

General Court and ECF Information



Court Location and Contact Information

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

CHECK US OUT – www.msnb.uscourts.gov

- 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

The screenshot shows the homepage of the United States Bankruptcy Court Northern District of Mississippi. The header features the court's seal and name, a search bar, and a navigation menu with links to Home, CM/ECF, Court Calendars, Judges, Court Information, Bankruptcy Basics, Links to Helpful Sites, Filing Without an Attorney, and Contact Us. The main content area includes a 'Welcome' message from the Chief Judge and Clerk, a 'Case Locator (PACER)' link, 'E-Filing (CM/ECF)' link, 'Debtor Email Notification' link, and 'Filing Proof of Claim' link. Below this is a 'News & Announcements' section with recent articles, a central 'Rules and Fees' section highlighted with a red box, and a 'Court Locations' section listing Aberdeen, Oxford, and Greenville divisions.

UNITED STATES BANKRUPTCY COURT
Northern District of Mississippi

Home | CM/ECF | Court Calendars | Judges | Court Information | Bankruptcy Basics | Links to Helpful Sites | Filing Without an Attorney | Contact Us

Case Locator (PACER) »
E-Filing (CM/ECF) »
Debtor Email Notification »
Filing Proof of Claim »

Welcome
Welcome to the official website for the United States Bankruptcy Court for the Northern District of Mississippi.
Honorable Jason D. Woodard, Chief Judge
Honorable Selene D. Maddox, Judge
Shallanda J. Clay, Clerk of Court

News & Announcements
Tue, 04/04/2023
2023 ECF Training and Bankruptcy Seminar
Read More »
Wed, 03/29/2023
Notice of Vacancy - Information Technology Specialist - Northern District of Mississippi, Aberdeen
Click here for more information. Read More »
Tue, 02/14/2023
Notice of Vacancy - Term Law Clerk - Northern District of Mississippi, Aberdeen
Click here for more information. Read More »

Rules and Fees
Standing Orders
Bankruptcy Forms
Opinions
Subscribe to our E-mail List

Court Locations
Aberdeen
United States Bankruptcy Court
Northern District of Mississippi
Thad Cochran U.S. Courthouse
703 Hwy 145 North
Aberdeen, Mississippi 39730
Oxford Division (*hearings only)
Federal Building
911 Jackson Avenue
Oxford, Mississippi 38655
Greenville Division (*hearings only)
Federal Building

Local Forms

General ECF and Court Information

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 Previously 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)
 - 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)

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],

Case No. XX-XXXXX-JDW

Debtor.

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:

1. 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]*
2. 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**.
2. 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: _____
DEBTOR(S) CASE NO. _____
PLAINTIFF(S)
VS. _____
ADVERSARY PROCEEDING NO. _____
DEFENDANT(S)

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 AND SUBSCRIBED before me on this the ____ day of
_____, ____.

NOTARY PUBLIC

My Commission Expires:

CM/ECF Page

General Court and ECF Information

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Northern District of Mississippi

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Training Material - Attorney for Debtor(s)

Training Material - Attorney for Creditor

ePOC (Electronic Proof of Claim) Procedure

eFinCert (Electronic Financial Certificate)

e-Order Information

Filing Agents

Home

CM/ECF

The Court has upgraded to the Next Generation of CM/ECF (NextGen). NextGen provides ECF users access to both PACER and CM/ECF with one login and password (aka Central Sign On).

PACER ACCOUNT REQUIRED TO E-FILE

All ECF users must login to an individual PACER account via www.pacer.uscourts.gov 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 account, [click here for instructions on how to register](#). Shared accounts cannot be used for ECF registration.

For PACER assistance: Email: pacer@pcs.uscourts.gov; Phone: 800-676-6856

ECF REGISTRATION INSTRUCTIONS

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 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;

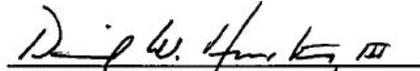
(3) In all cases, the moving party shall give the debtor, the trustee, the U.S. Trustee, all creditors and indenture trustees (except as otherwise expressly provided by law, Federal Rules of Bankruptcy Procedure, Local Bankruptcy Rules, or another order of this court), not less than 21 days notice of 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

8:00 A.M.
Enforced 2-1-10 at _____ P.M.
United States Bankruptcy Court
Northern District of Mississippi
David J. Puddister, Clerk 


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

Standing Orders

General ECF and Court Information

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;

UNITED STATES BANKRUPTCY COURT
Northern District of Mississippi

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ChapMobile App | [Home](#)

[Interactive Public Calendar](#) | [Court Calendars](#)

[Judge Woodard Calendars](#)

[Judge Maddox Calendars](#)

Reporting Settlements and Requesting Continuances

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, **a motion must be filed.**

Court Calendars: Settlements & Continuances

General Court and ECF Information

UNITED STATES BANKRUPTCY COURT
Northern District of Mississippi

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Reporting Settlements and Requesting Continuances

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Reporting Settlements and Requesting Continuances

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 hearing**. Otherwise, the matter will be called for hearing in open court.

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 before the deadline referenced above, 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 before the deadline referenced above, 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.

The screenshot displays the website for the United States Bankruptcy Court Northern District of Mississippi. The header features the court's logo and name, a search bar, and a navigation menu with links to Home, CM/ECF, Court Calendars (highlighted with a red box), Judges, Court Information, Bankruptcy Basics, Links to Helpful Sites, Filing Without an Attorney, and Contact Us. Below the navigation menu, there is a section for the ChapMobile App, with the Interactive Public Calendar link highlighted by a red box. The main content area is titled "Interactive Public Calendar" and includes a disclaimer: "The interactive public calendar is for **Informational purposes only** and is **not the official docket of the court**. Parties should continue to place primary reliance on official notice from the court and information available in the CM/ECF system via PACER." It also states that the calendar displays 30 days of scheduled court hearings and 341 meetings for cases and adversary proceedings filed in the Northern District of Mississippi. A list of features includes: viewing court hearing calendars for all Judges or filter by Judge; viewing 341 calendars for all Trustees or filter by Trustee; searching hearing calendars and 341 calendars by Attorney, Debtor or Case Number; and downloading calendars for viewing or printing. The page also notes that the calendar is automatically updated via data from CM/ECF in approximately 10-minute intervals and that the transaction must be completed in CM/ECF and included in an interval update before the change is depicted on the calendar. At the bottom, there are links to "Click here for the Interactive Public Calendar" and "Click here for the Interactive Public Calendar User Guide". The footer contains links for Home, Contact Us, Employment, Glossary of Legal Terms, Privacy Policy, and BrowseAloud.

Interactive Public Calendar

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.

Interactive Public Calendar 341 CALENDAR

TUE, NOV 8, 2022 TODAY

ATTORNEY SEARCH SEARCH BY DEBTOR NAME SEARCH BY CASE NUMBER

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	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3
4	5	6	7	8	9	10

10:29 - JASON D. WOODARD - OXFORD FEDERAL BUILDING

Interactive Public Calendar 341 CALENDAR

Interactive 341 Meeting Public 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)
 - Incorrect Case Information
 - Procedural Issues
- Notice to Resubmit Order
 - Incorrect Case Information
 - Formatting Issues
 - 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?

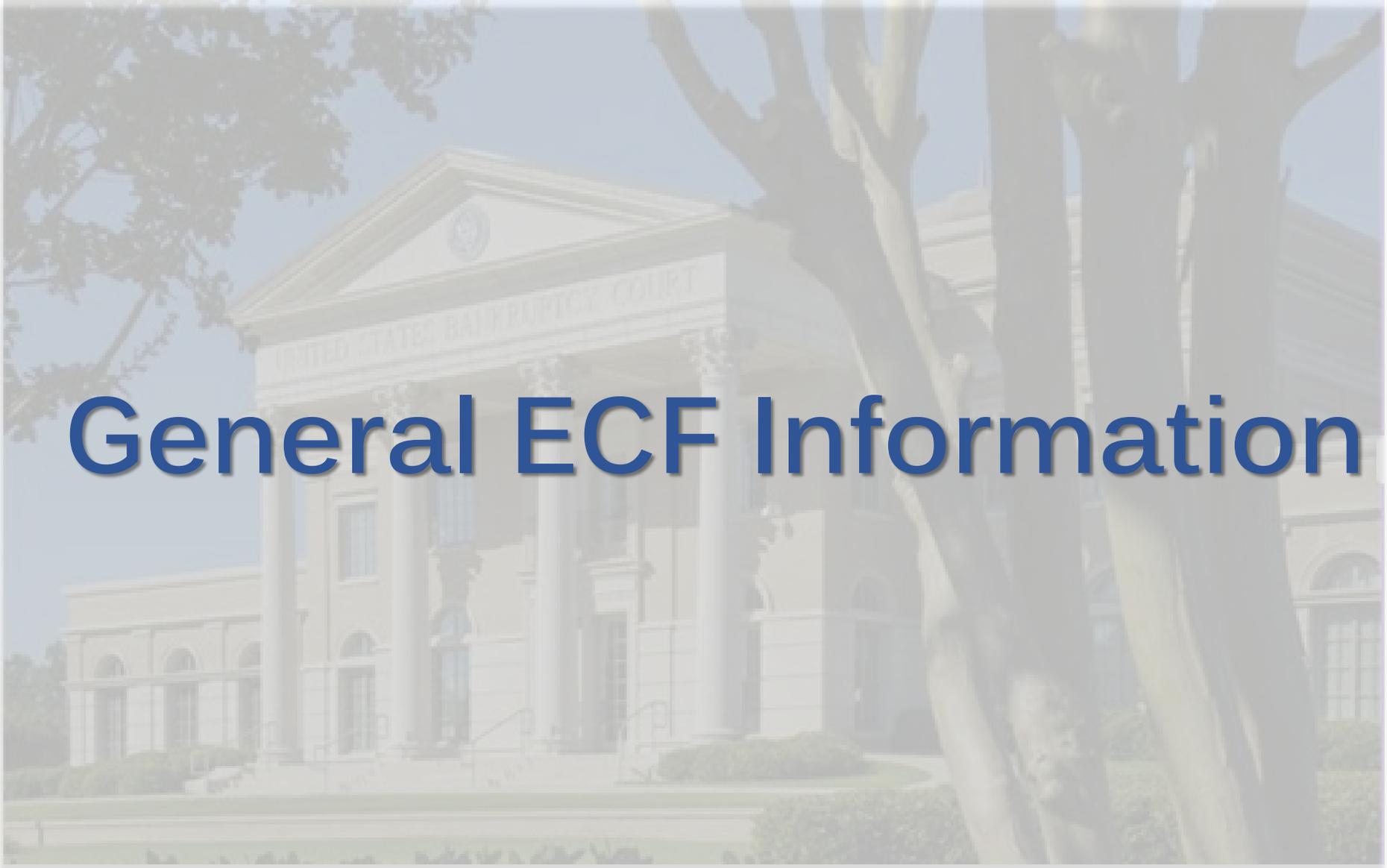
REMINDERS—

- 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

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

General ECF Information

MAINTAIN YOUR ECF ACCOUNT

- User is responsible for updating account information in PACER and ECF System
- Review and make changes to PACER account at www.pacer.uscourts.gov.
- Review and make changes in ECF System under ***Utilities***
 - ***Maintain Your ECF Account***
 - Add secondary email address(es) here.
 - Remember to update when email and/or staffing changes occur.

General ECF Information

REDACTION

- ECF filing = Instant Public Access!!!
- Filing party is responsible for redacting private information;
- Local form motion/order (on website) required to redact after ECF filing occurs;
- Clerk's Office may restrict public access upon filing of motion;
- See Administrative Procedures for ECF for instructions on documents to be **filed under seal**.

General ECF Information

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

FORMATTING AND SIZE REQUIREMENTS

- PDF format not to exceed 30 MB
- Conform to 8½ x 11 standard size

CM/ECF MENU



DOCKET EVENT

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

General ECF Information

HOW TO SEARCH AND SELECT MULTIPLE EVENTS

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

File a Motion

[23-10008-SDM John Doe and Susan Karen Baker](#)

Type: bk

Chapter: 7 v

Office: 1 (Aberdeen)

Assets: n

Judge: SDM

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

Available Events (click to select events)

- Extend Automatic Stay
- Impose Automatic Stay
- Relief from Stay (Agreed with DB Relinquish/TR Abandon)
- Relief from Stay (Agreed, No Fee & No Objection Deadline)
- Relief from Stay (Codebtor or Child Support, No Fee)**
- Relief from Stay (Fee)
- Sanctions for Violation of the Automatic Stay
- Stay
- Stay Pending Appeal

Selected Events (click to remove events)

- Relief from Stay (Fee)
- Abandon (No Fee)
- Relief from Stay (Codebtor or Child Support, No Fee)

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.

File a Motion:

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

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

Select the Party:

[Testin, Ima \[Debtor\]](#)
U. S. Trustee, [U.S. Trustee]

[Add/Create New Party](#)

[Next](#)

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 issue and serve Hearing Notice to interested parties if response is filed.

EXAMPLE

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

EXAMPLE



Case Openings and Related Filings



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.

Chapter 13

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 13

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*

Chapter 13

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

Chapter 13

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



[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**.

The screenshot shows the CM ECF (Case Management/Enterprise Case Filing) system interface. At the top, the logo "CM ECF" is displayed with a building icon. To the right of the logo are two dropdown menus: "Bankruptcy" and "Adversary". Below the logo, the text "Open Voluntary Bankruptcy Case" is displayed in blue. The main area of the form is light blue and contains the following fields:

- Case type** bk
- Date filed** 4/10/2023
- Chapter** 13 (dropdown menu)
- Joint Petition** n (dropdown menu)
- Deficiencies** n (dropdown menu)

At the bottom of the form, there are two buttons: "Next" and "Clear".

Searching for Debtor in Database



[Bankruptcy](#) ▾

[Adversary](#) ▾

[Query](#)

[Reports](#) ▾

[Utilities](#) ▾

[Search](#)

[Help](#)

[Log Out](#)

Open Voluntary Bankruptcy Case

Search for a debtor

SSN / ITIN

000-00-0000

Tax ID / EIN

Last/Business name

Debtor

First Name

Joe

Middle Name

T.

Search database for debtor via
Social Security Number, name, or
Tax ID.

Search

Clear

Searching for Debtor in Database

Debtor Not Found in Database

CM ECF Bankruptcy Adversary Query Reports

Search for a debtor

SSN / ITIN Tax ID / EIN

Last/Business name

First Name

Middle Name

Party search results

No person found.

Select "Create New Party."

Debtor Found in Database

CM ECF Bankruptcy Adversary Query Reports

Search for a debtor

SSN / ITIN Tax ID / EIN

Last/Business name

First Name

Middle Name

Party search results

- Debtor, Joe, 123 Main Street, Tupelo, MS
- Debtor, Joe B, 987 Gloster Street, Tupelo, MS
- Debtor, Joe T, 123 Main Street, Tupelo, MS

Select the correct debtor.

Creating New Party



Bankruptcy ▾ Adversary ▾ Query Reports ▾ Utilities ▾ Search Help Log Out

Debtor Information

Last name First name

Middle name Generation Title

SSN/ITIN + Tax Id/EIN

Office Address 1

Address 2 Address 3

City State Zip

County Country

Phone Fax

E-mail

Party text

Alias... Review...

Submit Cancel Clear

Add all aliases and corporate parents of this party before clicking the Submit button.

Adding alias if needed:

CM ECF Bankruptcy ▾ Adversary ▾ Query Reports ▾ Utilities ▾ Se

Alias Information (Party Debtor, Joe)

	Last/Business name	First name	Middle name	Generation	Role
1	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	aka ▾
2	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	aka ▾
3	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	aka ▾
4	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	aka ▾
5	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	aka ▾

Add aliases Clear Click the Add aliases button to return to the Party screen and submit all information for this party.

Opening Chapter 13 Case



Bankruptcy ▾ Adversary ▾ Query Reports ▾ Utilities ▾ Search Help Log

Open Voluntary Bankruptcy Case

Prior filing within last 8 years

Fee status

Nature of debt

Asset notice

Estimated number of creditors

Estimated assets

Estimated liabilities

Type of debtor

- Individual
- Corporation (includes LLC & LLP)
- Partnership
- Other

Nature of business

- Health Care Business
- Single Asset Real Estate
- Railroad
- Stockbroker
- Commodity Broker
- Clearing Bank
- None of the above

Indicate case-specific information using drop-down menus and radio buttons.

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.**

CM ECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

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 Mo

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	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule A/B - Total Personal Property	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule D - Total Secured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule E/F - Total Priority Unsecured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule E/F - Total Nonpriority Unsecured Claims	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule I - Monthly Income	<input type="text"/>	<input type="text"/>	<input type="text"/>
Schedule J - Monthly Expenses	<input type="text"/>	<input type="text"/>	<input type="text"/>
Current Monthly Income (Official Form 122A-1, 122B or 122C-1)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total Nondischargeable Debt (Official Form 106Sum, 9g)	<input type="text"/>	<input type="text"/>	<input type="text"/>
Total Dischargeable Debt (Computed) Note: Not computed when any value above for D, E/F, or total nondischargeable debt is not known	<input type="text"/>	<input type="text"/>	<input type="text"/>

Next Clear

Statistical Information

Open Voluntary Bankruptcy Case

Schedules

Schedule I line 2: Monthly gross wages, salary, and commission Debtor Spouse

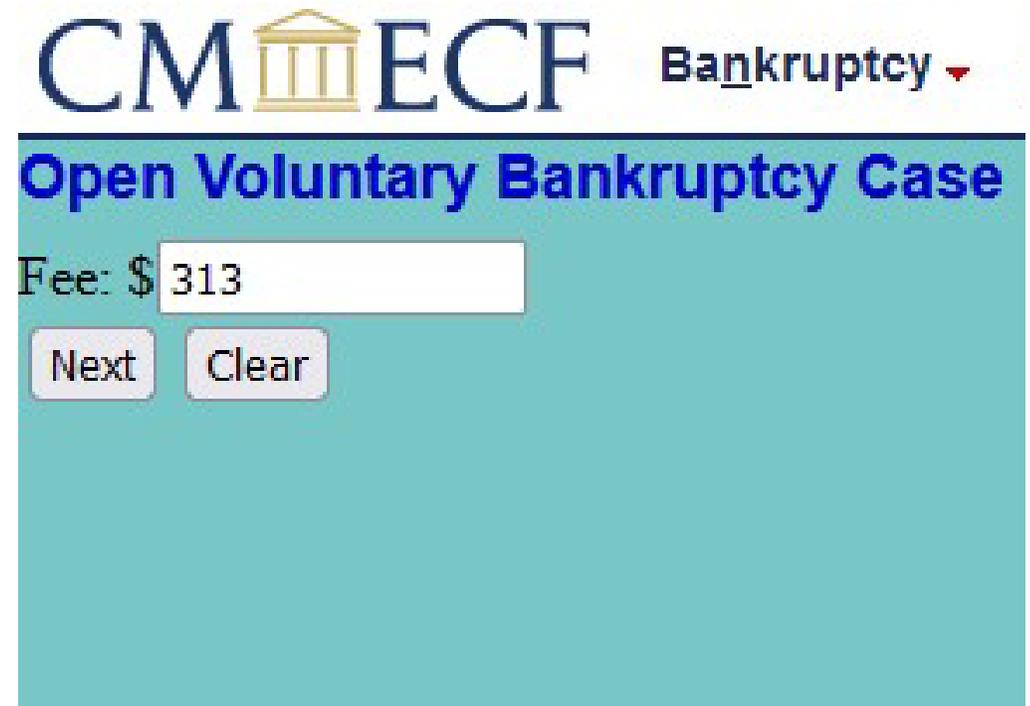
Schedule I line 6: Subtotal of payroll deductions Debtor Spouse

Schedule J line 23c: Monthly net income

- 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 **Filing Fee** 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.



CM/ECF Bankruptcy ▾

Open Voluntary Bankruptcy Case

Fee: \$

Notice of Bankruptcy Case Filing

- Once the Voluntary Petition has been successfully filed, the **Notice of Bankruptcy Case Filing** 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](#)

[Notice 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: [23-10046](#)
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
Jackson, MS 39201

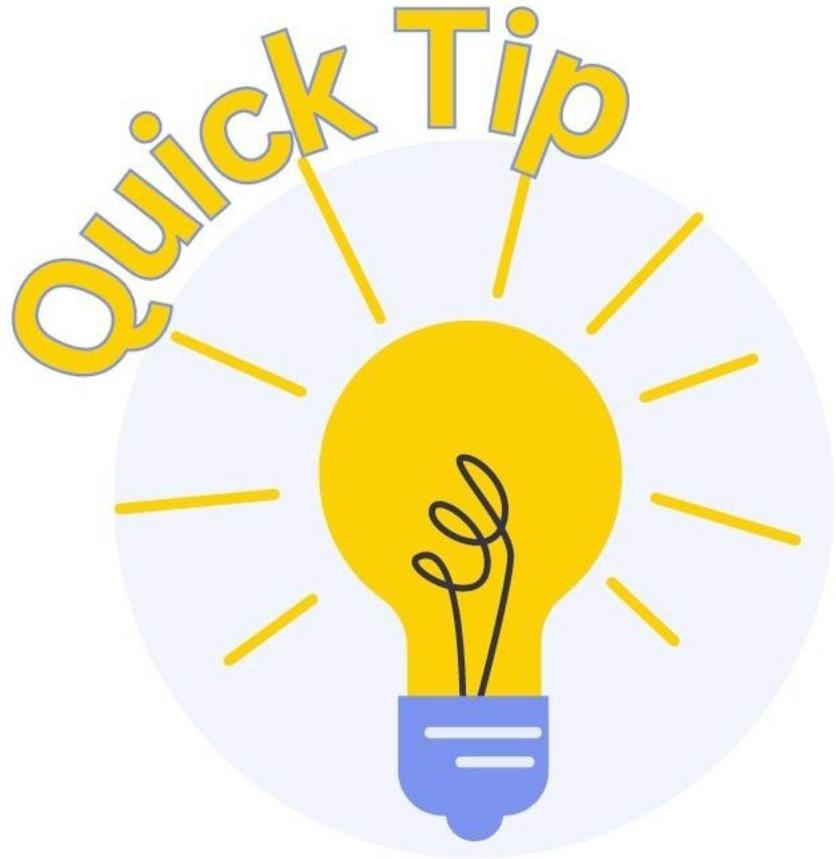
Summary of Current Charges

- The **Summary of Current Charges** 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

Pay Now Continue Filing

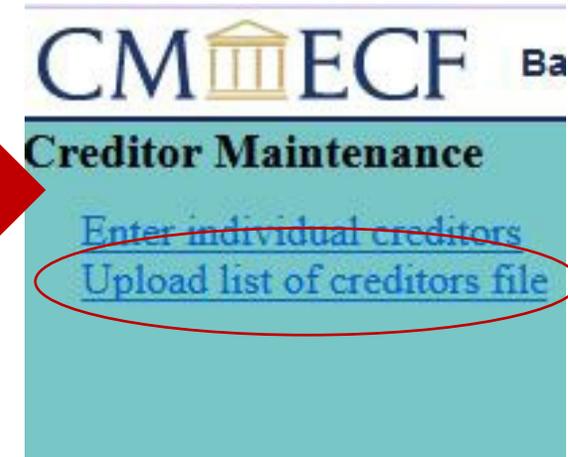
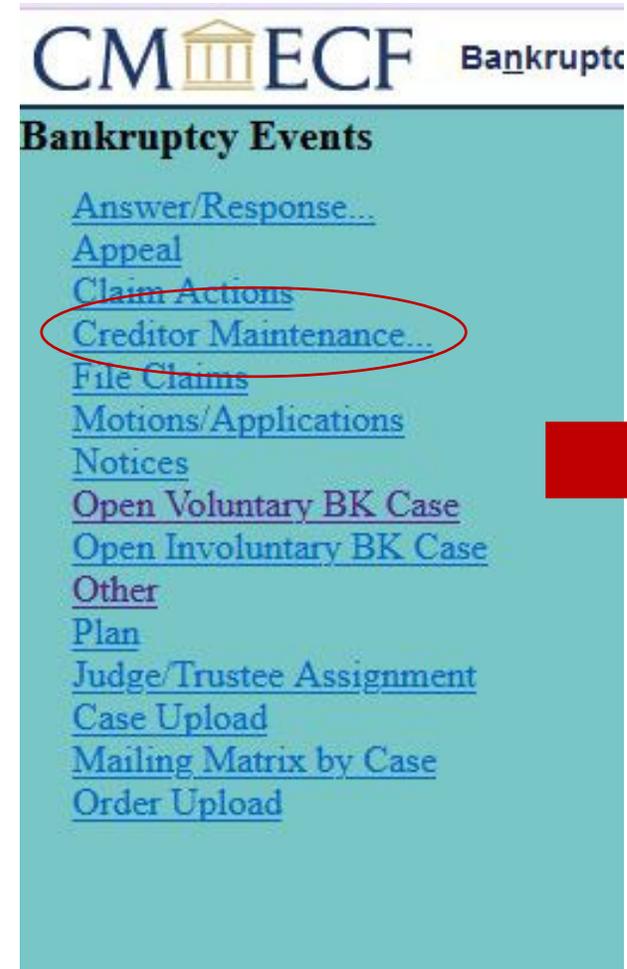


Fees must be paid on the same day as the related ECF transaction or the user's filing privileges will be revoked until the delinquent balance is paid in full.

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.



Some software automatically creates a .txt file of the Creditor Matrix.

See your IT Specialist regarding converting documents to .txt.

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.

Statistical Information

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

CM ECF Bankruptcy Adversary Query Reports Utilities Search Help Log Out

Open Voluntary Bankruptcy Case

Schedules

Schedule I line 2: Monthly gross wages, salary, and commission Debtor Spouse

Schedule I line 6: Subtotal of payroll deductions Debtor Spouse

Schedule J line 23c: Monthly net income

Form B122A-1

Line 1: Marital and filing status

Line 11: Total current monthly income Debtor 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

National Standards

Line 6: Food, clothing and other items

Line 7c: Out-of-pocket health care allowance: people under 65 years of age

Line 7e: Out-of-pocket health care allowance: people 65 years of age or older

Local Standards

Line 8: Housing and utilities; insurance and operating expenses

Line 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 expense

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 payment

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

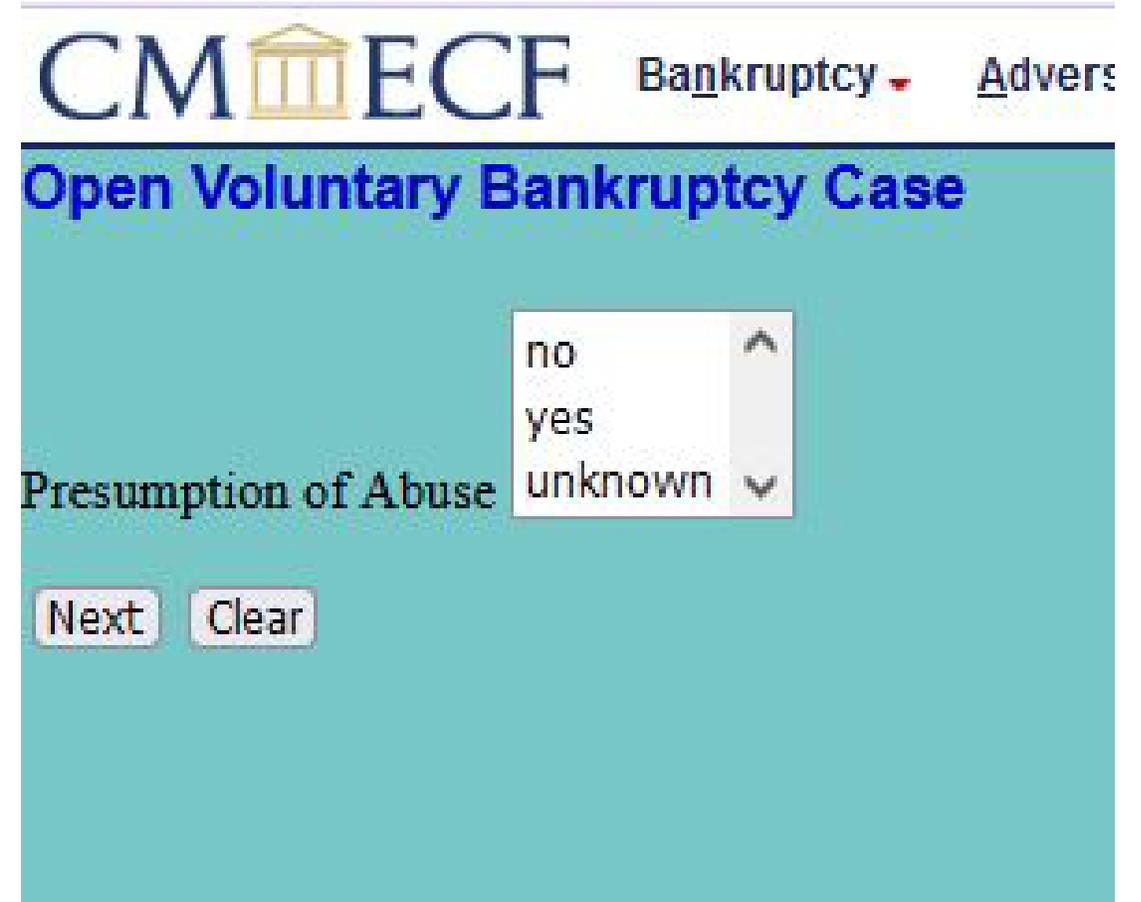
Line 42: Secondary presumption determination

Next Clear

Case Openings and Related Filings

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**.



The screenshot shows the CM/ECF (Court Management/Enterprise Case Filing) interface. At the top, the logo 'CM/ECF' is displayed with a building icon, followed by 'Bankruptcy' and 'Advers'. Below this is a teal header with the text 'Open Voluntary Bankruptcy Case'. The main form area is also teal and contains a dropdown menu labeled 'Presumption of Abuse'. The dropdown menu is open, showing three options: 'no', 'yes', and 'unknown'. Below the dropdown are two buttons: 'Next' and 'Clear'.

Filing Fee

- Once on the **Filing Fee** 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.



CM/ECF Bankruptcy Adversary Query R

Open Voluntary Bankruptcy Case

All Petitions Paid in Installments Must be Accompanied by An Ap

Fee: \$ 338

Next Clear

Filing Fee

- If filing an ***Application to Have the Chapter 7 Filing Fee Waived***, change the amount to **0.00**.
 - If applicable, the ***Application to Have Chapter 7 Filing Fee Waived*** must be filed immediately after the case is opened.



The screenshot shows the CM ECF (Case Management/Enterprise Case Filing) interface. At the top, there is a navigation bar with the CM ECF logo and links for Bankruptcy, Adversary, Query, and R. Below the navigation bar, the page title is "Open Voluntary Bankruptcy Case". A blue banner contains the text "All Petitions Paid in Installments Must be Accompanied by An Ap". Below the banner, there is a form field for the filing fee, labeled "Fee: \$", with the value "338" entered. There are two buttons, "Next" and "Clear", below the fee field.



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.

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 Openings and Related Filings

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
- Ch 7 – Proper 122A form(s) due 04/27/2023
- Schedule E/F due 04/27/2023
- Schedule G due 04/27/2023
- Schedule H due 04/27/2023
- Schedule I due 04/27/2023
- Sch J (and J-2 If Applicable) 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

Case Openings and Related Filings



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!

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 Filings 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



Amended Schedule(s) D, E/F

Amended Schedules(s) D, E/F

FILING REQUIREMENTS:

- Amended Schedules
- Amended Creditor Matrix
 - PDF should only list added creditors or clearly indicate added/deleted creditors
- Notice to Added Creditors
 - Only required if 341a Meeting of Creditors Notice has been docketed
 - Fillable form is available on Court's website
- Filing Fee
 - Except when changing address of existing creditor or adding an attorney to an existing creditor



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)



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.

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

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

IN RE: _____
DEBTOR(S)

CASE NO. _____
CHAPTER: _____

TO: AFFECTED CREDITORS: [List name and address of each added creditor here or notate "See Attached" and attach a list of **added creditors only** or **clearly indicate** 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: _____

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

Amended Schedules D, E/F

- 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 any other reason, select **Amended Schedule(s) D, E/F (Fee)**.

The screenshot shows the CM ECF Case Openings and Related Filings interface. At the top, there is a navigation bar with the CM ECF logo and three dropdown menus: Bankruptcy, Adversary, and Query. Below the navigation bar, the page title is "Miscellaneous" and the case number is "23-10047 Thomas Bell". There is a search box with the placeholder text "Start typing to find another event". Below the search box, there is a section titled "Available Events (click to select events)". The list of events includes: 20 Largest Unsecured Creditors, Addendum, Affidavit, Amended Creditor Matrix, Amended Document, Amended Objection, Amended Schedule(s) D, E/F (Fee) (highlighted in blue), 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, and Brief. At the bottom of the list, there are "Next" and "Clear" buttons.

Amended Schedule(s) D, E/F

Miscellaneous:

23-10047 Thomas Bell

Is Schedule D Being Amended?

Yes
 No

Miscellaneous:

23-10047 Thomas Bell

Is Schedule E/F Being Amended?

Yes
 No

Amended Schedule(s) D, E/F

- 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.

Miscellaneous:

23-10047 Thomas Bell

Are Creditors Being Added To Case?

Yes

No

Next

Clear

Amended Schedule(s) D, E/F

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

Miscellaneous:

[23-10047 Thomas Bell](#)

Enter Priority Unsecured Claims Amounts:

Enter NonPriority Unsecured Claims Total:

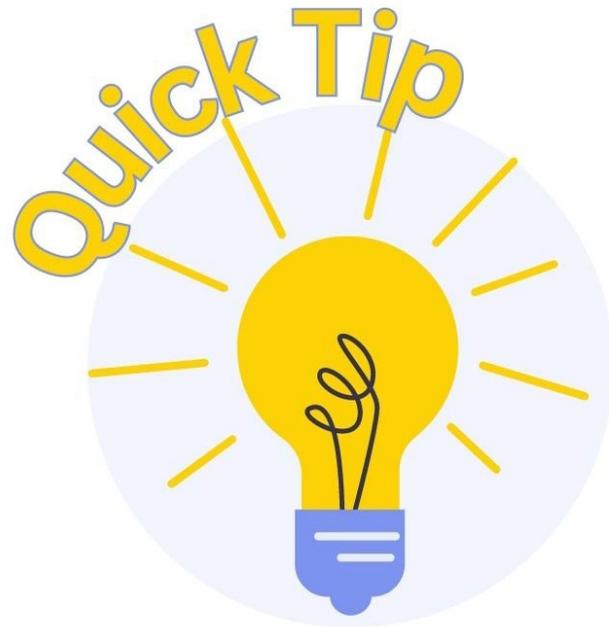
Miscellaneous:

23-10047 Thomas Bell

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

Next

Clear

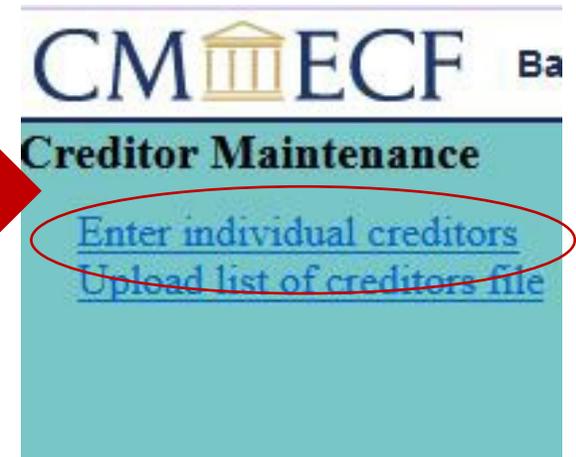
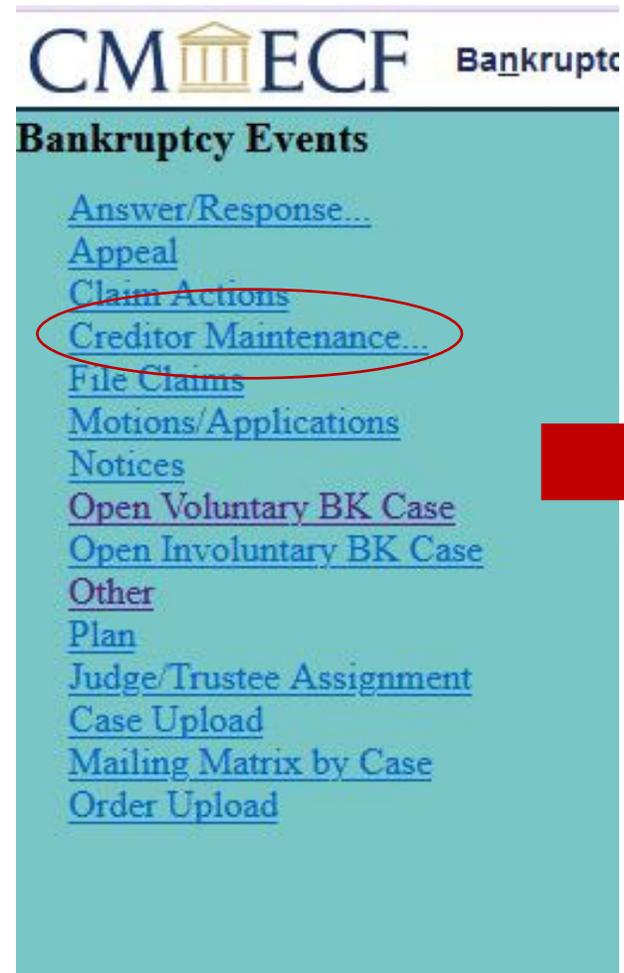


This event and others prompt screens containing helpful hints and useful information.

Please be sure to stop and read each screen carefully before continuing.

Amended Schedule(s) D, E/F

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



Amended Schedule(s) D, E/F

Add Creditor(s)

Case number 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.*

Name and Address

Example Creditor
1 Virtual Drive
Tupelo, MS 38801

Landscaping Service
48 Clipping Way
Aberdeen, MS 38801

Creditor type Creditor

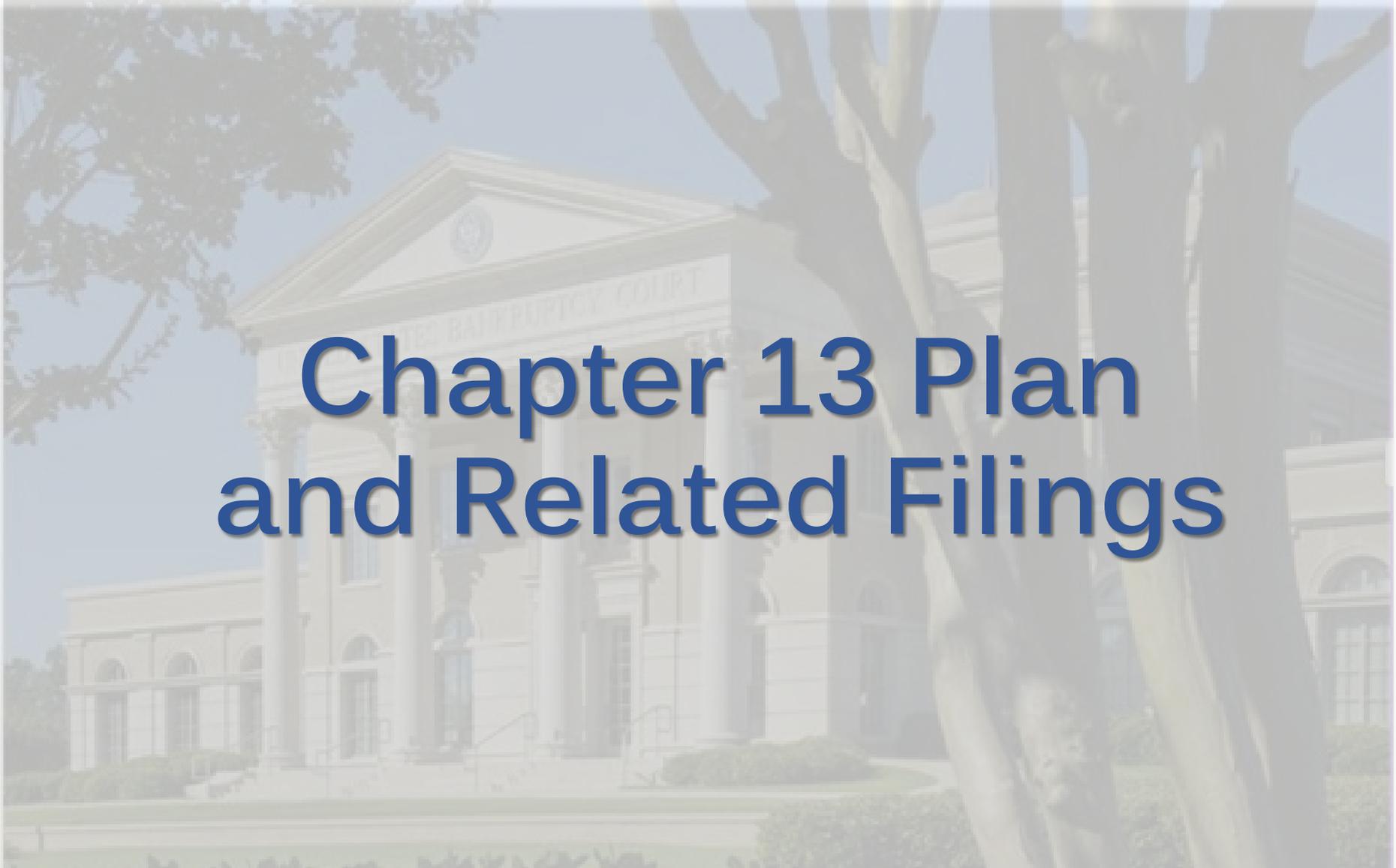
Creditor committee No Yes **Entity**

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



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





Chapter 13 Plan and Related Filings

Timeline for Filing Chapter 13 Plan and Notice

1. File Chapter 13 Plan.
2. After Chapter 13 Trustee docket §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



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

1.1	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	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.3	Nonstandard provisions, set out in Part 8	<input type="checkbox"/> Included	<input type="checkbox"/> 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

Amended Chapter 13 Plan and Notice

FILING REQUIREMENTS:

- Amended Chapter 13 Plan
- Notice
- Certificate of Service

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



If an amended plan is filed and the original plan was previously noticed and served out, you must file a 30-day Notice of Filing Amended Chapter 13 Plan.

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

Chapter 13 Plan and Related Filings

(12/2017)

Fill in this information to identify your case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the Northern District of Mississippi

Case number _____

Check if this is an amended notice.

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 309I)]**. 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 **[insert confirmation hearing date, time, and location announced in Part 9 of the Notice of Chapter 13 Bankruptcy Case (Official Form 309I)]**, unless the court orders otherwise. If no objection is timely filed, the Plan may be confirmed without a hearing.

x

Signature of Attorney for Debtor(s)

Dated:

MM/DD/YYYY

Address Line 1

Address Line 2

City, State, and Zip Code

Telephone Number MS Bar Number

Email Address

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

Chapter 13 Plan and Related Filings

NOTE: 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 all creditors. See Amended Standing Order regarding the Procedure for Modification of Chapter 13 Plan.

Fill in this information to identify your case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the Northern District of Mississippi

Case number _____

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 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 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 **issue and serve** Hearing Notice to interested parties.
- If no response, the order is sent to chambers for review.

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



Common Motions/Applications

Motion to Extend Time

FILING REQUIREMENTS

- Motion
- Certificate of Service
- Upload proposed order

WHAT HAPPENS NEXT?

- Order routed to chambers for review

Motion to Shorten Time

FILING REQUIREMENTS

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

NOTE: Related pleading must be filed immediately prior to Motion

WHAT HAPPENS NEXT?

- Order routed to chambers for review



Order granting Motion to Shorten Notice Time ONLY 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

NOTE: 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.

Application to Employ

FILING REQUIREMENTS

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

Application to Employ

File a Motion:

[23-10045-SDM Joe Debtor](#)

Type: bk

Chapter: 13 v

Assets: y

Judge: SDM

Select the Party:

Debtor, Joe [Debtor]
U. S. Trustee, [U.S. Trustee]
Vardaman, Terre M. [Trustee]

[Add/Create New Party](#)

Next

Clear

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

Application to Employ

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

Party Information

Last name	Corey	First name	Geha		
Middle name		Generation		Title	
SSN/ITIN		999-99-9999	Tax Id/EIN		12-1234567
Office		Address 1	430 N Spring Road		
Address 2		Address 3			
City	Tupelo	State	MS	Zip	38804
County	LEE-MS (28081) ▾				
Phone		Country			
E-mail		Fax			
Role	blank (blank:) ▾				
Party text					

Submit Cancel Clear Corporate parent / affiliate...



This event will create an attorney/party association between the filer and the represented party as indicated on the previous screen.

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.

Application to Employ

File a Motion:

22-10007-SDM Joe Debtor **Converted** 02/08/2022

Type: bk Chapter: 7 v Office: 1 (Aberdeen)
Assets: y Judge: SDM Case Flag: CONVERTED

IMPORTANT: 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.

Geha, Corey(prf:sp) represented by Attorney, Six (aty)

Next Clear

Deselect the checkbox to avoid erroneously creating attorney/party association as needed.

Application to Employ

File a Motion:

23-10045-SDM Joe Debtor

Type: bk

Chapter: 13 v

Assets: y

Judge: SDM

Enter Name of Person to be Employed

Enter Type of Position

Next

Clear

Application to Employ

File a Motion:

[23-10045-SDM Joe Debtor](#)

Type: bk

Chapter: 13 v

Office: 1 (Aberdeen)

Assets: y

Judge: SDM

Docket Text: Modify as Appropriate.

Application to Employ Corey Geha as Special Counsel for Auto Accident Case Filed by Six Attorney on behalf of Geha Corey . (Attorney, Six)

Next

Clear

Application to Employ

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

Application for Compensation

FILING REQUIREMENTS

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

Application to Compensation

File a Motion:

[23-10045-SDM Joe Debtor](#)

Type: bk

Assets: y

Chapter: 13 v

Judge: SDM

Select the Party:

1st Franklin, [Creditor]

Corey, Geha [Spec. Counsel]

Debtor, Joe [Debtor]

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

Vardaman, Terre M. [Trustee]

[Add/Create New Party](#)

Next

Clear

- Filer should select party to receive compensation on **Party Selection** screen (e.g. Special Counsel, etc.)

Application for Compensation

File a Motion:

[23-10045-SDM Joe Debtor](#)

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

Applicant Six Attorney Type

Filer

From

Fee request \$

To

Expense request \$

Applicant Joe Debtor Type

Filer

From

Fee request \$

To

Expense request \$

- Accurately enter fee and expense amounts requested by the applicant, the time frame in which expenses were incurred, and indicate the role type using the drop-down menu.
- Indicate the filer using the checkboxes.

Application for Compensation

[8](#)

(1 pg)

Application for Compensation for Geha Corey, Special Counsel, Fee: \$12430, Expenses: \$897. Filed by Six Attorney. (Attorney, Six) (Entered: 04/19/2023)

Example of a correctly filed Application for Compensation

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:

[23-10045-SDM Joe Debtor](#)

Type: bk Chapter: 13 v
Assets: y Judge: SDM

Select the Party:

[Add/Create New Party](#)

- 1st Franklin, [Creditor]
- Corey, Geha [Spec. Counsel]
- Debtor, Joe [Debtor]
- U. S. Trustee, [U.S. Trustee]
- Vardaman, Terre M. [Trustee]





Common Filings by Debtors

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 issue and serve 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



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 Debtor

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.

Motion to Avoid Lien

- Search by lienholder name.
- Select name from Party Search Results.
- 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

Party search results

1st Franklin, 123 Main Street, Tupelo, MS
1st Franklin Financial, 904 Battleground Drive, Iuka, MS
1st Franklin Financial Corporation, c/o Richard C. Dean, Jr., Montgomery, AL



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



This procedure also applies to filing a Motion to Avoid Judicial Lien; however, the docket events will differ.

Bankruptcy > Motions/Applications > Avoid Judicial Lien

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) 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 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

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

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

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





Common Motions/Applications Filed by Creditors

Motion for Relief from Stay

FILING REQUIREMENTS

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

NOTE: Filer must select or add the party seeking relief

WHAT HAPPENS NEXT?

- Court will **issue and serve** a Hearing Notice to interested parties

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 issue and serve Hearing Notice to interested parties

Motion for Relief from Stay

(Codebtor or Child Support, No Fee)

- Input codebtor's name and address.
- The role type will be **Interested Party**.
- If you are filing the Motion for child support, no party will be added.

Party Information

Last name	Codebtor	First name	Mister		
Middle name		Generation		Title	
SSN/ITIN		999-99-9999	Tax Id/EIN		12-1234567
Office		Address 1	123 Address Dr		
Address 2		Address 3			
City	Tupelo	State	MS	Zip	38801
County		Country			
Phone		Fax			
E-mail					
Role	Interested Party (intp:pty)				
Party text					

Alias... Corporate parent / affiliate... Review... Add all aliases and corporate parents or affiliates before clicking the Submit button.

Submit Cancel Clear



Agreed Order Lifting Stay and/or Abandoning Property:

- Sua Sponte Order Upload.
- No motion is required.
- Debtor's counsel and Trustee must sign 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 issue and serve Hearing Notice to interested parties

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



A photograph of a classical building with a portico and columns, identified as the United States Bankruptcy Court. The text "UNITED STATES BANKRUPTCY COURT" is visible on the pediment. The image is overlaid with a semi-transparent blue filter. A large tree trunk is visible in the foreground on the right side.

Certificate of Service

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.



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 serve all parties;
- 2.) The deadline to file the certificate of service with the court

**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

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

Example Order for Certificate of Service

Certificate of Service



Failure to meet **BOTH** 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

Reaffirmation Agreement

FILING REQUIREMENTS

- Reaffirmation Agreement including 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

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.



Notices and Requests

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 **issue and serve** Hearing Notice to interested parties.



Notice of Default or NonCompliance Pursuant to Order:

Applicable ONLY 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
 - Note: 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.



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.

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?

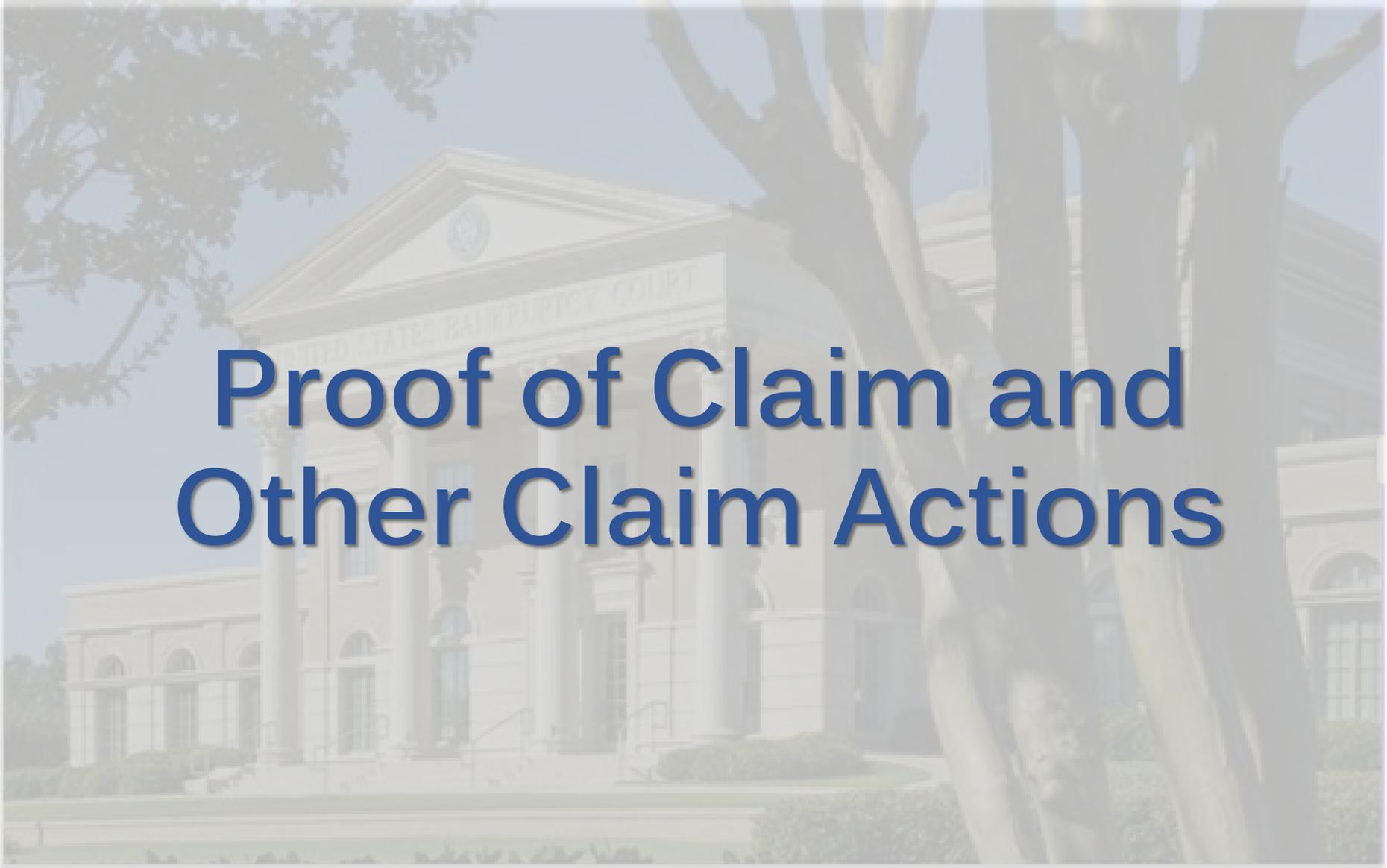
- Clerk's Office will reset hearing (with some exceptions)

REMINDERS—

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

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





Proof of Claim and Other Claim Actions



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

Proof of Claim

Proof Of Claim Information For
23909 - MedPlus
123 Medical Circle
Tupelo, MS 38801

Case Number: 23-10045-SDM	Amends Claim #: <input type="text"/> Find	Filed By: Creditor ▾
Last Date To File:	Date Filed: 04/14/2023	
Last Date To File(Govt): 10/10/2023		
Claimed		
Amount Claimed <input type="text"/> <i>Enter the Total Amount of Claim as of Date Case Filed (incl. secured, priority, general unsecured & unknown)</i>	Secured <input type="text"/> <i>If all or part of your claim is secured, enter the secured amount (Box 9 on claim)</i>	Priority <input type="text"/> <i>If all or part of your claim is entitled to priority, enter the priority amount (Box 12 on claim)</i>
Description:	<input type="text"/>	
Remarks:	<input type="text"/>	
Amend options: <input type="radio"/> Clear All Amounts		
<input type="button" value="Next"/> <input type="button" value="Clear"/>		

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 3001 (e) 2 3001 (e) 3 3001 (e) 4

Search for transferee

Transferee selected

Search for transferor

Transferor selected

Claim number

Search for transferor

Transferor selected

Claim number

Search for transferor

Transferor selected

Claim number



Notice of Mortgage Payment Change

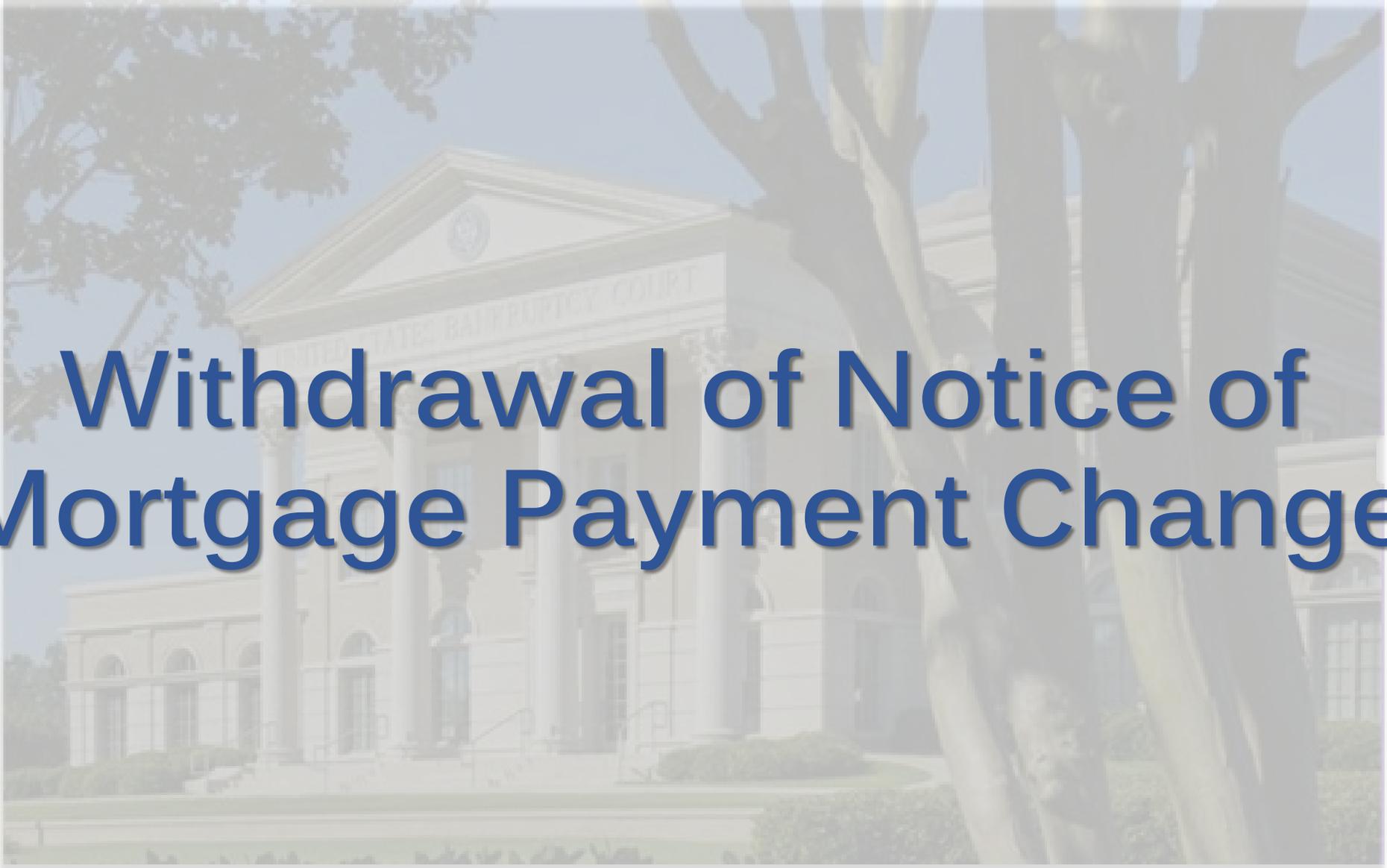
Notice of Mortgage Payment Change

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

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.



Responses and Objections

Response

FILING REQUIREMENTS

- Response
- Certificate of Service

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

Objection to Notice of Mortgage Payment Change/Postpetition Fees

FILING REQUIREMENTS

- Objection
- Certificate of Service

WHAT HAPPENS NEXT?

- Court will issue and serve Hearing Notice to interested parties

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 meeting of creditors notice:
 - Virtual entry docketed to add Objection to court calendar on Confirmation Hearing date
- If the Objection is filed after the deadline in 341a meeting of creditors notice:
 - Court will **issue and serve** Hearing Notice to interested parties

An Objection to Proof
of Claim requires a
____-day notice.





Proposed Orders



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 will not 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:

Document Size: 8½ x 11 standard paper size; not to exceed 30 MB.

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

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

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

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

Example of Properly Formatted Order



3" Top Margin

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI

In re:)
)
 [NAME OF DEBTOR],) Case No.: XX-XXXXX-XXX
)
 DEBTOR.) Chapter: XX
)
)

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)

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 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.

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.**
 - 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;

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



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?





Discharges



Debtor's Responsibilities



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.



Motion for Hardship 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



When does the clerk's office review a case for discharge eligibility?

After the deadline for objections/responses to the trustee's final report has expired.

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?





Adversary Proceedings

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 an injunction or other equitable relief;
- Subordinate a claim;
- Determine a claim or cause of action removed under 28 U.S.C. §1452.

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 on an expedited basis.

Issuance and Service of Summons

SUMMONS ISSUED

Clerk's Office will issue ONE Summons to be used for all defendants.

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

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, plaintiff must file an Application to Clerk for Entry of Default (required 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

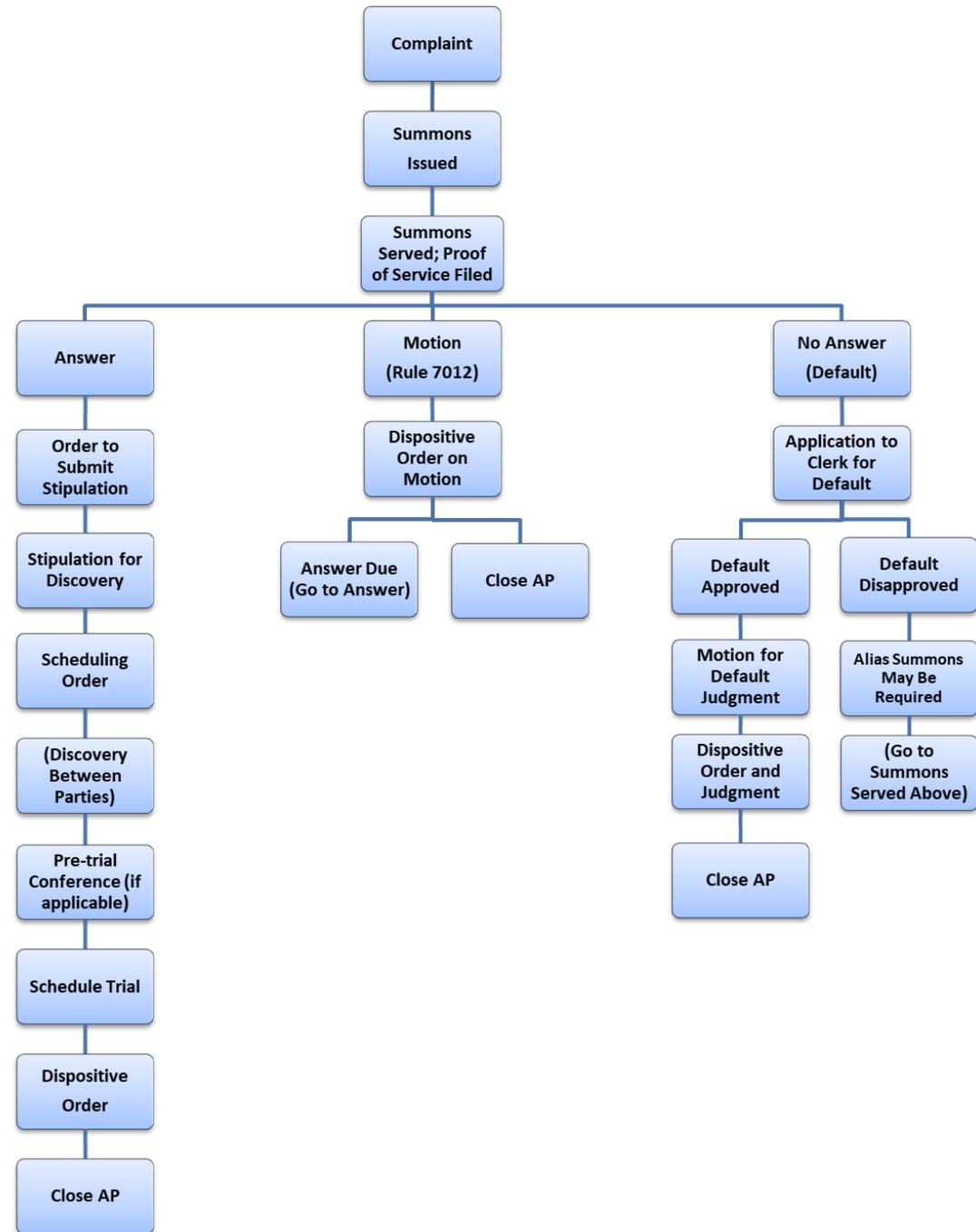
A Motion for Default Judgment must be filed separately and may be considered only after entry of default—template but not required form on website). A proposed order is also required.

- ***Adversary > Motion > Default Judgment.***

WHAT HAPPENS NEXT?

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

Flowchart for Adversary Proceedings



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We care about your experience.
Please complete this anonymous
survey to help improve future
training seminars!



SCAN HERE