



The Frequent Filer

Electronic Filing Newsletter
For the U.S. Bankruptcy Court
Northern District of Iowa

August 5, 2011

www.ianb.uscourts.gov



Summer 2011



Summer is in full swing, the temps have been hot, hot hot, and we're all looking for ways to stay cool! Never fear, the staff at the Iowa Northern Bankruptcy Court have come to the rescue with this latest edition of The Frequent Filer. We've got lots of cool tips on reducing errors in the case opening process, and our ECF "Question of the Month" answers the puzzling predicament of what you should do with B21 forms. We're also unveiling a great new customer service tool, our on-line Attorney Manual. So, find a cool spot and take a few moments to read through this edition of The Frequent Filer. Go ahead and grab that ice cream, too....you know you want to...

Good luck, and as always, be careful out there!



Spotlight On: Top 10 Case Opening Errors



An average of 300 new cases are filed in the Northern District of Iowa Bankruptcy Court every month. To ensure that all filings comply with both local court rules and procedures and the Federal Rules of Bankruptcy Procedures, each new petition and accompanying documents are carefully quality controlled by Clerk's Office staff. When errors are found, deficiency notices are typically issued, giving filers a limited amount of time to correct the error. To help you avoid future errors (and deficiency notices!), we've compiled a list of the Top Ten Case Opening Errors, along with tips on what you can do to prevent them from happening in your new cases.

So here they are, from the home offices in Sioux City and Cedar Rapids:

The Top 10 Case Opening Errors



1. AKA/DBA's Do Not Appear on the Docket Sheet

Although you may have taken care to ensure that the aka/dbas were listed on the petition, you will still need to enter them into CM/ECF when you open the case to ensure that they appear on the docket. If you use the "Open a BK Case" event, you'll need to manually enter the AKA/DBA's by clicking the "Alias" button on the party information screen. If you use Case Upload, your software should automatically enter the AKA/DBA's for you (assuming initial data input into your software). If your software does not upload the AKA/DBA's for you, please contact your software provider.

2. Voluntary Petition Not in the Proper Order

Yep, we're a bit on the picky side about this one. Voluntary Petition documents must be in the following order (information is also available on our website):

- ▶ Voluntary Petition with proper signatures
- ▶ Exhibit D
- ▶ Statement of Intention
- ▶ Statement of Financial Affairs
- ▶ Summary of Schedules
- ▶ Schedules A-J
- ▶ Declaration Concerning Debtors'

Schedules

- ▶ Disclosure of Compensation
- ▶ Matrix
- ▶ Means Test

If your software doesn't automatically put the documents in this order, contact the technical support folks for your software program. They can assist you with adjusting the settings on your software so that the documents print in the proper order. It's usually a quick fix that only takes a few moments of your time.

3. Redaction of Debtor and Joint Debtor Social Security Numbers

Redacting personal identifiers is vital to protecting your clients' privacy, and whenever you file a document that contains a social security number, only the last four digits should appear. Your bankruptcy preparation software should have a setting that allows for redaction of SSN's; contact technical support if you need assistance with this. Got scanned documents? Personal identifiers need to be redacted on those, too, and the best way to ensure that personal identifiers are redacted on scanned documents is to use a **thick black marker** to cross out the identifying information.

4. Forgetting to Upload Creditors at the Time of Case Filing

When creditors aren't uploaded at the time of case filing, the Court can't issue the 341 notice...which means that you've got a bankruptcy that creditors don't know is on file. This is a bad thing. And if creditors don't know, they'll keep calling your client, which means you'll get a call from your client. If you utilize Case Upload, creditors are uploaded within this docket event, making



this error a non-issue for you. For those attorneys who manually enter a new case using the “Open a BK Case” event, uploading creditors is the second step in your case filing process. You’ll first get the case on file, then upload your creditors (document needs to be in .txt format) by clicking Creditor Maintenance and then Upload a Creditor Matrix file. Still have questions? Click [here](#) to check out our online training module on this topic.

5. Incorrect Attachment

This is an easy mistake to make, and it’s happened to the best of us....you’re in a hurry, trying to finish up a filing before the end of the day, and you attach the wrong .PDF to a docket event. The best way to minimize the chances of this happening? When browsing for your document, take the time to always right click and open the document to be assured you are attaching the correct document. Taking the extra few seconds to do this will save you several minutes of headache (and a call from the Clerk’s Office) down the road.

6. Credit Counseling Certificates Filed as Part of Voluntary Petition Document

Because the credit counseling certificate docket events satisfy background deadlines in CM/ECF, these certificates must be docketed separately from the voluntary petition. These documents should not be attached to the voluntary petition document, and the debtor and joint debtor’s certificates should each be docketed as separate entries. These events can be found in the “Other” Category and are listed as “Certificate of Credit Counseling/Debtor” and “Certificate of Credit Counseling/Joint Debtor.” Still have questions? Click [here](#) to check out our online training module on this topic.

7. B21 Form Included with the Petition

Before filing your Voluntary Petition, be sure to check that it does not contain a copy of the Debtor/Joint Debtor’s B21 Form. This form lists your debtors’ full SSN and is only required when a petition is filed over the counter or by a Pro Se Debtor. For electronic filers, please keep this form for your records. Check out our ECF Filing Question of the month located at the end of this newsletter for more information about the B21 form.

8. Incorrect Listing of the Last 4 Digits of SSN

Check closely to verify that the last 4 digits of the Debtor/Joint Debtor’s SSN that appear on the CM/ECF docket sheet match the information listed on the Voluntary Petition. If you notice a discrepancy, call the Clerk’s Office and we’ll walk you through the steps necessary to fix it.

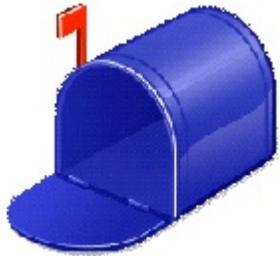
9. Page Orientation

When scanning your documents to be electronically filed, make sure that the document is positioned to allow your scanner to capture an image of the printed side of the document, and that the final scanned image is legible.

10. Incorrect Docket Event Chosen

Double check to make sure that you have chosen the correct event before filing your document. If you’re unsure about the best docket event to use for a particular filing, please do not hesitate to call the Clerk’s Office for assistance before you file. We’re open Monday through Friday from 8 AM - 4:30 PM and are happy to assist with any filing questions you may have. You can reach our Cedar Rapids office at 319-286-2200 and our Sioux City office at 712-233-3939.

Reminder: Sioux City Address Change



Due to the dramatic success experienced with electronic filing in the Northern District, the volume of mail delivered via the United States Postal Service (USPS) to the bankruptcy court has decreased dramatically. As a result of this reduction in volume, the Northern District's bankruptcy court terminated the lease on our Sioux City post office box in March 2011. All mail intended for the Sioux City Bankruptcy Clerk's Office should be addressed as follows:

Clerk's Office

United States Bankruptcy Court

Northern District of Iowa

320 6th Street, Room 117

Federal Building

Sioux City, IA 51101



NEW ARRIVAL: Attorney On-Line Manual

This week, a new customer service tool was added to the CM/ECF blue menu bar. Located between the "Search" and "Logout" features, the Attorney Manual contains docketing instructions for nearly every docket event available in CM/ECF. Many of the events in our manual also contain descriptions of the correct usage for that event, as well as helpful information about

submission of proposed orders, docketing of bar date notices, etc. In some events, you'll even find a link to an interactive simulation for that particular docket event. The manual has the look and feel of CM/ECF, and navigation is simple. Here's an example:

Let's say we want to look up information on how to docket a Motion to Avoid Lien. We'll start by clicking the "Attorney Manual" link from the CM/ECF blue menu bar, like this:



Select the appropriate case type (Bankruptcy or Adversary), and then choose the category to which your question relates. In this case, we'll choose "Motions" and then click the drop down menu next to Motions, like this:

Bankruptcy

Answer/Response

Appeals

Claims Actions

Creditor Maintenance

File Claims

Motions/Applications/Objections to Exemptions

From the drop down menu, select "Avoid Lien" as shown below:

Bankruptcy

Answer/Response

Appeals

Claims Actions

Creditor Maintenance

File Claims

Motions/Applications/Objections to Exemptions Avoid Lien:

A page appears with a description of the event, a reminder about docketing a Notice Setting Bar Date, and a link to an interactive simulation on this event.

Our goal in creating the on-line attorney manual is to provide an additional resource for your filing questions and concerns. The manual isn't intended as a replacement for the quality customer service you receive when calling the Clerk's Office, but rather as a supplement to it. Our manual is available to you 24 hours a day, 7 days a week, and will be especially valuable for those filing questions that arise after business hours.

We value your feedback, and would like to hear your thoughts on the Attorney Manual. Take a few moments to play around with the manual, kick the tires, etc, and then email us @ training@ianb.uscourts.gov to share your comments. In the coming weeks, we'll be enhancing the adversary events in the manual, so check back frequently for updates!

ECF Question of the Month **(with sincere apologies to** **William Shakespeare)**

Dear ECF Help Desk:

Q I'm confused about the B21 Form. I have my clients sign it at the office, and it's included as part of the petition package with my bankruptcy software program, but when I e-file the B21 form I get a call from the Clerk's Office telling me not to do that. When should I file this? I guess that you summarize my quandary as:

To B21 or Not to B21: That is the Question.

Signed,

The Bard

Dear Bard,

A Great question! The short response to your quandary is this: you should never electronically file the B21 form. Because the B21 form contains a debtor's full social security number, e-filing this document would compromise your Debtor's privacy and violate redaction rules and procedures. Debtors' full SSN's do need to be **entered** (not filed as a document!) into CM/ECF, but this is accomplished during the case opening or case upload process. As long as you've entered your debtors' full SSN on the voluntary petition (and have taken care to adjust your settings so that only the last 4 digits actually appear on the document), case upload users will then automatically transmit the full SSN into the CM/ECF system.

Those users who utilize the "Open a BK Case" event will need to manually enter the full SSN when prompted to do so. In either case, there is no need to file the PDF of the B21 form, as that form should never be a part of the public docket.

The only time the Clerk's Office needs the B21 form is when a new case is filed over the counter. In those cases, information on the B21 form is used during the case opening process, but the form itself is never publicly docketed.

Got an ECF Filing Question? Email us at: training@ianb.uscourts.gov and we'll do our best to answer your question in a future edition of The Filer.

