

**U.S. Bankruptcy Court  
District of Arizona**



**CM/ECF NEWSLETTER**

September  
2000

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**Issue Number Two**

This is the second issue of the CM/ECF Newsletter. Not a lot has happened since the August Newsletter. The following are a few more tips and information on how the CM/ECF System operates.

**Locating Certain Case  
Data On The ECF Docket**

The first page of the ECF docket does not contain all the information that was displayed on the PACER docket cover sheet. It does not list the 341 meeting of creditors date and time; the claims deadline, or the deadline for filing Section 727 or 523 complaints.

Those three dates will not be shown on the ECF docket until the court makes a docket entry requesting either a 341 meeting notice or a notice to file claims. Those dates will appear on

the ECF docket only in the docket entries. To find those dates, you must scroll through the docket. You will not be able to determine the 341 date and time until the court enters the docket entry requesting the 341 notice. This could be two weeks or more after the case is filed. At this time, we are still opening all ECF cases on PACER, so you can obtain the 341 meeting date and time from the PACER cover sheet. It is also printed on the receipt for the filing fee.

**Filing an Answer, Response,  
or Objection to a Motion**

Under either Bankruptcy Filings or Adversary Filings, when filing an answer, response or objection to a motion or application, you are required to relate your filing to the motion by selecting that motion from a list of motions. If the motion to which you are responding is not on the list of motions displayed, you will

not be able to complete the filing process. There will be occasions when the motion to which you are responding will not be on the list of motions.

To file your response when this occurs, you need to file the response using Other Answers under the Answer/Response option under Bankruptcy filings, even if filing your response in an adversary proceeding. You can then relate your response to the motion, using the relate option. If the docket is not too large, you should select all the categories of filings by clicking and dragging over them, rather than just selecting motions. The list displayed will show all filings not just those filed under the motions category. You should then be able to select the motion to which you are responding.

### **Service by E-Mail**

Pursuant to Interim Operating Order No. 3 which sets forth the special procedures for ECF cases, the attorney making an ECF filing is permitted to make service of the document filed on another ECF attorney by e-mail service of only the Notice of Electronic Filing generated by the ECF system at the end of the filing process. The ECF attorney served then must retrieve the document filed from the ECF system. As a matter of courtesy, some ECF

attorneys, when making e-mail service on another ECF attorney, will send not only the Notice of Electronic Filing but will also attach a pdf copy (which was created to file the document) of the motion or other document filed. The ECF attorney served is then spared the task of retrieving the document from the ECF docket in order to review it.

### **Retention of Original Signature Documents**

Version No. 4 of the Interim Operating Order has been adopted. The significant change in Version No. 4 is that it sets a time period for attorneys to retain original signature documents. Until now, attorneys, making ECF filings, were instructed to retain the original of the document filed with no time period stated.

The new Interim Operating Order No. 4 (posted on our Website) contains the following provision setting a time period for retention of original documents.

Retention of Original Signature Documents. The attorney or other user electronically filing a document shall retain (as set forth below) the paper document containing the original signature(s) for the longer period of one year after the case is closed or all appeals are finalized unless the court orders a different

period. This retention requirement does not affect or replace any other retention period required by other applicable law or rules.

1. Pleading or other document signed by electronic filing attorney/other user. No original signature document need be retained.

2. Affidavit or other document requiring a signature other than the filing attorney/other user. The original signature paper document shall be retained for the time period stated above.

3. Stipulation or other documents signed by two or more persons. The paper document containing the original signature of all signatories shall be retained for the time period stated above.

4. If an original signature document subject to these retention provisions is returned to the client, the attorney shall advise the client of the retention requirements applicable to the document and that the client is to retain the document in accordance therewith.

Please note that there is no requirement to retain any original of a document signed by the attorney who files the document electronically. The filing of the document using the attorney's password constitutes the

attorney's signature.

## **Master Mailing List**

Remember when filing the initial master mailing list in an ECF case, you are to file it on paper and not file it yourself electronically. If the mailing list has 100 or more creditors, when filing the mailing list on paper, please also provide the mailing list on a 3.5 disk in ASCii format. If you are not sure how to convert the mailing list to ASCii, contact tech support for your bankruptcy software for assistance.

## **Filings with Large Attachments**

When filing a pleading that has exhibit(s) that are a large number of pages, you have two options. You can scan the exhibit(s), remember to break up into parts not exceeding 25 pages, and file them as attachments to your pleading. Alternatively, you can file your pleading and attach to the pleading a one page statement to the effect that the exhibit(s) were too large to file electronically and have been filed on paper and are available for review at the clerk's office. A sample statement in pdf format is attached. If you use this option, then two paper copies of the pleading and the attached exhibits are to be submitted to the court, one for the judge and one for the court's file. Please also submit

a copy of the Notice of Electronic Filing and note on it that there are exhibits that were too large to file electronically.

**CM/ECF Information  
and  
Helpful Numbers**

ECF Help Desk: 602-640-5800  
Ext. 242

Questions? E-Mail to:

[Sue\\_Christensen@azb.uscourts.gov](mailto:Sue_Christensen@azb.uscourts.gov)

**ATTACHMENTS  
TOO  
VOLUMINOUS  
TO  
FILE  
ELECTRONICALLY  
PLEASE  
REFER  
TO  
COURT  
FILE**