

# Procedural Reminders – Part I



June 16, 2017

# Certificates of Service

- If you add a certificate of service to your pleading that says you served “Everyone on the Matrix, “ please make sure to include the names **and** addresses of those served.
- If a pleading requires service on all creditors, please be sure to serve **all** creditors.
- Please check with your attorney regarding service on a business entity.

# Stipulations

- If you would like an order approving your stipulation, please ask for court approval in the body of your stipulation.



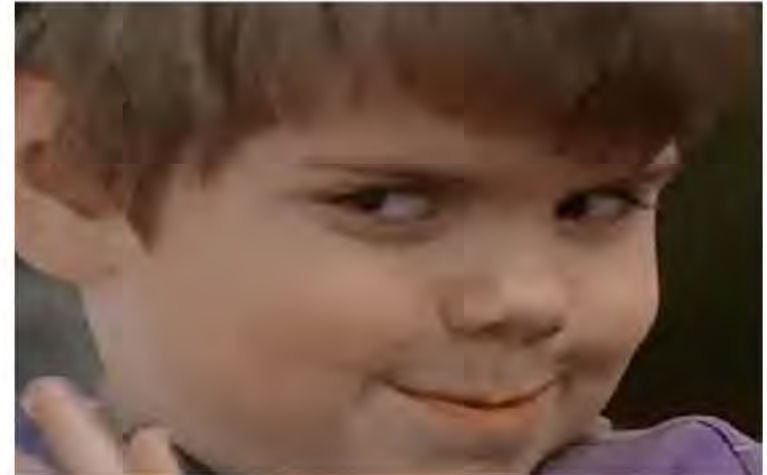
# Change of Address

- In order for us to change an address, please include the incorrect/current address as well as the correct/new address on the change of address form. If the address isn't already listed on the matrix, we will not change it to something else or add in a new one.



# Self- Scheduled Hearings

- **Filing Instructions for Self-Scheduled Matters** Pursuant to [L.B.R. 9002-1\(c\)](#), no matters other than those listed below can be self-scheduled.
- NOTE: Amended motions (including to any of the matters listed below) may not be self-scheduled and may not be used to change the original hearing date. Requests to adjourn any hearing dates must be made by filing an appropriate motion to continue.
- [Adequate Protection](#)
  - [Amended Chapter 12 Plan - Pre-Confirmation](#)
  - [Amended Chapter 13 Plan - Pre-Confirmation](#)
  - [Automatic Stay \(Relief from\)](#)
  - [Cash Collateral \(Use or Prohibit Use\)](#)
  - [Compel](#)
  - [Convert Ch. 11 to Ch. 7](#)
  - [Convert Ch. 11 to Ch. 12 or 13](#)
  - [Deconsolidate](#)
  - [Dismiss Case/Party and/or Convert Ch 11 to Ch 7 \(11 U.S.C. §§ 1112\(a\) OR 1112\(b\)\)](#)
  - [Dismiss Case/Party and/or Convert Ch 11 to Ch 12 or 13 \(11 U.S.C. § 1112\(d\)\)](#)
  - [Dismiss Ch. 11 Case \(11 U.S.C. § 1112\(e\)\)](#)
  - [Dismiss Ch. 12 Case/Party \(11 U.S.C. § 1208\)](#)
  - [Dismiss Ch. 13 Case/Party \(11 U.S.C. § 1307\)](#)
  - [Dismiss Ch. 13 Case by Trustee \(11 U.S.C. §§ 521\(i\) and 1307\(c\)\)](#)
  - [Dismiss Ch. 13 Case by Trustee \(11 U.S.C. §§ 521\(i\) and 1307\(c\)\) \(material default OR tax returns\)](#)
  - [Dismiss Ch. 7 Case/Party \(11 U.S.C. §§ 521 and 707\(a\)\)](#)
  - [Dismiss Ch. 7 Case \(11 U.S.C. § 707\(b\)\)](#)
  - [Executory Contracts of Unexpired Leases, Assume or Reject](#)
  - [Extend Time of Claims Bar Date \(File a Late Claim\)](#)
  - [Incur Debt/Obtain Credit](#)
  - [Objection to Claim](#)
  - [Require Modification of Plan \(Post Confirmation\) by Trustee](#)
  - [Substantive Consolidation](#)
  - [Value Collateral](#)



# Tax Documents, SSN Statements and Matrix



- The items listed above each have their own docket entry and should **always** be filed separately.
- Tax documents can be found under **Miscellaneous, Tax Documents** – this document is restricted and can only be viewed by Court staff.
- Statement of Social Security Numbers can be found under **Miscellaneous, Statement About Your Social Security Numbers (Form 121)** (This document is restricted and can only be viewed by Court staff).
- Filing a matrix is a two step process. First upload your creditors and then docket **Miscellaneous, Creditor List Uploaded** (no pdf attachment is needed for this event).

# CM/ECF Event Help



## UNITED STATES BANKRUPTCY COURT Middle District of Pennsylvania

Honorable Robert N. Opel II, Chief Judge | Terrence S. Miller, Clerk

Text Size: - A +

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## Contact Us

### Contact Us Form

	Wilkes-Barre	Harrisburg
Main Line	570-831-2500	717-901-2800
Toll Free	877-298-2053	888-531-9485
<a href="#">Click here for Case Administrator Contact Information</a>		
VCIS (automated voice case information)	1-866-222-8029	
<a href="#">After-Hours-Fax - *Use allowed only under the Local Rule 5005-5</a>	570-829-0249	717-901-2822

## CM/ECF Contact Information

	Wilkes-Barre	Harrisburg
ECF Help Desk	570-831-2530	717-901-2812
<a href="#">ECF Help Desk via E-Mail</a>		
<a href="#">ECF Event Help via E-mail*</a>		

\***ECF Event Help** - When docketing a pleading, if you cannot find an appropriate event, if events available do not describe your pleading or relief you are seeking, or if an event needs more functionality for you to e-file a document, please click [here](#) to send an e-mail describing your problem to the CM/ECF Event Help mailbox. Please provide case specific information, including the case number, and attach your document. Someone will get back to you as soon as possible.

Please Note: Requests for new events or modifications to existing events will not occur immediately or may not be possible. A member of the clerk's office staff may contact you to discuss the specifics of your request.



QUESTIONS

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**CLERK'S OFFICE  
REMINDERS CONTINUED**



# REVIEW OF:

- **UPLOADING CREDITORS WITHOUT MAKING A DOCKET ENTRY**
- **CASES FILED WITHOUT A PETITION IMAGE**
- **CALCULATING DEADLINES**
- **ADVERSARY DEFAULT PROCEDURE**
- **FINAL DECREE IN CHAPTER 11**
- **SALE NOTICES**

# UPLOADING CREDITORS WITHOUT MAKING A DOCKET ENTRY


- **UPLOAD CREDITORS WHEN...**
  - **The case is filed, i.e. with the petition**
  - **Schedules and statements are filed**
  - **An amendment to schedule(s) d, e, or f is filed to add a creditor**
  - **List of creditors is being amended (adding or deleting creditors)**
- **ALL REQUIRE A DOCKET ENTRY TO BE MADE**
- **SOME REQUIRE A FEE**
- **DO NOT UPLOAD TO CHANGE AN ADDRESS**

# **CASE FILED WITHOUT A PETITION IMAGE**

- **WITHOUT THE PETITION, IS THERE A CASE?**
- **HOW DOES THIS HAPPEN?**
  - **Images are not being verified**
  - **Always check your image to be sure it is complete**
- **WHAT HAPPENS NOW?**
  - **The case may be expunged i.e. it never existed**

# CALCULATING DEADLINES

- **HOW DO I FIGURE OUT WHEN IT'S DUE?**
  - **Do not count “today”**
  - **Use the actual date i.e. don't add extra per F.R.B.P. 9006**
- **USE THE GUIDE TO DOCKETING AND NOTICING FOR NUMBER OF DAYS REQUIRED**
  - **Did you see the new guide yet? YIPPEE!**



June 2017

Mo	Tu	We	Th	Fr	Sa	Su
29	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

The image shows a calendar for June 2017. The date 20 is circled in red, indicating the deadline. The date 30 is highlighted in blue, likely representing the current date. The calendar is displayed in a dark theme with a red border.

# **ADVERSARY DEFAULT JUDGMENT (2 STEPS)**

- **FIRST, REQUEST ENTRY OF DEFAULT**

- **Seek entry of default pursuant to F.R.B.P. 7055(A) (FED. R. CIV. P. 55(A))**
  - **Request for default**
  - **Affidavit in support of the request**
    - **Pick up your sample before leaving**
- **The clerk will enter the default**

- **SECOND, FILE MOTION FOR DEFAULT JUDGMENT**

- **Motion must be filed and served**
- **After 7 days, order will be presented to chambers for consideration**
- **Default judgment will be entered**

# CHAPTER 11 FINAL DECREE

- **CHAPTER 11 CASES ARE CLOSED BY MOTION**
- **THE MOTION MUST CERTIFY THE CASE IS FULLY ADMINISTERED AND LIST ALL PENDING ADVERSARY ACTIONS (LBR 3022-1) AND MUST BE SERVED (FRBP 9013)**
- **THERE IS A 14 DAY HOLD PERIOD TO ALLOW CREDITORS TO OBJECT BUT THIS IS NOT A 14 DAY NOTICE THAT YOU SERVE**
- **THE ORDER CLOSING SHOULD CLEARLY STATE THE CASE IS CLOSED AND/OR STATE THAT THE ORDER IS THE FINAL DECREE**
  - **The clerk's office does not enter a final decree**
- **THE ORDER CLOSING WILL BE SERVED BY COUNSEL ON ALL CREDITORS**

# SALE NOTICES

- **FREE AND CLEAR OF LIENS**

- **File the motion with proposed order**
- **Wait for the clerk's office to issue the scheduling order setting the hearing date**
- **Add the hearing date to your semi-passive notice**
- **Serve the order on parties**
- **Serve the notice on all creds**
- **Oh, pay the fee**

- **363(B)**

- **File the motion with**
  - **The notice (21 day passive) and a**
  - **Proposed order and a**
  - **Certificate of service**
    - **Serve notice on all creds**
- **No fee**



**QUESTIONS...?**

