

CM/ECF UPDATE – 2002 CASES

The following is an update on Electronic Case Filing in the District of Arizona including plans for expansion to the Yuma and Tucson offices.

1. All new bankruptcy cases filed in the Phoenix office (this includes Prescott cases) starting January 2, 2002, will be placed on the Electronic Case Filing (ECF) system. Starting January 14, 2002, Phoenix office ECF cases will be accessible by attorneys and the public only from the ECF system by the use of a PACER login and id. The 2002 Phoenix office cases will not be accessible by attorneys, trustees or the public either through the old dial up access, BRASS, or through WebPACER. The same PACER login and id that has been used to access BRASS or WebPACER will work in ECF. No new PACER login or id is needed to access ECF cases. Also, if you are currently exempt from paying PACER fees, your exemption will carry over to the ECF cases. However, you will be required to use the PACER login and id, you just will not receive a bill for your ECF access if you are already exempt.

2. Chapter 11 Cases. All chapter 11 cases on ECF will continue to be fully electronic in that paper filings made by attorneys or pro se parties will continue to be scanned and docketed by the clerk's office. Chapter 11 claims will be docketed as set forth below in the claims information.

3. Chapter 7, 12 and 13 cases. All 2002 Chapter 7, 12 and 13 cases filed in the Phoenix office will be on the ECF system. These cases and 2001 and earlier Chapter 7 and 13 ECF cases, will not be fully electronic starting January 2, 2002. While all filings in these cases will be docketed on ECF, the documents filed on paper will not be available electronically. Paper filings by attorneys, not yet on ECF, and by pro se parties will be docketed on ECF without being scanned so the paper document will not be accessible on the ECF docket. The paper filings will only be in the case file. Attorneys who have live ECF filing passwords will be able to file all documents, including claims, themselves electronically in all 2002 cases in the Phoenix office, including even pro se debtor cases. All court generated documents, including orders, court notices, and discharges will be filed electronically in all 2002 cases and will be accessible from the ECF docket.

4. Claims. Claims in ECF cases, all 2002 cases and 2001 and earlier ECF cases will be processed as follows:

Chapter 7 Cases designated No Asset. Any claims filed on paper are placed in the case file.

Chapter 7 Cases designated Asset. Claims filed on paper will be placed in the case file after the deputy clerk updates the mailing list on ECF.

Chapter 11 Cases. Unless the debtor has been ordered to maintain the mailing list, claims filed on paper will be placed in the file after the deputy clerk updates the mailing list on ECF. Claims will not be docketed on ECF until plan confirmation and then on written request by the attorney for the debtor. Alternatively, debtors' attorneys may check out the claims file(s) and prepare their own claims

register at anytime.

Chapter 13 Cases. Claims filed on paper will be placed in the case file after the deputy clerk updates the mailing list on ECF. If the case is not dismissed or converted, 15 days prior to the claims bar date, the claims will be docketed on ECF (only secured and priority claims will be scanned, unsecured claims will be docketed, but not scanned.)

Electronically filed claims. An attorney with an ECF password may file claims electronically on any 2000 or 2001 ECF case (In 99 and earlier ECF cases, the claims must still be filed on paper for now.) See the ECF Filing Claims Instructions located on the court's website at www.azb.uscourts.gov for detailed guidance on how to file a proof of claim. Also, starting in 2002, a limited use/claims password will be issued to creditors which will allow them to file their own claims electronically.

5. Adversary Proceedings. At this time, a complaint commencing an adversary proceeding still cannot be filed electronically by the attorney. Adversary complaints must still be filed on paper. The complaint should also be submitted in pdf format on a disk. Any required filing fee should be paid at the time the complaint is filed.

6. Petitions. At this time, the bankruptcy petition and mailing list must still be filed on paper. Attorneys should be able to start filing the petition and commence a new case about the middle of 2002. If the mailing list contains 100 or more names and addresses, you are required to also submit the mailing list on a disk in ASCII format.

7. Tucson and Yuma offices. At this time, our plan is to file all new cases in the Phoenix office on ECF starting January 2, 2002, but not to convert pending Phoenix office cases to ECF until after the Yuma and Tucson offices are fully converted to ECF. We expect in 2002 to first convert all open cases to the ECF system in the Yuma office and then convert the Tucson office and then come back to Phoenix to convert the pending non ECF cases to ECF. There is a program to convert case dockets on the old system to ECF. But all that is converted is the case data and the docket entries. No electronic documents exist in the cases on the old system to convert to ECF. So the converted cases will only have docket entries on ECF at the time of conversion. But, once all the pending cases are converted to ECF, attorneys who are on ECF will be able to do all their filing in any case electronically.

8. Since, at first, all paper filings are not going to be scanned by the clerk's office, when we are able to increase the amount of scanning we can do and start scanning paper filings in Chapter 7, 12 or 13 cases, we would like to know what paper filings debtor attorneys, creditor attorneys and trustees think should have first priority in scanning. A survey is being developed to ascertain your input in this area and will be sent out to all ECF users in the near future.

9. Version One of CM/ECF. On January 14, 2002, we will be switching our ECF filings site to our local server and at the same time switching to the new Version One of the ECF software. There are a few changes that affect the attorney and trustee users. You can familiarize your self with these changes at the test site, using your test filing password starting January 3, 2002, when the test site is converted

to the Version One software. We will also be conducting a training session at the clerk's office, in the 8th floor training room, on Tuesday, January 8, 2002, from 2:00 to 4:00 PM. This is an open session and you, and staff, are welcome to come during this time period.

The changes you will notice and affect your filing are:

A. The process and screens for searching for a party and adding that party to a case or entering a new party have changed.

B. When filing a document, the first screen you will see after entering the case number is the pick list of the types of filings in that category.

C. Updated Mailing List for an ECF case. Starting January 14, 2002, when you need an updated mailing list for noticing in an ECF case, you must obtain that list by selecting Reports and then selecting Creditor Mailing Matrix. The mailing list may be created in single column or a raw data format which can then be copied over to any software you may have that can create a two or three column format to print mailing labels. The creditor list under the Query option will no longer exist.

D. Displays. In most every type of filing made on ECF, there will now be a screen during the filing process that displays additional instructions and information for the type of filing being made. Please read these messages and follow any instructions contained therein regarding submitting copies, orders or obtaining a hearing date or any other instructions.

E. Review your E-mail Notification set-up. Starting January 14, 2002, you will not be able to request both summary e-mail notification and individual notices of each filing. If you have both selected and do not make a change, you will receive only a summary notification.

G. New Query Options. The following new options have been added to the list of Query options when a query is made for a particular case number.

1. Deadlines/Hearings. Selecting this option will display all deadlines for the case, including the 341 meeting date and time, any claims bar date and the last date to file Section 523/727 complaints plus any other deadlines or hearings input as part of the filing of a document.

2. Related Transactions. This option is similar to the BRASS/PACER related history search. To receive a list of all related filings to a particular filing, input the document number in both document boxes and check both the pending and terminated boxes to receive a list of all filings related to that document.

3. History/Documents. This option will produce a shorter summary of the docket.

