

PLEASE TAKE NOTICE ALSO that the undersigned debtor(s) or attorney for debtor(s) is required to send a copy of the amended matrix and/or schedule(s) to each added creditor.

DEBTOR(S) OR ATTORNEY FOR DEBTOR(S)

CERTIFICATE OF SERVICE

The undersigned Debtor(s) or Attorney for Debtor(s), do hereby certify that I have this date mailed a true and correct copy of the above Notice to Added Creditor(s), a copy of the §341 Meeting of Creditors Notice, and Amended Matrix and/or Amended Schedule(s) to the affected creditor(s) at the address listed above. The case trustee (if applicable) and U. S. Trustee were mailed true and correct copies (or served by NEF via the CM/ECF system).

Date:

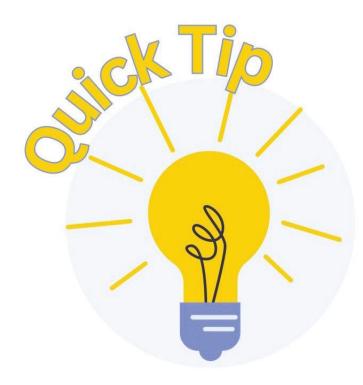
IN RE:

DEBTOR(S)

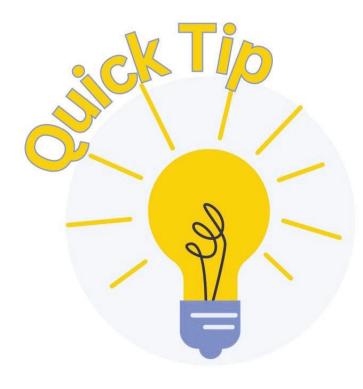
Signature of Debtor(s) or Attorney for Debtor(s) [Attorney's Name and Bar No.] [Attorney's Mailing Address] [Attorney's Phone Number] [Attorney's Email Address]

Notice to Added Creditors

Amended Schedule(s) D, E/F



A fee is required when moving a creditor from one schedule to another, a debt is changed, an additional debt with an existing creditor is added, a debt is removed, or a creditor is added or deleted.



Avoid separate filing fees when filing the Amended Matrix and Amended Schedules D, E/F by:

- Filing the Amended Matrix and Amended Schedules D, E/F together in one transaction.
- Answering prompts correctly when filing the Amended Matrix and Amended Schedules D, E/F separately.

- The event Amended Schedule(s)
 D, E/F (No Fee) will ONLY BE
 USED to change an address or add an attorney to an existing creditor.
- If amending schedules for <u>any</u> <u>other reason</u>, select **Amended Schedule(s) D, E/F (Fee).**

Miscellaneous

MmFCF

23-10047 Thomas Bell

Start typing to find another even

Adversary -

Query

Available Events (click to select events)

20 Largest Unsecured Creditors Addendum Affidavit Amended Creditor Matrix Amended Document Amended Objection Amended Schedule(s) D,E/F (Fee) Amended Schedule(s) D,E/F (No Fee) Amended Voluntary Petition Attachment to Voluntary Petition for Non-Individuals Ch 11 Audio File Request Balance Sheet Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Form 119) Bid Bond Document Brief Next Clear

Bankruptcy -

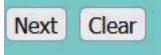
Miscellaneous:

23-10047 Thomas Bell

Is Schedule D Being Amended?

O Yes

O No



Miscellaneous:

23-10047 Thomas Bell

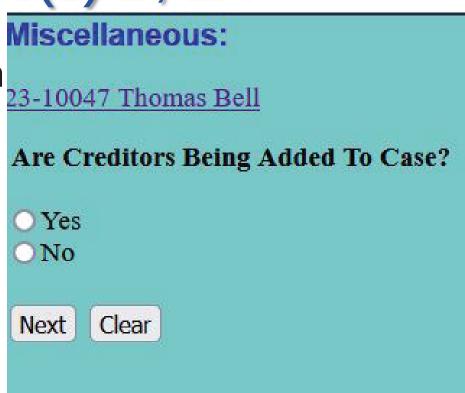
Is Schedule E/F Being Amended?

O Yes

No

Next Clear

- The filer must select **yes** in order for the required fee to be assessed.
- Failure to select yes when creditors are being added will result in a Clerk's Request for Corrective Action.



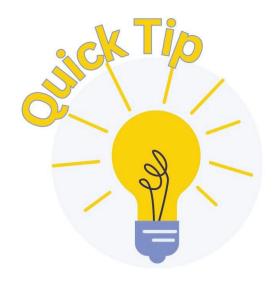
• Enter Priority and Non-priority Unsecured Claims Totals from associated schedules.

	scellaneous:
	-10047 Thomas Bell
	ter Priority Unsecured Claims Amounts:
	ter NonPriority Unsecured Claims Total:
	ext Clear
]	ter NonPriority Unsecured Claims Total:

Miscellaneous:

23-10047 Thomas Bell

If schedules are amended to add creditors, follow with Creditor Maintenance to Make Necessary Updates to Creditor Database.



This event and others prompt screens containing helpful hints and useful information.

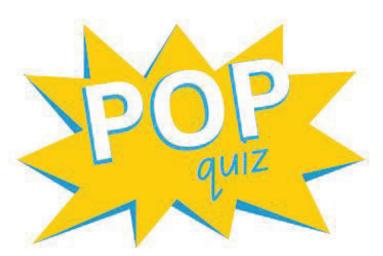
Please be sure to <u>stop and</u> <u>read each screen carefully</u> before continuing.

 Once the amended schedule(s) are docketed, the matrix database must be updated.



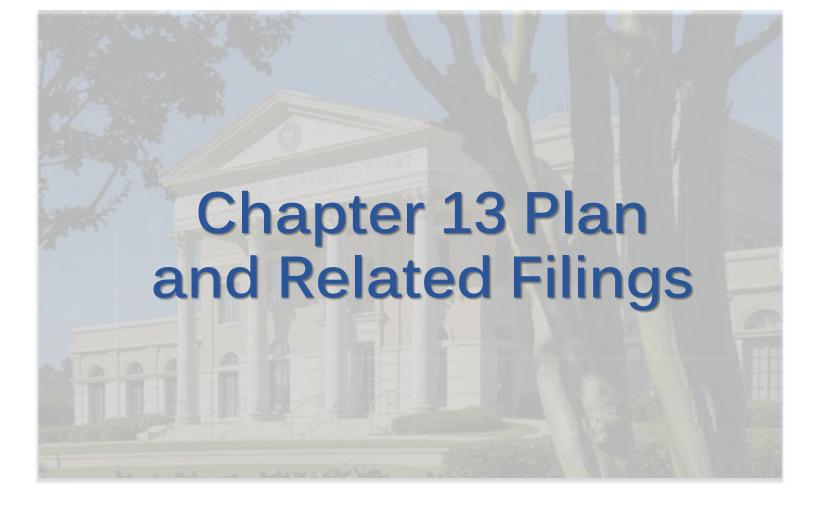
Add Creditor(s)	
ind creditor(5)	
Construction	22 10047 Thomas Dall
	23-10047 Thomas Bell
	Name may be 50 characters. Address may be 5 lines, 40 characters each.
	More than one creditor may be entered. Separate creditors with a blank line.
	Example Creditor
	1 Virtual Drive
Name and Address	Tupelo, MS 38801
	Landscaping Service 48 Clipping Way
	Aberdeen, MS 38801
Creditor type	Creditor v
Creditor committee	• No • Yes Entity
Next Clear	

Name the two instances in which a fee is <u>NOT</u> required to amend Schedules D or E/F.



Filing fee installments must be paid in ____ days from date of case filing.



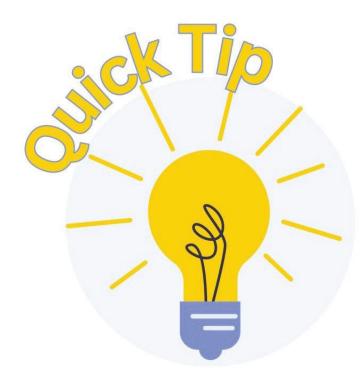


Timeline for Filing Chapter 13 Plan and Notice

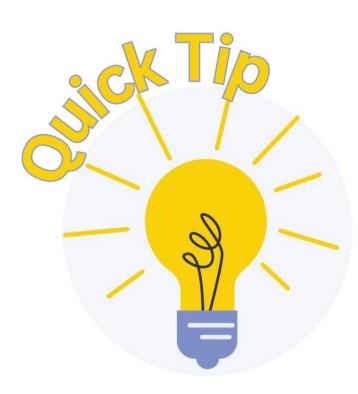
- 1. File Chapter 13 Plan.
- 2. After Chapter 13 Trustee dockets § 341 Notice, complete the Notice of Chapter 13 Plan (see form on court's website).
- 3. Serve copy of Plan and Notice to all creditors and file the Certificate of Service with a copy of all documents attached.

Event: Notice and Certificate of Service of Chapter 13 Plan or Amended Plan

Chapter 13 Plan and Related Filings



See the Court's website for the most recent fillable Plan Form, the proper Notice of Bankruptcy Case Filing, and a sample Certificate of Service of Chapter 13 Plan.



Local Forms

- Notice to Added Creditor(s) (effective 12/10/2020)
- Notice to Added Creditor(s) Fillable Form (effective 12/10/2020)
 - ECF Instructions for Amending Creditor Matrix to Add Creditor(s)
 - ECF Instructions for Amending Schedules D, E/F to Add Creditor(s)
- Adversary Proceeding Cover Sheet (Not required when the adversary proceeding is filed electronically.)
- Adversary Proceeding Pretrial Conference Documents (Judge Woodard)
 - Instructions for Pretrial Conference
 - Pretrial Order Form
- Application for Entry of Default
- Application for Default Judgment
- Ballot Summary & Certification (Ch. 11 cases)
- Certification and Motion for Chapter 13 Discharge
- Corporate Ownership Statement
- Declaration Re: Motion to Extend the Automatic Stay
- Declaration Re: Motion to Impose the Automatic Stay
- Notice and Motion for Entry of Order Declaring Lien Satisfied Rule 5009(d)
- Order Declaring Lien Satisfied Rule 5009(d)
- Disclosure of Pre-petition Fees (Rule 1006-1)
- Exigent Circumstances Certification
- Chapter 13 Confirmation Order
- Chapter 13 Plan Form (effective 12/1/2017)
- Notice of Filing Chapter 13 Plan (effective 12/1/2017)
 - Sample Certificate of Service: Notice and Chapter 13 Plan (*effective 12/1/2022*)
- 30-Day Notice of Amended Chapter 13 Plan (effective 6/1/2018)

Filing Chapter 13 Plan

	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	lncluded	Not included
	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4	lncluded	Not included
1.3	Nonstandard provisions, set out in Part 8	Included	Not included

When filing the Chapter 13 Plan, be sure to select any motions indicated in parts 1.1, 1.2, or 1.3 of the Plan

File a Plan:

23-10045-SDM Joe Debtor

Select any of the following motions/requests (if any) that are included with the Chapter 13 Plan, and click Next to continue.

Motion for Valuation of security, payment of fully secured claims, and modification of undersecured claims [Part 3.2]

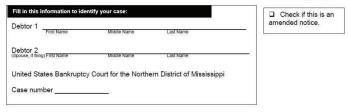
Motion to Avoid Lien under Section 522 [Part 3.4]

- Request to surrender collateral [Part 3.5]
- Request for assumption of executory contracts and/or unexpired leases [Part 6]

Next Clear

Chapter 13 Plan and Related Filings

(12/2017)



Notice of Filing Chapter 13 Plan and Motions for Valuation and Lien Avoidance

The above-named Debtor(s) has filed a *Chapter 13 Plan and Motions for Valuation* and *Lien Avoidance* (the "Plan") with the Bankruptcy Court in the above-referenced case (see attachment).

Any objection to confirmation of the Plan or the motions contained therein shall be filed in writing with the Clerk of Court at 703 Hwy. 145 North, Aberdeen, MS 39730 on or before [insert deadline for objections to confirmation announced in Part 9 of the Notice of Chapter 13 Bankruptcy Case (Official Form 3091)]. Copies of the objection must be served on the Trustee, US Trustee, Debtor(s), and Attorney for Debtor(s).

Objections to confirmation will be heard and confirmation determined on [<u>insert</u>. <u>confirmation hearing date, time, and location announced in Part 9 of the Notice of Chapter</u>. <u>13 Bankruptcy Case (Official Form 309I)</u>, unless the court orders otherwise. If no objection is timely filed, the Plan may be confirmed without a hearing.

x	Dated:
Signature of Attorney for Debtor(s)	MM / DD / YYYY
Address Line 1	
Address Line 2	
City, State, and Zip Code	
Telephone Number MS Bar Number	
Email Address	

Notice of Filing Chapter 13 Plan

Chapter 13 Plan and Related Filings

Page 1 of 1

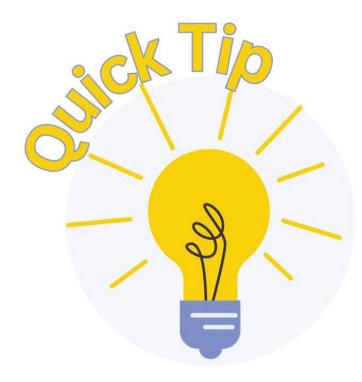
Amended Chapter 13 Plan and Notice

FILING REQUIREMENTS:

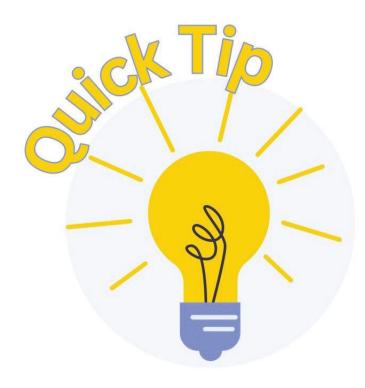
- Amended Chapter 13 Plan
- Notice
- Certificate of Service

<u>NOTE:</u> An amended plan may only be filed <u>prior to</u> <u>confirmation</u> of the plan. Once the confirmation order is entered, a Motion to Modify Chapter 13 Plan is required to change the plan.

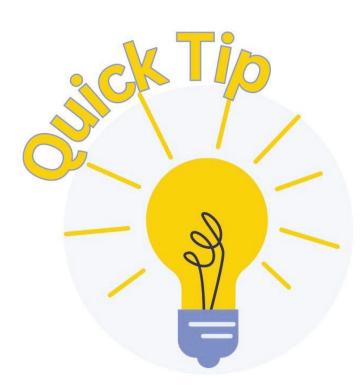
Chapter 13 Plan and Related Filings



If an amended plan is filed and the original plan **was not** previously served to all parties, you should file the Notice and Certificate of Service of Chapter 13 Plan using the form "Notice of Filing Chapter 13 Plan."



If an amended plan is filed and the original plan **was** previously served to all parties, you should file the Notice and Certificate of Service of Chapter 13 Plan or Amended Plan using the form "30-Day Notice of Amended Chapter 13 Plan."



Local Forms

- Notice to Added Creditor(s) (effective 12/10/2020)
- Notice to Added Creditor(s) Fillable Form (effective 12/10/2020)
 - ECF Instructions for Amending Creditor Matrix to Add Creditor(s)
 - ECF Instructions for Amending Schedules D, E/F to Add Creditor(s)
- Adversary Proceeding Cover Sheet (Not required when the adversary proceeding is filed electronically.)
- Adversary Proceeding Pretrial Conference Documents (Judge Woodard)
 - Instructions for Pretrial Conference
 - Pretrial Order Form
- Application for Entry of Default
- Application for Default Judgment
- Ballot Summary & Certification (Ch. 11 cases)
- Certification and Motion for Chapter 13 Discharge
- Corporate Ownership Statement
- Declaration Re: Motion to Extend the Automatic Stay
- Declaration Re: Motion to Impose the Automatic Stay
- Notice and Motion for Entry of Order Declaring Lien Satisfied Rule 5009(d)
- Order Declaring Lien Satisfied Rule 5009(d)
- Disclosure of Pre-petition Fees (Rule 1006-1)
- Exigent Circumstances Certification
- Chapter 13 Confirmation Order
- Chapter 13 Plan Form (effective 12/1/2017)
- Notice of Filing Chapter 13 Plan (effective 12/1/2017)
 - Sample Certificate of Service: Notice and Chapter 13 Plan (effective 12/1/2022)
- 30-Day Notice of Amended Chapter 13 Plan (effective 6/1/2018)

<u>NOTE</u>: If the debtor has not provided notice of a previously filed plan pursuant to Miss. Bankr. L. R. 3015-1(d), notice of an amended plan must be sent to <u>all creditors</u>. See Amended Standing Order regarding the Procedure for Modification of Chapter 13 Plan.

Debtor 1		
First Name	Middle Name	Last Name
Debtor 2		
(Spouse, if filing) First Name	Middle Name	Last Name
United States Bankruptc	y Court for the North	ern District of Mississippi
Case number		

30-Day Notice of Filing Amended Chapter 13

Chapter 13 Plan and Related Filings

Notice of Filing Amended Chapter 13 Plan and Motions for Valuation and Lien Avoidance

The above-named Debtor(s) has filed an Amended Chapter 13 Plan and Motions for Valuation and Lien Avoidance (the "Plan") with the Bankruptcy Court in the abovereferenced case (see attachment).

Any objection to confirmation of the Plan or the motions contained therein shall be filed in writing with the Clerk of Court at 703 Hwy 145 North, Aberdeen MS 39730 on or before thirty (30) days from the date of this notice or the objection deadline announced in Part 9 of the Notice of Chapter 13 Bankruptcy Case (Official Form 309I), whichever is later. Copies of the objection must be served on the Trustee, US Trustee, Debtor(s), and Attorney for Debtor(s).

Objections to confirmation will be heard on a date, time, and location set by the Court. If no objection is timely filed, the Plan may be confirmed without a hearing.

×	Dated:
Signature of Attorney for Debtor(s)	MM / DD / YYYY
Address Line 1	
Address Line 2	
City, State, and Zip Code	
Telephone Number MS Bar Number	
Email Address	

Motion to Modify Chapter 13 Plan

FILING REQUIREMENTS

- Motion
- 30-day Notice
- Certificate of Service
- Upload proposed order

NOTE: Filer must input date of service. ECF will automatically calculate and include response deadline in docket text.

WHAT HAPPENS NEXT?

- If a response is filed, the court will <u>issue and serve</u> Hearing Notice to interested parties.
- If no response, the order is sent to chambers for review.

Chapter 13 Plan and Related Filings

Motion to Suspend Plan Payments

FILING REQUIREMENTS

- Motion
- Upload proposed order

WHAT HAPPENS NEXT?

- Hearing Notice Issued
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Motion, then files Certificate of Service with the court



Motion to Extend Time FILING REQUIREMENTS

- Motion
- Certificate of Service
- Upload proposed order

WHAT HAPPENS NEXT?

Order routed to chambers for review

Common Motions/Applications

Motion to Shorten Time FILING REQUIREMENTS

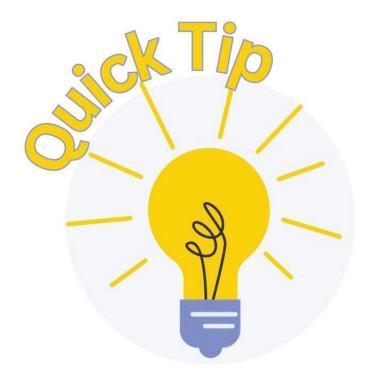
- Motion
- Certificate of Service
- Upload proposed order (see website for order template)

<u>NOTE</u>: The Motion to Shorten Time must be filed **immediately following** the associated pleading.

WHAT HAPPENS NEXT?

Order routed to chambers for review

Common Motions/Applications



Order granting Motion to Shorten Notice Time <u>ONLY</u> shortens the deadline for responses.

A Motion for Expedited Hearing is required for an earlier court date.

Note: Not all matters are set for hearing when filed.

Motion to Expedite Hearing FILING REQUIREMENTS

- Motion
- Certificate of Service

<u>NOTE</u>: Filer must contact chambers for expedited matters (see local rule)

WHAT HAPPENS NEXT?

• Chambers personnel will notify filer of decision and provide instructions regarding order.

Common Motions/Applications

Application to Employ FILING REQUIREMENTS

- Application
- Affidavit of Disinterested Party Pursuant to Rule 2014(a)
- Upload proposed order

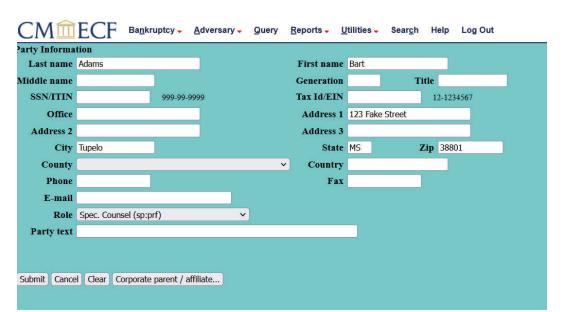
Common Motions/Applications

File a Motion:

2 <u>3-10047-SDM Thomas Bel</u> Type: bk Assets: n	l Chapter: 7 v Judge: SDM
Select the Party:	
Bell, Thomas [Debtor] U. S. Trustee, [U.S. Trustee]	Add/Create New Party
Next Clear	

- Only <u>bankruptcy</u> <u>counsel for the debtor</u> should select the debtor as the represented party on the <u>Party</u> <u>Selection</u> screen.
- All other filers must add the professional seeking employment as a party.

- Enter all party information and select the correct role type
 - Role Type Examples: Special Counsel, Accountant, Realtor, Auctioneer, Appraiser, etc.



File a Motion:

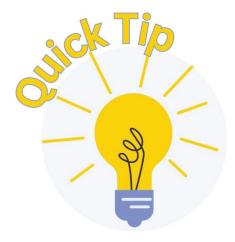
23-1	004	7-S	DM	Th	omas	Be

Type: bk	
Assets: n	

Office: 1 (Aberdeen)

MPORTANT: The following attorney/party association(s) will be created in this case. DO NOT CREATE AN ATTORNEY/PARTY ASSOCIATION WITH THE DEBTOR(S) UNLESS YOU WILL REPRESENT THE DEBTOR(S) ON ALL MATTERS IN THIS CASE. If this is a joint filing, review the list carefully to ensure that only parties represented by the filing attorney are selected.

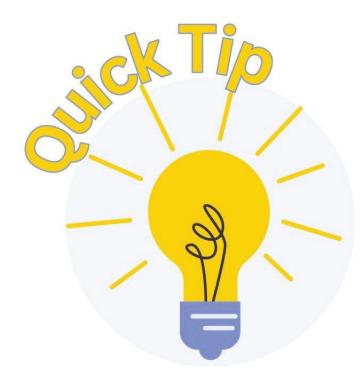
Adams, Bart(prf:sp) represented by Adams, Bart (aty)



Chapter: 7 v

Judge: SDM

Review the prompt and deselect the checkbox to avoid creating any unnecessary attorney/party association if needed.

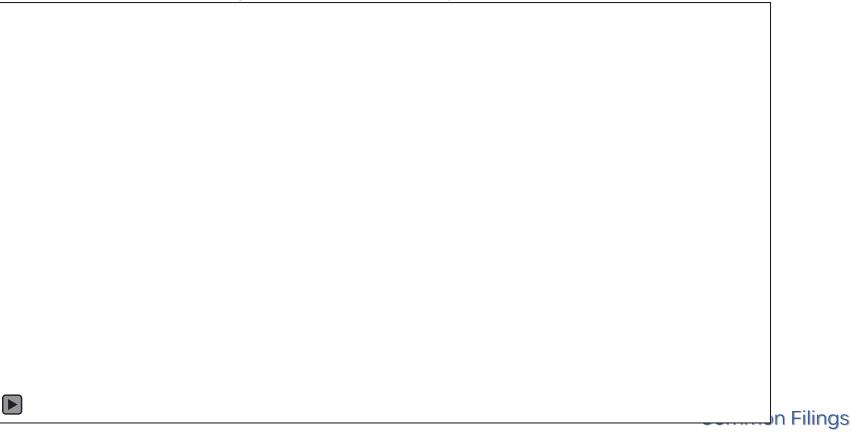


DO NOT CREATE AN ATTORNEY/PARTY ASSOCIATION WITH THE DEBTOR(S) UNLESS YOU WILL REPRESENT THE DEBTOR(S) ON ALL MATTERS IN THE BANKRUPTCY CASE.

File a Motion: 23-10047-SDM Thomas Bell Type: bk Chapter: 7 v Assets: n Judge: SDM Enter Name of Person to be Employed Bart Adams Enter Type of Position Special Counsel Next

File a Motion:					
23-10047-SDM Thomas Bell					
Type: bk	Chapter: 7 v	Office: 1 (Aberdeen)			
Assets: n	Judge: SDM				
Docket Text: Modify as Appropriate. Application to Employ Bart Adams as Special Counsel, for Auto Accident Case Filed by Bart Adams on behalf of Bart Adams . (Adams, Bart)					
Next Clear					

Example: Special Counsel filing Application to Employ themselves on their own behalf



WHAT HAPPENS NEXT?

- Hearing Notice Issued
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Application, then files Certificate of Service with the court

Application to Compromise Controversy FILING REQUIREMENTS

- Application
 - With terms of settlement included or attached as an exhibit
- Upload proposed order

WHAT HAPPENS NEXT?

- Hearing Notice Issued
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Application, then files Certificate of Service with the court

Common Motions/Applications

Application for Compensation FILING REQUIREMENTS

- Application
 - Must specify person(s) to receive compensation and amounts requested
- Upload proposed order

Common Motions/Applications

Application to Compensation

File a Motion:

23-10047-SDM Thomas Bell

Type: bk Assets: n Chapter: 7 v Judge: SDM

Select the Party:

Adams, Bart [Spec. Counsel] ^ Bell, Thomas [Debtor] U. S. Trustee, [U.S. Trustee] V Next Clear

 Filer should select party to receive compensation on <u>Party</u> <u>Selection</u> screen (e.g. Special Counsel, etc.)

Application for Compensation

File a Motion:				
23-10047-SDM Thomas	Bell			
Type: bk	Chapter: 7 v	Office: 1 (Aberdeen)		
Assets: n	Judge: SDM			
Applicant 1	Bart Adams		Type Special Counsel	~
	✓ Filer			
From	1/1/2024		To 4/12/2024	
Fee request \$	201640		Expense request \$ 213	
Applicant 1	Bart Adams		Туре	~
	Filer			
From			То	
Fee request \$			Expense request S	
Next Clear				

- Accurately input the following information:
 - Fee and expense amounts requested by the applicant
 - The time frame in which expenses were incurred
- Indicate the role type using the drop-down menu.
- Indicate the filer using the checkboxes.
- Do not complete both sections – this will result in duplicative fees in CM/ECF.

Application for Compensation

<u>6</u> (1 pg)

Application for Compensation for Bart Adams, Special Counsel, Fee: \$201640, Expenses: \$213. Filed by Bart Adams. (Adams, Bart) (Entered: 04/12/2024)

Example docket text

Application for Compensation WHAT HAPPENS NEXT?

- Hearing Notice Issued
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Application, then files Certificate of Service with the court

When filing an Application for Compensation, who should be selected on the **Party Selection** screen?

File a Motion: 23-10047-SDM Thomas Bell Type: bk Chapter: 7 v Office: 1 (Aberdeen) Assets: n Judge: SDM Select the Party: Adams, Bart [Spec. Counsel] ^ Adams, Bart [Spec. Counsel] ^ Bell, Thomas [Debtor] U. S. Trustee, [U.S. Trustee] ^ Next Clear





Motion to Borrow FILING REQUIREMENTS

- Motion
- Upload proposed order

WHAT HAPPENS NEXT?

- Hearing Notice Issued
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Motion, then files Certificate of Service with court

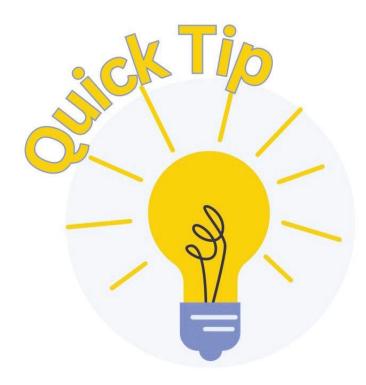
Motion to Avoid Lien FILING REQUIREMENTS

- Motion
- Certificate of Service
 - Filer must include the name and address of the creditor whose lien the debtor seeks to avoid
- Upload proposed order

WHAT HAPPENS NEXT?

- Court will <u>issue and serve</u> Notice with response deadline to interested parties
 - If a response is filed, Hearing Notice issued and served by court
 - If no response filed, order routed to chambers for review

Common Filings by Debtors



Do not file an additional Certificate of Service after the Notice with response deadline is issued by the Court.

Motion to Avoid Lien

File a Motion:					
23-10045-SDM Joe Del	<u>btor</u>				
Type: bk	Chapter: 13 v	Office: 1 (Aberdeen)			
Assets: y	Judge: SDM				
The next screen will allow you to add the lien holder if they are not already a party to the case. If the lien holder is already a party to the case, you will be given the opportunity to end party selection.					
If you add the lien holder as a party, their name will automatically appear in the docket window, otherwise, please complete the docket window with the lien holder.					
Next Clear					

Filer must add the Creditor to the party list when prompted.

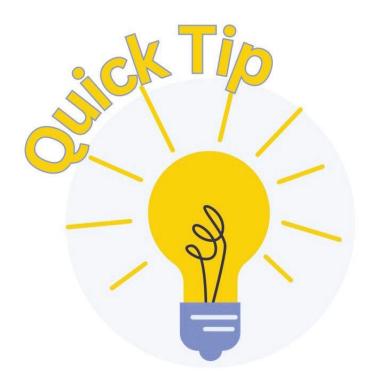
Common Filings by Debtor

Motion to Avoid Lien

- Search by lienholder name.
- Select name from <u>Party</u>
 <u>Search Results.</u>
- If correct lienholder and address are not available for selection, select Create New Party.

Search for a party			
SSN / ITIN		Tax ID / EIN	
Last/Business name			
First Name			
Middle Name			
Search Clear			
Party search results			
1st Franklin, 123 Main	Street, Tupelo, MS		^
1st Franklin, 123 Main 1st Franklin Financial,	904 Battleground Driv		
1st Franklin, 123 Main	904 Battleground Driv		
1st Franklin, 123 Main 1st Franklin Financial,	904 Battleground Driv		

Common Filings by Debtor



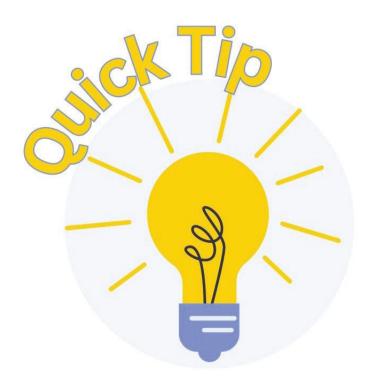
If creating a new party, select **Creditor** for the role type from the drop-down menu on the **Party Information** screen.

Motion to Reinstate Case FILING REQUIREMENTS

- Motion
- Upload proposed order

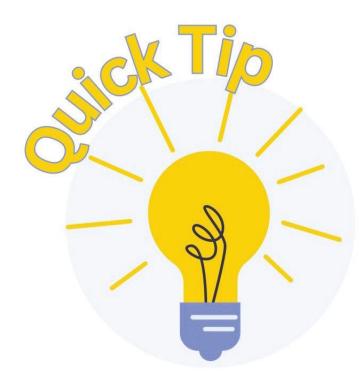
WHAT HAPPENS NEXT?

- Hearing Notice Issued
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Motion, then files Certificate of Service with court



When a case is dismissed, the Clerk's Office cancels all hearings (except those regarding fees for debtor's counsel) and terminates pending deadlines.

Something must be filed by a party to "revive" matters after reinstatement of case...



One way to "revive" a matter after reinstatement is by filing a Request for Reset of Hearing (see "Other Filings and *Notices")* to have the matter added back to the court's calendar.

Motion to Reopen Case FILING REQUIREMENTS

- Motion
- Upload proposed order
- Filing fee

WHAT HAPPENS NEXT?

- Hearing Notice Issued
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Motion, then files Certificate of Service with court

<u>NOTE</u>: If case is reopened to obtain a discharge, all parties on the most current mailing matrix must be served.

Common Filings by Debtors

Motion to Dismiss Chapter 13 Case

FILING REQUIREMENTS

- Motion (see form on court's website)
- Certificate of Service
- Upload proposed order (see form on court's website)

WHAT HAPPENS NEXT?

Order routed to chambers for review

Converting Case to Chapter 7 (by Motion or Notice)

FILING REQUIREMENTS

- Motion or Notice of Voluntary Conversion
- Certificate of Service
- Filing fee

WHAT HAPPENS NEXT?

Court will prepare form order converting case

Common Filings by Debtors

Is the filer required to serve the Notice with response deadline for a Motion to Avoid Lien?





Motion for Relief from Stay

FILING REQUIREMENTS

- Motion for Relief from Stay
- Certificate of Service
- Upload proposed order
- Filing fee

<u>NOTE</u>: Filer must select or add the party seeking relief

WHAT HAPPENS NEXT?

 Court will <u>issue and serve</u> a Hearing Notice to interested parties

Common Filings by Creditors

Motion for Relief from Stay (Codebtor or Child Support, No Fee) FILING REQUIREMENTS

- Motion for Relief from Stay
- Certificate of Service
 - If filed regarding Codebtor Stay, codebtor name and address must be included
- Upload proposed order

WHAT HAPPENS NEXT?

 Court will <u>issue and serve</u> Hearing Notice to interested parties
 Common Filings by Creditors

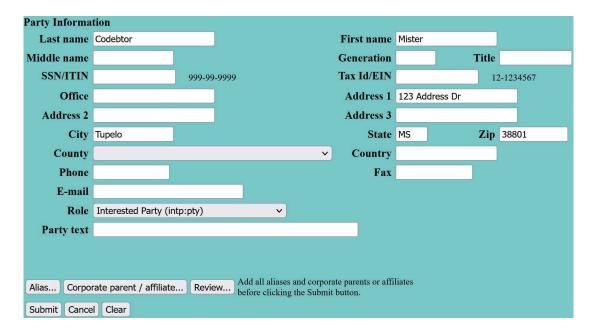
Motion for Relief from Stay (Codebtor or Child Support, No Fee)

Codebtor Stay

- Input codebtor's name and address.
- The role type will be **Interested Party.**

Child Support Stay

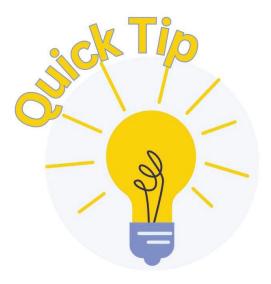
 If you are filing the Motion for child support, no party will be added.



Common Filings by Creditors

Avoiding Duplicative Fees When Combining Motions for Relief

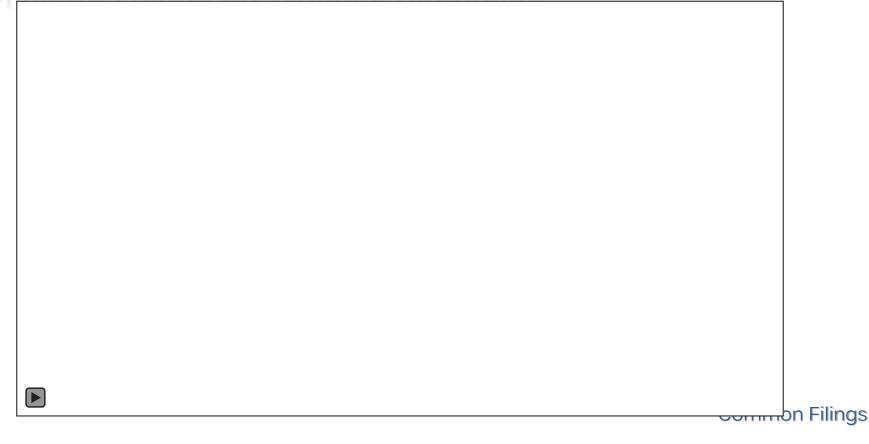
- If filing a Motion styled as a Motion for Relief from Stay combined with another type of relief (Relief from Codebtor Stay, Child Support Stay, Motion to Abandon, Motion for Adequate Protection), only one fee is required. For example:
 - If filing a Motion for Relief and to Abandon, select the following events:
 - Relief from Stay (Fee); and
 - Abandon (No Fee)
 - If filing only a Motion to Abandon, select the event Abandon (Fee).
- Select **all** corresponding events for each type of relief sought in PDF.

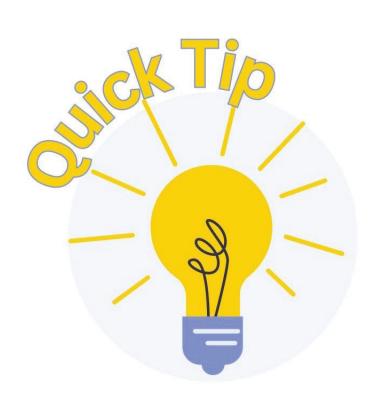


Common Filings

Avoiding Duplicative Fees When Combining Motions for Relief:

Selecting Events for Multiple Remedies





Agreed Order Lifting Stay and/or Abandoning Property:

- No motion is required.
- Debtor's counsel <u>and</u>
 Trustee must sign order.
- Upload as Sua Sponte Order.

Motion to File Claim After Bar Date

(Chapter 7 Asset Case or Chapter 13 Case) FILING REQUIREMENTS

- Motion to File Claims After Bar Date
- Certificate of Service
- Upload proposed order

WHAT HAPPENS NEXT?

 Court will <u>issue and serve</u> Hearing Notice to interested parties

Common Filings by Creditors

When filing a Motion for Relief From Codebtor Stay and adding a party, what is the correct "role type" for a codebtor?



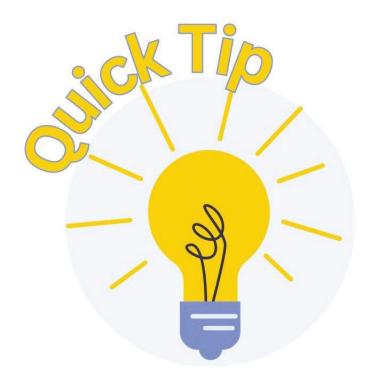


Certificate of Service

Bankruptcy > Other > Certificate of Service **REMINDERS –**

- Link to proper ECF filing (if applicable)
- Clearly indicate the date the documents were served and include the following:
 - Names of parties served
 - Manner of service (e.g., mail or electronically)
 - Addresses of parties served by mail
 - Copies of all documents served
- It is the responsibility of the moving party to determine the parties to be served.

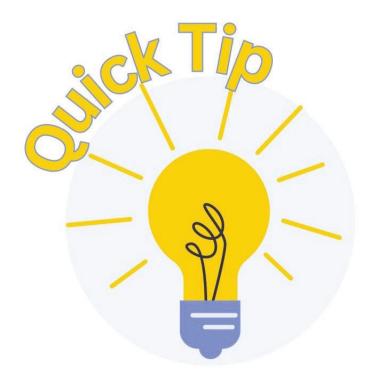
Certificate of Service



How is electronic service documented on a certificate of service?

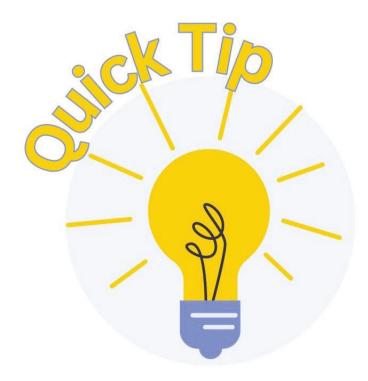
If Registered Filers are served electronically via CM/ECF: "Served via CM/ECF"

If served via email only: Include email address



Monitor your deadlines for service and submission of the certificate of service.

Deadlines for service and submission are often outlined in **Orders to File Certificate of Service** issued by the court.



An Order to File Certificate of Service will provide two deadlines:

- 1.) The deadline to <u>serve</u> all parties;
- 2.) The deadline to <u>file the</u> <u>certificate of service</u> with the court

CM/ECF ocrtsvc1 (Rev. 06/02/17)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

In Re: Paula Shelton Debtor(s) Case No.: 22–10001–SDM Chapter: 13 Judge: Selene D. Maddox

ORDER TO FILE CERTIFICATE OF SERVICE

Example Order for Certificate of Service

IT IS ORDERED that any party who has been directed by this Court to serve notices in the above captioned case or proceeding shall comply with the requirement of the Standing Order Delegating Certain Noticing Responsibilities. Such party shall also file a certificate of service within seven (7) days of the date of service of any such notice; and it is

ORDERED that any failure or omission to file such certificate of service by the date below may result in the ex parte dismissal of the motion or application to which such certificate of service relates and the imposition of additional sanctions on the party to whom this order is directed

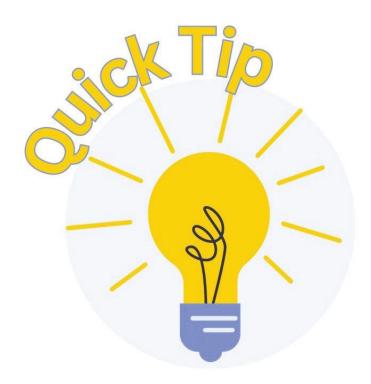
Deadline for Service: 2/7/22

Deadline for Filing Certificate of Service: 2/14/22

Dated and Entered: 2/1/22

Selene D. Maddox Judge, U.S. Bankruptcy Court Northern District of Mississippi

Certificate of Service



Failure to meet <u>BOTH</u> deadlines contained in the Order to File Certificate of Service will result in the hearing being reset or an order striking the filing. What two deadlines are included in the Order to File Certificate of Service?





Reaffirmation Agreement FILING REQUIREMENTS

Reaffirmation Agreement <u>including</u> Cover Sheet

WHAT HAPPENS NEXT?

Chambers will review and determine whether a hearing is necessary. A docket entry is made accordingly.

 If chambers decides to cancel a hearing set on a reaffirmation agreement, the clerk's office will make a subsequent docket entry accordingly.

Reaffirmation Agreement

Reaffirmation Agreement REMINDERS—

- If signed by Counsel for Debtor(s):
 Bankruptcy > Other > Reaffirmation Agreement All parts must be completed and dated.
- If not signed by Counsel for Debtor(s):
 Bankruptcy > Other > Reaffirmation Agreement (Pro Se)

All parts must be completed and dated except attorney certification.

Reaffirmation Agreement

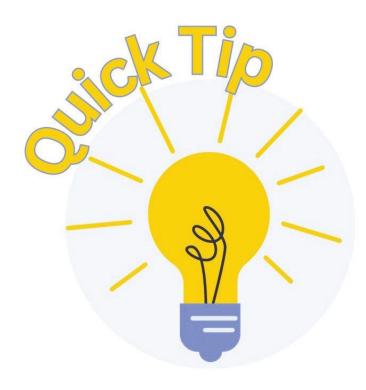


Notice of Default or Noncompliance Pursuant to Order FILING REQUIREMENTS

- Notice
- Certificate of Service

WHAT HAPPENS NEXT?

- No action taken unless a response is filed.
- If a response is filed, court will <u>issue and serve</u> Hearing Notice to interested parties.



Notice of Default or Noncompliance Pursuant to Order:

ONLY applicable if an order was previously entered that requires notice to a party for failure to comply with its terms (e.g., conditional provision that will result in termination of the automatic stay).

Notice of Appearance and Request for Notice

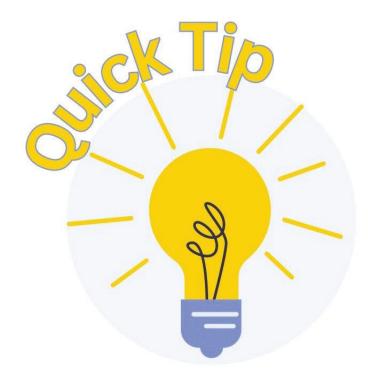
FILING REQUIREMENTS

- Notice and Request
 - <u>Note</u>: Be sure to add the party requesting notice when prompted.

REMINDER-

- Bankruptcy > Creditor Maintenance
- Select Enter Individual Creditors and input the Name and Address of the party requesting notice.

Responses and Objections



The name and address of both the filer and the party represented by the filer may be listed for separate noticing.

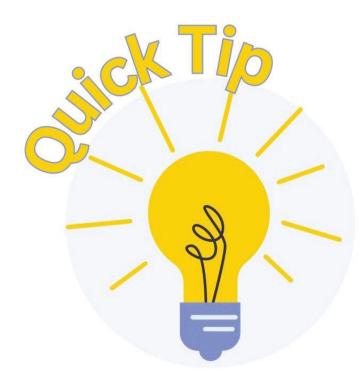
Notice of Change of Address FILING REQUIREMENTS

- A Notice or Letter may be submitted by a party to update a mailing address on the matrix.
 - Include previous address (as it appears on the case) and new address

REMINDERS—

 CANNOT be used to change claim payment information from one creditor to another—Transfer of Claim required.

Responses and Objections



A fillable form Notice of Change of Address was recently added to the court's website. This is not a *required* form but is available for your convenience.

Request for Reset of Hearing FILING REQUIREMENTS

- A Form or Letter to request that a hearing be placed back on the court calendar.
 - Include docket number of matter and most recent hearing information

WHAT HAPPENS NEXT?

• Clerk's Office will reset hearing (with some exceptions)

REMINDERS—

 CANNOT be used to request a continuance – a Motion to Continue is required.

Responses and Objections

When should the event *Bankruptcy > Other > Reaffirmation Agreement (Pro Se)* be used?



Motion to Redact

FILING REQUIREMENTS

- Motion
 - Identify proposed redactions
 - Include docket number or proof of claim number
- Certificate of Service
 - Service by mail is required
 - Motion is restricted from public access
- Upload proposed order
- Filing fee
- Proposed redacted document (only if Movant filed original unredacted document)

Common Filings by Creditors

Motion to Redact

WHAT HAPPENS NEXT?

- Clerk's Office will restrict public access to original filing following review of the Motion
 - Remains in effect unless court denies the motion
- If the Court grants the motion, the Clerk's Office will:
 - Replace the original filing with the redacted document
 - If the Movant filed the original unredacted document
 - Take no further action. Restriction remains in place until further order of the Court.

Common Filings by Creditors

Application for Payment of Unclaimed Funds GENERAL INFORMATION

- Money owed to a party who has failed to claim the funds
 - Trustee distribution payments that are returned or uncashed and determined to be stale-dated
- Court is custodian of unclaimed funds
 - Required to hold and account for funds until claimed by owner
- Unclaimed Funds Locator
 - Search for unclaimed funds at <u>https://ucf.uscourts.gov</u>
 - Online database of unclaimed funds held by all courts
 - Select MSNB Northern District from dropdown list
 Unclaimed Funds

Application for Payment of Unclaimed Funds

FILING REQUIREMENTS

- Application
- Supporting Documents
 - Payee Tax Id Number
 - Proof of Identity (Unredacted Form)
 - Proof of Ownership or Entitlement to Funds
- Application and Supporting Documents should be filed separately
 - CM/ECF event for supporting documents is restricted from public access

Unclaimed Funds

Application for Payment of Unclaimed Funds

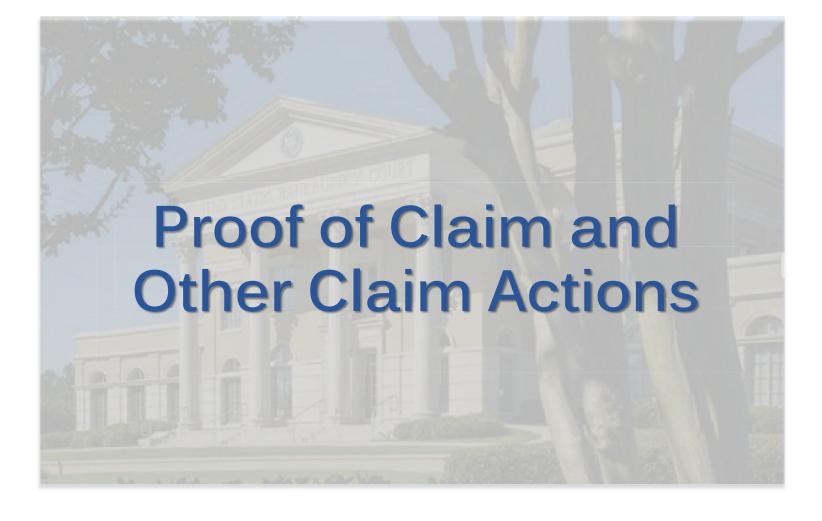
WHAT HAPPENS NEXT

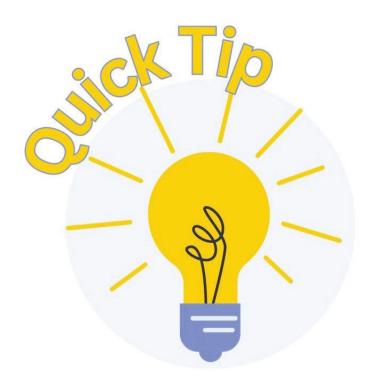
- Court will prepare an order (if no hearing is required).
- Funds are disbursed 28 days after court approves the application if no objections are filed.

See Bankruptcy Forms page on court's website:

- Application Form
- Instructions for Filing Application for Payment of Unclaimed Funds

Unclaimed Funds





Creditors may file, amend, and withdraw a proof of claim electronically using the Electronic Proof of Claim (ePOC) system. A PACER account is not required.

ePOC information is available on the court's website under the CM/ECF tab.

www.msnb.uscourts.gov/epoc-electronic-proof-claim

Proof of Claim FILING REQUIREMENTS

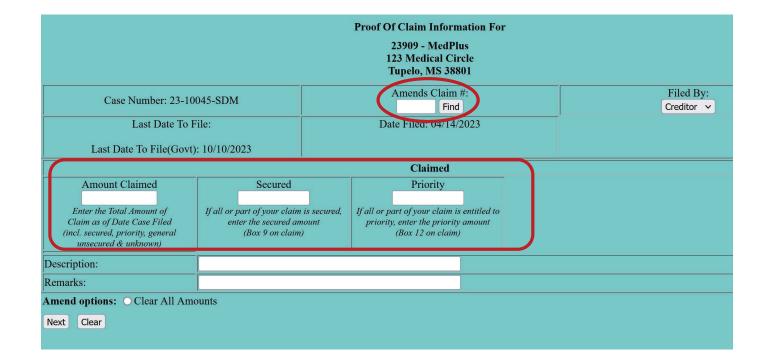
Completed Proof of Claim

REMINDERS—

Docket Event: *Bankruptcy > File Claims*

- Use the <u>Select Creditor</u> drop-down to choose creditor and click Next.
 - If the creditor is not listed, click **Add Creditor**, input the name and address, and click "Next."
- Select File a Proof of Claim.

Proof of Claim



Withdrawal of Claim FILING REQUIREMENTS

• Completed Withdrawal of Claim Form or Letter

REMINDERS—

- Include identifying information such as the case number, claim number, debtor's name, and claim amount.
- The filer's intent to withdraw a claim should be made CLEAR. Uploading ONLY a copy of the proof of claim is not sufficient.

Transfer of Claim FILING REQUIREMENTS

- Completed Transfer of Claim Form or Letter
- Filing fee

REMINDERS—

- On the Transferor/Transferee screen, you can search existing creditors by selecting **Search Creditors**.
 - If the creditor is not listed, select Add New Creditor.

Transfer of Claim

File a Claim action:				
23-10045-SDM Joe Debtor				
Transfer type 3001 (e) 1	0 3001 (e) 2	3001 (e) 3	3001 (e) 4	
Search for transferee			Search Creditors Add New Creditor	
Transferee selected				
Search for transferor			Search Creditors	
Transferor selected				
Claim number				
Search for transferor			Search Creditors	
Transferor selected				
Claim number				
Search for transferor			Search Creditors	
Transferor selected				
Claim number				
Transfer More Claims				
Next Clear				

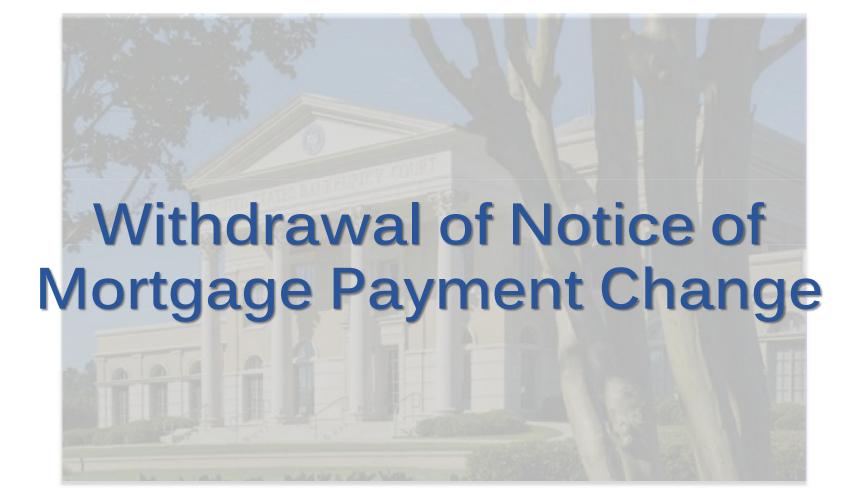


Notice of Mortgage Payment Change FILING REQUIREMENTS

Notice of Mortgage Payment Change or Letter

REMINDERS—

- When asked if a Notice of Mortgage Forbearance is being filed, select **No**.
- When prompted, indicate whether a Proof of Claim has been filed with the Court.
 - If **Yes**, a future screen will allow the filer to select the correct Proof of Claim.



Withdrawal of Notice of Mortgage Payment Change FILING REQUIREMENTS

Withdrawal of Notice of Mortgage Payment Change
 or Letter

REMINDERS—

 Choose/link the correct Notice of Mortgage Payment Change to be withdrawn.

Common Filings by Creditors



Response

FILING REQUIREMENTS

- Response
- Certificate of Service

<u>NOTE</u>: Choose **Response** (*not Objection*) when responding to a pending motion or other pleading.

Responses and Objections

Objection to Notice of Mortgage Payment Change/Postpetition Fees

FILING REQUIREMENTS

- Objection
- Certificate of Service

WHAT HAPPENS NEXT?

Court will <u>issue and serve</u> Hearing Notice to interested parties

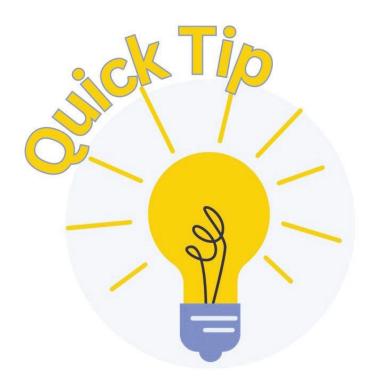
Responses and Objections

Objection to Proof of Claim FILING REQUIREMENTS

- Objection
- 30-day Notice (see form on court's website)
- Certificate of Service

WHAT HAPPENS NEXT?

• If a response is filed, the court will **issue and serve** Hearing Notice to interested parties.



When filing an Objection to Claim, if the claimant isn't already a party, add the claimant to the case.

The address of the claimant should be included on your Certificate of Service.

Objection to Confirmation of Plan FILING REQUIREMENTS

- Objection
- Certificate of Service

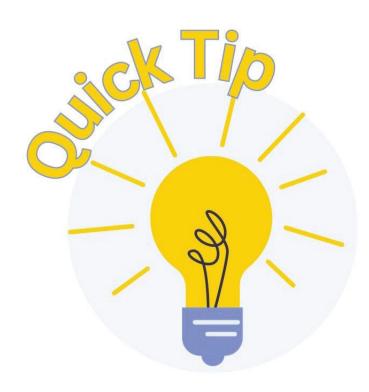
WHAT HAPPENS NEXT?

- If the Objection is filed by the deadline in § 341a MOC notice:
 - Court will <u>issue and serve</u> Hearing Notice adding Objection to court calendar on Confirmation Hearing date
- If the Objection is filed after the deadline in § 341a MOC notice:
 - Court will <u>issue and serve</u> Hearing Notice to interested parties
 Responses and Objections

An Objection to Proof of Claim requires a ____day notice.







All proposed orders MUST be submitted via *Order Upload* event in ECF (e-Orders).

Including a proposed order as an attachment/exhibit to your motion <u>will not</u> suffice.

(See Administrative Procedures for ECF)

Proposed 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))

ORDER REQUIREMENTS

All proposed orders must be in PDF format and comply with the following:

<u>Document Size</u>: $8\frac{1}{2} \times 11$ standard paper size; not to exceed 30 MB.

<u>Margins</u> :	<u>First Page</u>	Subsequent Pages
	3" Тор	1" Тор
	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.

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

Proposed Orders

Example of Properly Formatted Order

3" Top Margin

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI



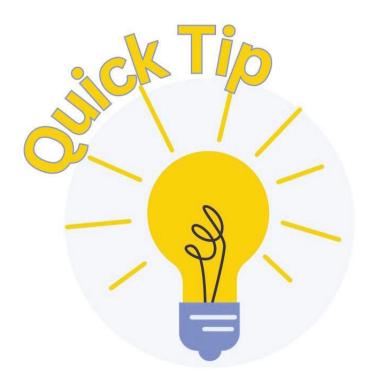
ORDER EXTENDING AUTOMATIC STAY

ON THIS DATE the Court considered the Motion for Extension of Automatic Stay (the "Motion") and Declaration in support thereof (Dkt. #) filed by the Debtor(s), Miss. Bankr. L.R. 4001-1(e), and the Notice of Hearing and Deadlines (the "Hearing Notice") (Dkt. #). The Hearing Notice included an objection deadline, and provided that, if no objection to the Motion was timely filed by the stated deadline, then the Motion could be granted as unopposed. No objection to the extension of the automatic stay was timely filed by any party. Accordingly, the Court finds that just cause exists for the entry of the following order. It is therefore,

ORDERED and **ADJUDGED** that the Motion filed by the Debtor(s) is hereby GRANTED and the automatic stay is hereby **EXTENDED** AS **TO ALL CREDITORS** pursuant to 11 U.S.C. § 362(c)(3)(B).

##END OF ORDER##

Submitted by: Attorney name and bar no. Address Telephone no. Email address



Check the top margin on orders in PDF format: **Ctrl+R**

Full 3" margin required to prevent overlap of judge's signature and case caption.

A Notice to Resubmit Order will be issued for improper format.

Order Upload Options SINGLE ORDER UPLOAD

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

Order is not related to a document/pleading filed in the case.

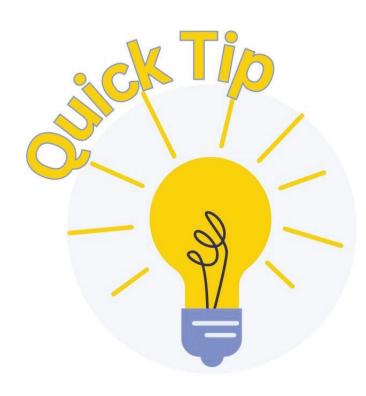
 E.g., Agreed Order is submitted in lieu of filing a motion (ore tenus)

Proposed Orders

Types of Orders

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;		

Proposed Orders



Proposed orders should include the docket number(s) of the filing(s) to be resolved by the order.

Link the proposed order to the appropriate filing(s) never to a hearing notice!

Check Status of Proposed Order

CM/ECF Menu: *Utilities > Order Query*

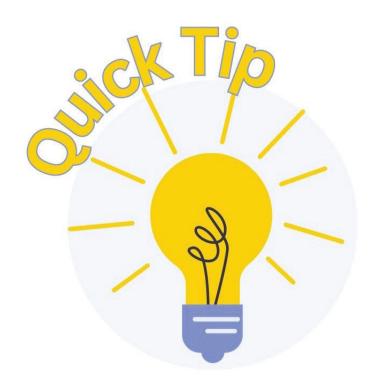
ORDER STATUS		
Being Processed	Order awaiting review and/or entry;	
Docketed	Order has been signed and docketed;	
No Action Taken	Order was replaced or disapproved;	

Note: **DO NOT** contact personnel in the Clerk's Office to ask if/when an order will be signed.

Proposed Orders

Order Deadlines LOCAL RULE REQUIREMENTS

- Proposed order due when motion filed.
 - Clerk's Office will issue an Order to submit proposed order upon default.
- Proposed Order due within 14 days of hearing date or issuance of proceeding memo (whichever is earlier).
 - Proceeding memo issued if hearing scheduled;
 - Contains order deadline and party responsible for submission;
 - Order to submit proposed order issued for delinquent order;



Similar to other deadline issues, if you cannot meet your order submission deadline...

File a motion for an extension of time to submit the order.

Order Deadlines

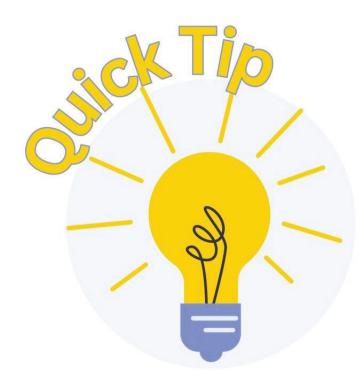
DELINQUENT ORDERS

Failure to timely submit a proposed order:

- Order denying the filing;
- Order directing the responsible party (attorney) to appear and show cause why sanctions or other relief should not be imposed;

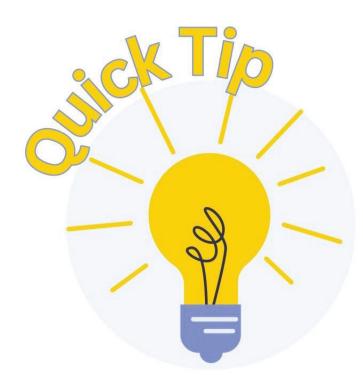
<u>Note:</u> The Clerk's Office (as a courtesy) will only issue one Order to Submit Proposed Order. Monitor your deadlines!!!

Proposed Orders



If two submissions or requests have been made to opposing counsel regarding an agreed order to no avail:

You may submit the proposed order with a notation of the same on the signature line for opposing counsel.



Issues with a reported settlement?

If no proposed order will be submitted, submit a *Request for Reset of Hearing*.

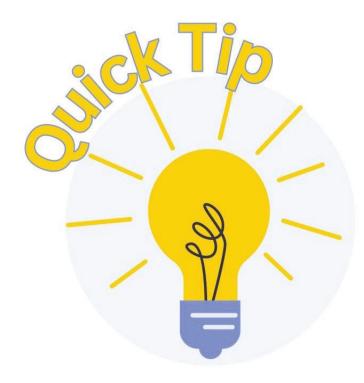
NOTE: Include the docket number and most recent hearing information for the matter to be reset.

What size should order margins be?

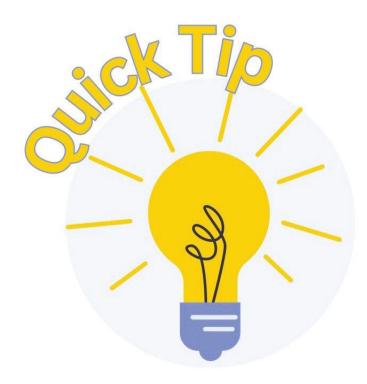








To receive a discharge, debtor(s) must complete an approved personal financial management course and file an official Debtor Education Certificate from the course provider.



After the Notice of Completion of Plan Payments is filed by the Chapter 13 Trustee, the debtor(s) must file the following:

- Financial Management Course Certificate (if not previously filed)
- Certification and Motion for Entry of Chapter 13 Discharge

Certification and Motion for Entry of Discharge

FILING REQUIREMENTS

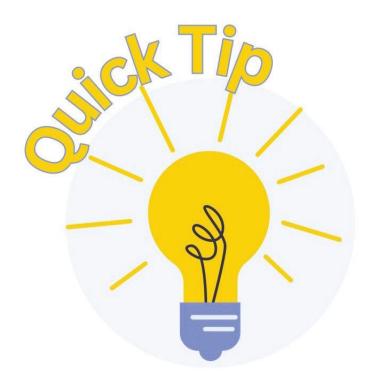
- Certification and Motion
 - Certificate of Service (included in local form, see court's website)
- Creditor matrix

WHAT HAPPENS NEXT?

• If a response is filed, the Court will **issue and serve** a Hearing Notice to interested parties.

Discharge





A Motion for Hardship Discharge is only applicable in a Chapter 13 case.

A Financial Management Certificate is still required for a Hardship Discharge (unless waived.)

Motion for Hardship Discharge FILING REQUIREMENTS

- Motion
- Upload proposed order

WHAT HAPPENS NEXT?

- The Order Fixing Time for Filing Complaint to Determine Dischargeability of Debt is docketed by the court.
- Hearing Notice issued approximately 20 days after the Order Fixing
 Time
 - This allows the response deadline to run concurrently with the Order Fixing Time deadline.
- Order to File Certificate of Service Issued
- Filer serves Hearing Notice and Motion, then files Certificate of Service with the court

Which docket entry filed by the Trustee should prompt filing of the **Financial Management** Course Certificate and Certification and Motion for Entry of Chapter 13 Discharge?



Motion to Declare Lien Satisfied

Chapter 13 debtors may request an order declaring a lien satisfied and released under the terms of a confirmed plan pursuant to Rule 5009(d).

- Debtor must serve the motion and notice on the affected creditor(s) in the manner provided by Rule 7004 for service of a summons and complaint.
- Forms available on the Court's website:
 - Notice and Motion for Entry of Order Declaring Lien Satisfied
 - Order Declaring Lien Satisfied

Discharge

Motion to Declare Lien Satisfied

FILING REQUIREMENTS

- Motion
- 30-day Notice
- Certificate of Service
- Upload proposed order

NOTE: The docket number of the discharge order should be included in the motion.

WHAT HAPPENS NEXT?

- If a response is filed, the court will <u>issue and serve</u> Hearing Notice to interested parties.
- If no response, the order is sent to chambers for review.

Discharge

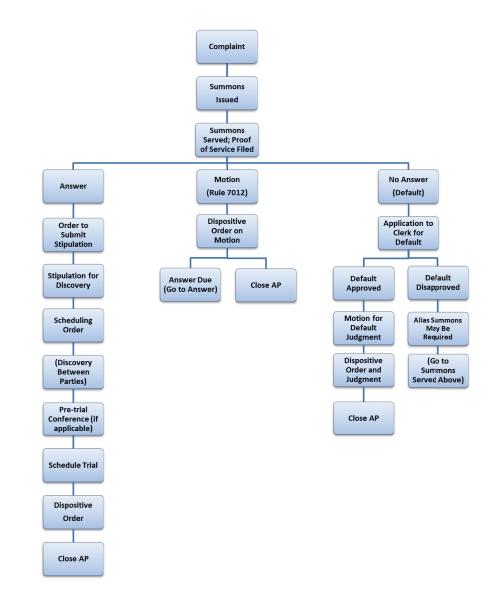


WHAT ARE ADVERSARY PROCEEDINGS?

Proceedings to:

- Recover money or property;
- Determine the validity, priority, or extent of a lien or interest in property;
- Obtain approval under Section §363(h) for the sale of both the interest of the estate and of a co-owner of property;
- Revoke an order confirming a chapter 11, chapter 12 or chapter 13 plan;
- Determine the dischargeability of a debt;
- Obtain and injunction or other equitable relief;
- Subordinate a claim;
- Determine a claim or cause of action removed under 28 U.S.C. §1452.

Flowchart for Adversary Proceedings



How to File an Adversary Proceeding FILING REQUIREMENTS

- Complaint (No Cover Sheet for ECF Filers)
- Filing Fee (if applicable)
- Corporate Ownership Statement (if applicable)

File the Complaint—*Adversary* > *Open Adversary Proceeding*

- Lead Case Number = Bankruptcy Case Number
- Name, Address, Role in Bankruptcy Case (e.g., Debtor, Creditor, Trustee, etc.) are required for Plaintiff(s) and Defendant(s)
- Input Statistical Information
- Fee Deferment/Exemption = No (unless Plaintiff is eligible for deferment or exemption)

Temporary Restraining Orders

A request for a Temporary Restraining Order (TRO) must be filed in an adversary proceeding.

- May be incorporated into the complaint—plaintiff seeks injunctive relief (TRO) only;
- May be filed separately and concurrently with the complaint—plaintiff seeks relief other than a TRO;
- Motions for TROs are emergency matters. Contact chambers pursuant to local rules to request TRO to be set for hearing on an expedited basis.

Issuance and Service of Summons SUMMONS ISSUED

Clerk's Office will issue ONE Summons for plaintiff(s) to use for service to all defendants.

- A copy of Summons and Complaint must be served upon each named defendant <u>within 7 days</u> of issuance of summons.
- Review Fed. R. Bankr. P. 7004 for service requirements.
 - First class mail will suffice for most individual defendants.
- Request for Alias Summons must be docketed for issuance of subsequent summons.

Summons and Certificate of Service

Case 23-01003-SDM Doc 4 Filed 04/17/24 Entered 04/17/24 00:20:09 Desc Summons Page 1 of 2

CM/ECF empsum (Rev. 12/21/16)

UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI

In Re: Joe West Sample and Sara Linda Sample Debtor(s) Case No.: 22–10004–SDM Chapter: 7

Renita Robertson Plaintiff(s) vs. Raton Rugs Defendant(s) Adversary Proceeding No.: 23-01003-SDM

SUMMONS IN AN ADVERSARY PROCEEDING

YOU ARE SUMMONED and required to submit a motion or answer to the complaint which is attached to this summons to the clerk of the bankruptcy court within 30 days after the date of issuance of this summons, except that the United States and its offices and agencies shall submit a motion or answer to the complaint within 35 days.

> Shallanda J. Clay, Clerk of Court U.S. Bankruptey Court Northerm District of Mississippi Cochran U.S. Bankruptey Courthouse 703 Highway 145 North Aberdeen, MS 39730

At the same time, you must also serve a copy of the motion or answer upon the plaintiff's attorney

Six Attorney Six Attorney Lane Aberdeen, MS 39730

If you make a motion, your time to answer is governed by Bankruptcy Rule 7012.

IF YOU FAIL TO RESPOND TO THIS SUMMONS, YOUR FAILURE WILL BE DEEMED TO BE YOUR CONSENT TO ENTRY OF A JUDGMENT BY THE BANKRUPTCY COURT AND JUDGMENT BY DEFAULT MAY BE TAKEN AGAINSY YOU FOR THE RELIEF DEMANDED IN THE COMPLAINT.

> Shallanda J. Clay Clerk, U.S. Banknuptey Court

(name), certify that service of this summons and a copy of the complaint was made on (date) by: Mail service: Regular, first class United States mail, postage fully pre-paid addressed to: Personal Service: By leaving the process with defendant or with an officer or agent of defendant at: Residence Service: By leaving the process with the following adult at: Certified Mail Service on an Insured Depository Institution: By sending the process by certified mail addressed to the following officer of the defendant at: Publication: The defendant was served as follows: (Describe briefly) \square State Law: The defendant was served pursuant to the laws of the State of _ follows: (Describe briefly) If service was made by personal service, by residence service, or pursuant to state law, I further certify that I am, and at all times during the service of process was, not less than 18 years of age and not a party to the matter concerning which service of process was made Under penalty of perjury, I declare that the foregoing is true and correct. Date Signature Print Name usiness Address lity State Zip

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CERTIFICATE OF SERVICE

Adversary Proceedings

(Seal of the U.S. Bankruptcy Court) Date of Issuance: 4/17/24

Proof of Service of Summons SUMMONS SERVICE EXECUTED

Complete the certificate of service issued with the summons.

- File a copy of both pages of the summons for each defendant—*Adversary* > *Summons Executed and Other Actions* > *Summons Service Executed.*
- Select the defendant/party served and input the date on which service occurred.
 - For debtor/defendant, the debtor and debtor's attorney must be served and listed on the certificate of service.

Default Procedures CLERK'S ENTRY OF DEFAULT

If no answer is filed by defendant(s), plaintiff must file an Application to Clerk for Entry of Default (see form on website).

Adversary > Motion > Clerk's Entry of Default.

WHAT HAPPENS NEXT?

- If the record reflects adequate service and default, a Clerk's Entry of Default will be docketed.
- If the record does not clearly support default, a Notice of Deficiency and Denial of Application for Entry of Default will be docketed.

Default Procedures

MOTION FOR DEFAULT JUDGMENT

A Motion for Default Judgment must be filed separately and may be considered only after entry of default—template but not required form on website). A proposed order is also required.

• Adversary > Motion > Default Judgment.

WHAT HAPPENS NEXT?

- Proposed order is submitted to chambers for review.
- A hearing may be set on the motion.

Non-Default Procedures ORDER TO SUBMIT STIPULATION

If an answer is filed, the Court will issue an **Order for Submission of Stipulation as to Time Needed for Discovery**.

- Within 14 days, parties must confer and file a Stipulation with a proposed deadline for completion of discovery.
- Stipulation must indicate whether the parties consent to entry of a final judgment by the Court <u>and</u> whether a pretrial conference is requested or waived.
- Adversary > Other > Stipulation.

Order for Submission of Stipulation and Stipulation Form

Case 23-01003-SDM Doc 5 Filed 04/17/24 Entered 04/17/24 00:31:19 Desc Order on Discovery Page 1 of 2	Case 23-01003-SDM Doc 5 Filed 04/17/24 Entered 04/17/24 00:31:19 Desc Order on Discovery Page 2 of 2
CM/ECF ostp (Rev. 01/04/17)	CM/ECF ostp1 (Rev. 01/04/17)
UNITED STATES BANKRUPTCY COURT NORTHERN DISTRICT OF MISSISSIPPI	UNITED STATES BANKRUFTCY COURT NORTHERN DISTRICT OF MISSISSIPPI
In Re: Joe West Sample and Sara Linda) Case No.: 22–10004–SDM Sample) Chapter: 7 Debtor(s))	In Re: Joe West Sample and Sara Linda Sample Debtor(s))) Case No.: 22–10004–SDM Chapter: 7
Renita Robertson)Adversary Proceeding No.:Plaintiff(s))23-01003-SDMvs.)Raton Rugs)Defendant(s))	Renita Robertson)Adversary Proceeding No.:Plaintiff(s))23-01003-SDMvs.))Raton Rugs)Defendant(s))
ORDER FOR SUBMISSION OF STIPULATION AS TO TIME NEEDED FOR DISCOVERY. All parties or their attorneys shall confer and file with the court within 14 days from the date of entry of this order a stipulation setting forth a proposed deadline for completion of discovery. Pursuant to Fed. R. Civ. P. 16, made applicable by Fed. R. Bankr. P. 7016, this Court will then enter a scheduling order in the above–captioned adversary proceeding. After the entry of said scheduling order, extensions of the discovery period will be allowed only by order of this Court. Dated and Entered: 4/17/24 Selene D. Maddox Judge, U.S. Bankruptcy Court	STIPULATION It is hereby stipulated and agreed by the parties in the above captioned adversary proceeding that all discovery shall be completed on or before the day of, 20 The parties further stipulate and agree that the initial disclosure provisions of Fed. R. Civ. P. 26(a)(1)–(3), and the initial conference of the parties required by Fed. R. Civ. P. 26(b), and the initial conference of the parties required by Fed. R. Civ. P. 26(c), shall () shall not apply in this adversary proceeding. The parties () consent () do not consent to entry of final judgment as to all claims by a United States Bankruptcy Judge. A pre=trial conference is () requested () waived. This day of, 20 ATTORNEY FOR PLAINTIFF.
	ATTORNEY FOR DEFENDANT.



Non-Default Procedures

WHAT HAPPENS NEXT?

- The Court will issue a **Scheduling Order**.
 - Scheduling Order will contain several deadlines (e.g., completion of discovery; filing dispositive motions and responses thereto).
 - Court order is required to extend deadlines.
- Pre-trial conference (if applicable) will be scheduled.
- Pre-trial Order will be required (see form on website).
- *Trial* will be scheduled.



Q: What event do I use to file *this* pleading?

A: Call us! We are happy to answer your procedural questions! We cannot advise what types of pleadings are needed in a case, but we can direct you to the correct event for pleadings you have already determined are necessary.





Q: Why did the Chapter 13 Plan Payments increase?

A: Questions regarding plan payments should be directed to the Trustee's office.

Q: I am getting an error message when filing documents. What do I do?

A: Most of these error messages occur because your PDF is not flattened. Flatten your PDF and try again! If that doesn't work, give us a call so we can determine if it is a system-wide issue.





Q: I accidentally filed the same document twice and assessed myself duplicate fees. What do I do?

A: If the fee has only been assessed by CM/ECF, but not paid, call us. We may be able to remove the duplicate fee. If you paid the fee, a Motion will be required to request a refund.



Q: I need to fix something simple on a Motion that I filed, such as a transposed case number or misspelled word. What event do I use?

A: If the "meat" (legal basis, relief sought, and demand) of your pleading is unchanged, you can file this using the event *Bankruptcy* > *Other* > *Amended Document*.



Q: I need to amend the contents of my pleading and the response due date or hearing is soon. What do I do?

A: You will need to refile the document using the appropriate event (NOT "Amended Document") and style as amended. If the original pleading is incorrect or unnecessary, you may upload an order requesting that it be withdrawn.

Q: I need a transcript from the § 341a Meeting of Creditors in a case. Who do I contact?

A: The United States Trustee's office maintains all recordings for § 341a Meetings of Creditors.





Q: I need a transcript from a hearing held in the Northern District of Mississippi Bankruptcy Court. Who do I contact?

A: Visit

www.msnb.uscourts.gov/transcri pts-and-audio-files for more information regarding requests for transcripts.

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