

**Guide, Noticing,
Proposed Orders and
Important Reminders**

*US Bankruptcy Court
Middle District of PA*

Not Intended to Represent Legal Advice. If the Guide Conflicts with the Statute or Rules the Statute and/or Rules Prevail

U.S. Bankruptcy Court for the Middle District of PA

Guide to Docket Events and Noticing Procedures

HIGHLIGHTED PROCEDURES ARE NOT COMPLETE YET - IN PROCESS:

Type of Pleading	Bankr. Code	Rules & Forms	Type of Notice	Served By	Recipients	Sched.
Convert - Chapter 7 to Chapter 13	706(a)	FRBP 1017, LBR NONE, LBF NONE	Semi-Passive - 14 Day	Court	Matrix	Court
Deconsolidation	NONE	FRBP NONE, LBR 1015-1(c)(1)&(2), LBF NONE	Hearing Required - 21 Day	Movant	D, DA, T, UST, L20, COMM, P	Self Sched.
Defer/Extend/Suspend or Allow Arrearages of Plan Payments	NONE	FRBP NONE, LBR NONE, LBF NONE	Passive - 21 Day	Movant	Matrix	N/A
Determination of Secured Status/Valuation of Security	506(a) & 1325(a)(5)	FRBP 3012, LBR NONE, LBF NONE	Passive - 21 Day	Movant	D, DA, T, UST, L20, COMM, P	N/A
Discharge, Defer/Delay Entry or Closing of Case	NONE	FRBP 2002(f)(11) & 4004(c)(2), LBR 4004-1, LBR NONE	NONE	N/A	N/A	N/A
Dismiss - Abuse, Section 707(b)	707(b)	FRBP 1017(e) & 1019(2)(9), LBR 1017-2, LBF 1017-2	Hearing Required - 14 Day	Movant	D, DA, T, UST, L20, COMM, P	Self Sched.
Dismiss - 521(i)(2) Failure to File Payment Advices	521(i)(2)	FRBP NONE, LBR NONE, LBF NONE	Chambers Notified via e-mail when filed. Must be heard within 5 business days	N/A	N/A	N/A

Legend for Recipients: D-Debtor, DA-Debtor's Attorney, T-Trustee, UST-U.S. Trustee, L20-Largest 20 Creditors, COMM-Creditor's Committee (if one is appointed), P-Parties in Interest, Matrix - Entire Mailing Matrix

Example of PROPOSED ORDER

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In Re:

John Q. Debtor
DEBTOR(S)

Any Bank, Inc.
MOVANT

John Q. Debtor AND
Charles DeHart, Chapter 13 Trustee
RESPONDENTS

Chapter: 13

CASE No: 1:11-bk-01562 MDF

ORDER

UPON CONSIDERATION of the Motion filed by [name of movant].....

BLANK AREA

**Allow sufficient room at the bottom of the order for the Judge's
signature stamp to be affixed (about three inches).**

TIPS – PROPOSED ORDERS

- Orders should not begin with the typical phrase used in state court practice, “AND NOW.” The phrase “**UPON CONSIDERATION of the Motion filed by [name of movant]**” is appropriate.
- Do not include a distribution list after the body of the Order. There should be nothing but the date below the Judge’s signature.
- If you need the Court to insert a date for a hearing or to set a deadline, the Order should not contain blanks formed by underscoring for the missing information. Instead of underscoring, **leave white space** sufficient to contain a month, date, year and time of day, if necessary.

TIPS – PROPOSED ORDERS

When a pleading is filed that requires an order, a proposed order must be attached to the pleading docket entry, or included as the last page of the pleading image.

Do not e-mail proposed orders directly to the case administrator. Processing of the order may be delayed due to case administrator vacation, leave, etc.

PROPOSED ORDERS

Proposed Orders created in a word processing program should be **PRINTED** OR **PUBLISHED** to **.PDF**.

To do this, create a document in a word processing program, and then click

- “File”, “Print”, “select Adobe as printer”, or
- “File”, “Publish”, “to Adobe”

Scanned Documents are not revisable

Please **DO NOT SCAN** documents to .PDF!



Creating Proposed Orders

Proposed orders and proposed notices must be submitted in a **revisable format**.

The Court must be able to make revisions and sign the document, if applicable.

Use simple formatting and be **CONSISTENT** throughout the document.

Use the same:

Font

Use Arial, Courier, Times, or Times New Roman

Text size

Color (black)

YOUR ECF ACCOUNT

Our Administrative Procedures indicate it is the Electronic Filer's responsibility to keep their information current. *The Administrative Procedures can be found on our web page www.pamb.uscourts.gov; under "Quick Links" - "Rules, Court Orders, Forms and Procedures" - "Local Administrative Procedures".*

Each attorney who is an electronic filer has been issued a login and password **based on the information submitted on the Application to File Documents Electronically. If any of the information on the Registration Form changes, e.g., mailing address, e-mail address, etc., the user must update the information in the CM/ECF system.**

Because many Attorneys have been filing electronically for over five (5) years, we suggest you check your ECF Account information to make sure the information is correct and up to date. To view your account information in ECF, go to "Utilities" "Maintain Your ECF Account".

Web-Page:

On our web-page (www.pamb.uscourts.gov), under "CM/ECF" - "Filing" you will find procedures based on the filing group (ex: Attorney, Trustee/UST), as well as "Technical Tips" which are helpful for changing your physical address, e-mail address, and your password (Maintain your ECF Account). A password is issued to you at the time you apply, but we recommend you change your password upon receiving it from our office.

Staffing Change:

For security purposes, it is also a good idea to change your password if you have a turn-around in staff.

Change in E-Mail Address:

If the Clerk is notified by returned undeliverable e-mails that a filing users e-mail account is invalid, the Clerk will attempt to contact the Filing user by another e-mail address of record or by telephone call. If a valid e-mail address is not provided, the User's electronic filing account will be disabled. If the account is disabled, the filing user may face possible sanctions for violation of Miscellaneous Order 5:05-mp-50007.

Attorney Leaves Firm:

If an attorney is leaving his or her firm and some clients are remaining with the firm, that attorney must provide a list of those clients to the Clerk's Office. The firm must file Substitutions of Counsel for those clients.

IMPORTANT REMINDERS

McVCIS was implemented on September 19, 2011 and replaces VCIS. The new number is **866-222-8029**. After dialing, **follow the voice prompts**. **When asked for a 2 digit state code, enter 72 for PA, when prompted, enter 1 for this court.**

Bookmarking ECF Page – Bookmarking the ECF login page is a timesaver, but it also bypasses the Middle District Bankruptcy MAIN webpage, which often contains important notices and new information. Instead, please bookmark our MAIN webpage, www.pamb.uscourts.gov. You can login to ECF from our MAIN page under “Quicklinks”.

Notices To Filing Party - After a docket entry is submitted in ECF, it is carefully reviewed by a Case Administrator. If the entry is not in accordance with the local bankruptcy rules and administrative procedures, a **Notice to Filing Party** is sent by e-mail to the attorney who filed the document. The notice will contain a brief explanation of what is not in accordance and what action should be taken by the filing party. It is **very important** that **each** notice is reviewed and acted upon.