

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
www.moeb.uscourts.gov

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CM/ECF
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Dear CM/ECF (User, Registrant, Participant, Licensee):

As we continue to fine tune and improve the system, it is important that you remain aware of upgrades and modifications as they are approved by the Court. Although these changes and modifications will be posted in detail on the Court's web site (www.moeb.uscourts.gov), I will continue to periodically distribute a digest of the information that may have immediate value for your practice.

Not surprisingly, the Local Rules Seminar on September 12, 2003 was not limited to discussions about rules. Several topics dealt directly with electronic case filing. Some of those are included herein.

- Please pay very close attention to key strokes and mouse clicks. The Clerk's Quality Assurance (QA) Deputies have reported instances involving "misfiled" documents. As an example, a filer submitted a Chapter 13 Petition by clicking on a Chapter 7 event in case opening. The case was filed in the system as a Chapter 7 case, although the intention was to commence a Chapter 13 case. The filer later submitted a motion to convert.

- QA has also reported that in a small number of instances, new cases are being submitted without a Bankruptcy Petition. Although some documents were uploaded into the system at the time the voluntary/involuntary petition event was entered, in these few instances, the practitioner did not include the voluntary/involuntary petition with the other documents. 11 U.S.C. §301 states that a voluntary case is commenced by the filing of a bankruptcy petition. In the instances reported by QA, the Court's record was edited to reflect that the cases were not commenced until the date and time that the petition was actually filed. Some software programs may require the filer to click or select each document, pleading or event that is to be filed rather than selecting a "package" for submission to the Court. Please be aware what pleadings you are attaching to the event you select.

- The Clerk is authorized by L.B.R. 1002-1 to decline to accept for filing and the Court shall promptly dismiss any case if the petition is not accompanied by a matrix AND verification pursuant to L.B.R. 1007-2. Under CM/ECF, filing only the matrix has resulted in cases being promptly dismissed even though all other documents were in order. The capabilities of CM/ECF are such that these dismissals are entered in a more timely fashion than in the paper system, making it imperative that all pleadings that should accompany the petition, i.e., schedules, statements of affair, matrix, and verification of matrix, be timely filed.

- At II.D on page 3 of the CM/ECF Administrative Procedures, whether filing conventionally or electronically, a debtor shall provide a hard copy of the bankruptcy petition, schedules, and statement of affairs to the case trustee immediately upon filing such documents. In CM/ECF, the identity of the Trustee appointed in the case is available almost immediately upon filing.

- Many practitioners have expressed concern over receiving numerous e-mails throughout the day. Please be aware that a daily summary feature is available under CM/ECF to receive e-mail notifications of electronic filings. The daily summary report is generated overnight so that the practitioner receives only one e-mail containing all electronic notifications for the prior day. This alternative is available by accessing "Maintain User Account" in CM/ECF.

- The U.S. District Court for this district will convert to CM/ECF effective October 14, 2003. A log-in and password is required for both the district court and our court. If you have not already done so, please register with the District Court through its website, www.moed.uscourts.gov to receive a log-in and password. Because you are already registered for CM/ECF with our court, you are not required to attend a training session or test out. For those who wish to attend a training session in the district court, registration can be accomplished through the district court's website.

- Be aware that the mandatory participation deadlines for the Bankruptcy Court are fast approaching. For all new and pending Chapter 11 cases, the deadline is October 1, 2003. For all other cases in all divisions, the deadline is November 1, 2003.