

Motions

This lesson explains how to docket a motion. The example illustrated is a Motion for Relief from Stay with an Attached Proposed Order.

- STEP 1** Click the [Bankruptcy](#) hypertext link on the CM/ECF Main Menu. (See [Figure 1](#).)

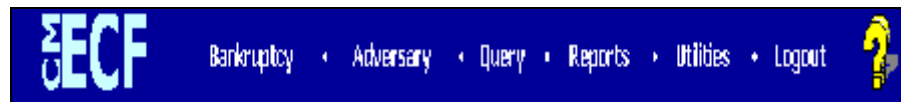


Figure 1

- STEP 2** The **BANKRUPTCY EVENTS** screen displays. (See [Figure 2](#).)

- ◆ Click the [Motions/Applications](#) hypertext link.



Figure 2

STEP 3 The **CASE NUMBER** screen will then display. (See Figure 3.)

- ◆ Enter the case number, including the hyphen and click **[Next.]**

The screenshot shows the ECF 'File a Motion' interface. At the top, there is a navigation bar with 'Bankruptcy', 'Adversary', 'Query', 'Reports', 'Utilities', and 'Logout'. Below this, the 'File a Motion' title is displayed. A form labeled 'Case Number' contains a text input field with the value '00-10178' and a 'Next' button. There are also some small, less legible buttons or links below the input field.

Figure 3

NOTE: If the system prompts that you have entered an invalid case number, click the browser **[Back]** button to try again. You may use the browser **[Back]** button at any time during this process to verify former screens until the final submission.

You may cancel an event in process at any time (abort) by clicking on another menu option from the Main Menu Bar across the top of the screen.

STEP 4 The **MOTIONS/APPLICATIONS SELECTION** screen displays next. (See Figure 4.)

The screenshot shows the ECF 'File a Motion' interface with a dropdown menu open. The dropdown menu lists several options: 'Relief from Stay', 'Relief from Stay (with a stay)', 'Relief from Stay (with a stay)', 'Relief from Stay (with a stay)', 'Relief from Stay (with a stay)', 'Relief from Stay (with a stay)', 'Relief from Stay (with a stay)', 'Relief from Stay (with a stay)', 'Relief from Stay (with a stay)', 'Relief from Stay (with a stay)'. The 'Relief from Stay' option is highlighted. There are also 'Back' and 'Next' buttons at the bottom of the screen.

- ◆ Click to highlight Relief from Stay.
- ◆ Click **[Next]**.

STEP 5 The **CASE VERIFICATION** screen displays. (See Figure 5.)



Figure 5

- ◆ The case number and debtor name display for verification. Remember the case title is a hyperlink to the docket sheet.
- ◆ Click **[Next]** and Click **[Next]** again at the joint filing with another attorney screen as well.
- ◆ Party filer processing is next.

NOTE: When an attorney or trustee files a document electronically, they will only have to add the party they are representing. The system knows by the attorney login that they will be representing the filer and that information is recorded in the background and displayed on the docket sheet.

STEP 6 The **PARTY SELECTION** is presented to choose the party filing this motion. (See Figure 6.)



Figure 6

- ◆ Since the party name (Chrysler Credit Corporation) does not display in the **Party Selection** box, they need to be added to this case.
- ◆ Click the Add/Create New Party hyperlink.

STEP 7 The **PARTY SEARCH** screen displays. (See **Figure 7**.)

Figure 7

- ◆ Click in the **Last/Business name** box and enter the last name or business name of the party. A minimum of two characters is required here.
- ◆ Click [**Search**] to locate any records beginning with “Chrysler.”

STEP 8 The system will then display a list of all parties whose names match the character string you entered. However, no matches were made for Chrysler. (See **Figure 8a**.)

Figure 8a

NOTE: Your name search may find more than one record having the same name you entered as shown in **Figure 8b**. Clicking on each of the names will display a window showing the party’s address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY

INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

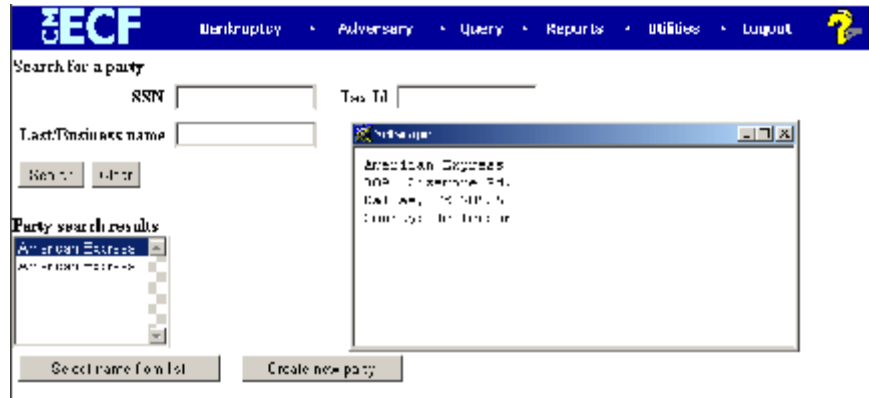


Figure 8b

- ◆ Click the **[Create new party]** button.

STEP 9

Fields for the **PARTY INFORMATION** screen are presented for entry. Notice the search clue you entered has been saved. (See **Figure 9.**)

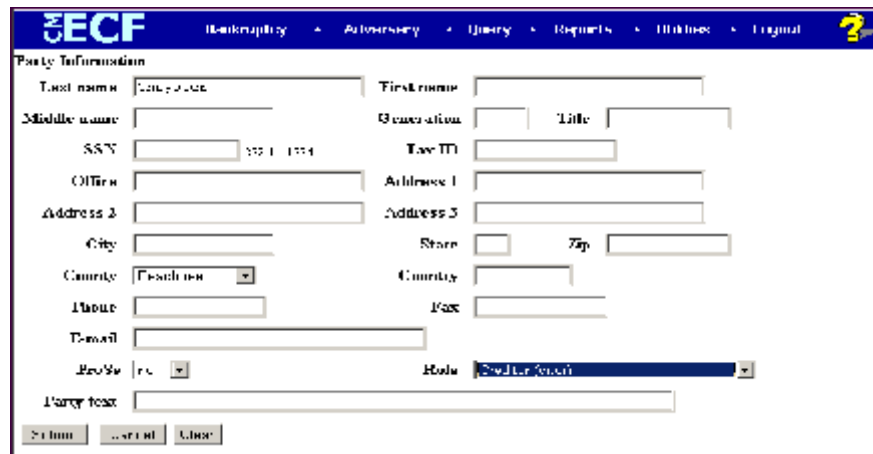


Figure 9

- ◆ Complete all appropriate name fields. The entire business name should be entered in the Last Name field.

NOTE:

Address information should be blank or in c/o of the attorney unless the party is *pro se*. Noticing for parties will be done through their attorney so the noticing program will retrieve the attorney's address which is already in the attorney roll.

- ◆ Since this party is represented by an attorney, do not change the Pro Se default value of No.
- ◆ Click the Role pick list arrow ▼ and highlight Creditor (cr:cr).
- ◆ Click **[Submit]**.

STEP 10 The **PARTY SELECTION** screen displays again. The new party to the case, Chrysler Credit Corporation, can now be selected as the party filer. (See Figure 10.)



Figure 10

Click **[Next]** to continue.

STEP 11 The **ATTORNEY/PARTY ASSOCIATION** screen presents a check box to create the link between the creditor and their attorney. (See Figure 16.) Check this box and click **[Next]**.



Figure 11

NOTE: Both court staff and attorneys users **MUST** check this box in order to create the attorney record and have the attorney added to the case. If this box is not checked, the attorney filer will appear in docket text, but, the attorney will **NOT** be listed on the party pick list for this case nor display in Query, nor receive any notices for this case.

STEP 12 The next process is associating the imaged document to this entry on the **PDF DOCUMENT** screen. (See Figure 12a.)

- ◆ The current date will be displayed in the **Date Document Filed** box.
 - If the file date of the document is different than the current date, backdate to the earlier file date in mm/dd/yyyy or mm/dd/yy format.
- ◆ Click [**Browse**], then navigate to the directory where the appropriate PDF file is located and select it with your mouse. (See Figure 12a.)



Figure 12a

- To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. (See Figure 12b.)

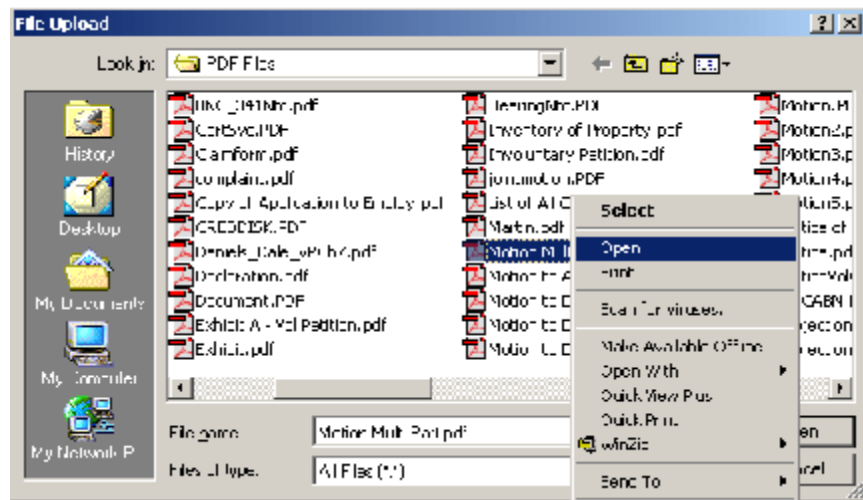


Figure 12b

- This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.
- Close or minimize the Adobe application and if that is the correct file, click Open on the File Upload dialogue box. (See Figure 12c.)

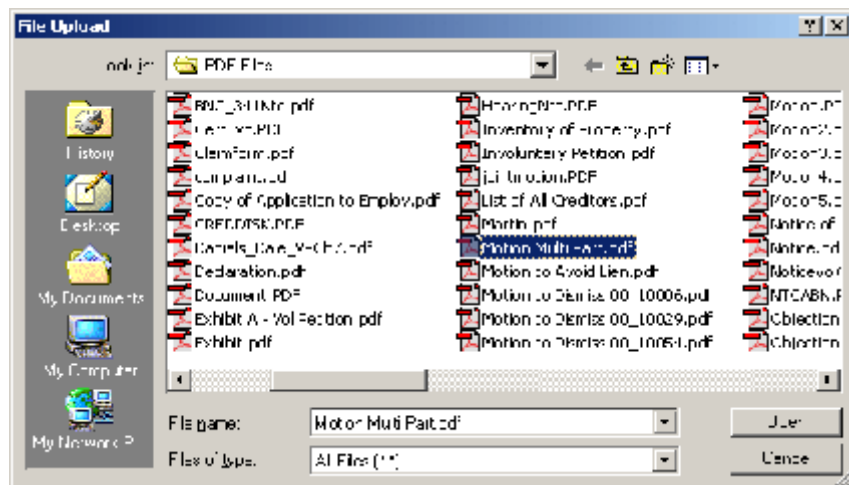


Figure 12c

- ◆ Additional documentation such as a proposed order, an affidavit or exhibit may be **attached** to each motion or petition. To illustrate this feature, click the **Yes** radio button at the right of the **Attachments to Document** prompt to attach additional documents to the motion. This exercise will show the process of an attached affidavit.

NOTE: Please note that the PDF file for the motions are not **attachments**. An **attachment** is another supporting document, such as affidavits or exhibits.

An **attached** document will be referenced in the docket text separately, and the **attached** image will be accessible by a separate hyperlink within the docket text. (See Figure 20.)

◆ Click **[Next]**.

STEP 13 Since you clicked the **yes** radio button, the **ATTACHMENT** screen displays. (See Figure 13a.)

The screenshot shows the ECF 'File a Motion' interface. At the top, there is a navigation bar with links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. The main heading is 'File a Motion: 10-0123 Dale A. Wank'. Below this, the instruction reads 'Select one or more attachments.' followed by a radio button labeled 'Yes' and a description: 'I have one pdf document that will be attached (for example: 01app.pdf)'. A text input field contains the filename '01app.pdf' and a 'Browse...' button. Below this, another instruction reads 'Select a document type and/or enter a description'. A table with two columns, 'Type' and 'Description', is shown. The 'Type' column has a dropdown menu with 'Affidavit' selected. The 'Description' column has a text input field with '01 Affidavit Petition'. Below the table, there is a note: 'If you do not want to add this document to the list, click on the "Back" button at the top of the page. If you want to add this document to the list, click on the "Next" button.' At the bottom, there is a list box with a 'Add to List' button and a 'Remove from List' button.

Figure 13a

◆ There are three steps to the attachment process:

- (1) Click **[Browse]**, then navigate to the drive and directory where the appropriate PDF file for the affidavit is located and select it with your mouse.
 - To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. This will launch the Adobe Acrobat Reader to display the contents of the imaged document. Verify that the document is correct.
 - Close or minimize the Adobe Acrobat by clicking on the control box in the upper right hand corner of the window.

How to File a Motion

- (2) Select the **Proposed Order** as the attachment type from the drop down list.

You may enter a description in the **Description Box**. This space is used to further describe the attachment. For instance if you were using an attached exhibit, you would enter "A " to signify this is Exhibit A. This description appears in docket text.

NOTE: The system requires an entry of either the **Type**, the **Description** box, or both.

- (3) You must click **[Add to List]**. The path and file name are added to the **List** box. (See Figure 13b.) It is possible to add multiple attachments at this time by repeating steps 1 through 3 on this screen.

Figure 13b

Note: You may continue to add attachments. For example, a Motion for Relief from Stay may have a Proposed Order, Exhibits including the loan agreements or property descriptions.

- ◆ Once you have completed your attachments, click **[Next]** to continue.

STEP 14 The **ENTER PROPERTY** screen appears. Enter information which is specific to the property you are seeking to lift the stay on. For example, if it is a home, enter the address, a car, enter the year, make, model, and only if necessary, a VIN number. (See Figure 14.)



Figure 14.

- ◆ Click **[Next]** to continue.

STEP 15 The **OBJECTION DUE DATE** screen will appear. (See **Figure 15.**)

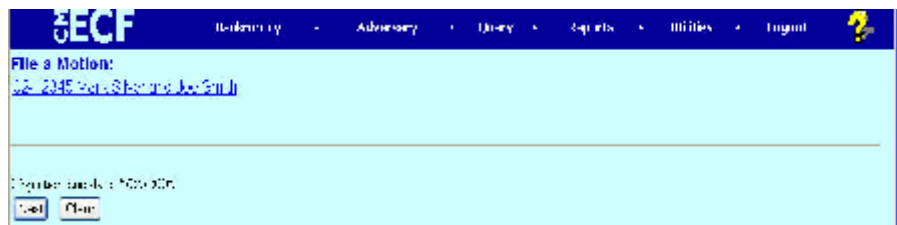


Figure 15

- ◆ Click **[Next]** to continue.

STEP 16 The **FEE** screen appears for the entry of filing fee information. (See **Figure 16.**)

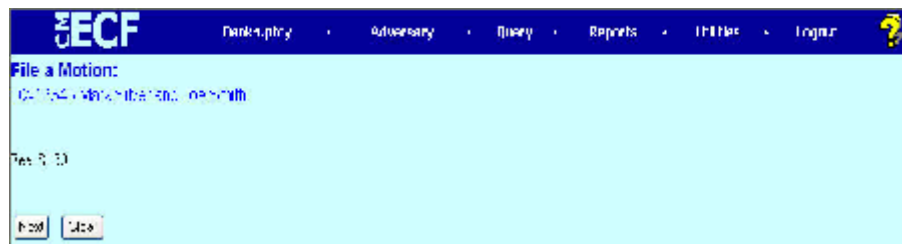


Figure 16

- ◆ The fee amount displays as a default and should not be changed. Click **[Next]** to continue.

STEP 17 The **TEXT EDITING** screen displays. (See Figure 17.)

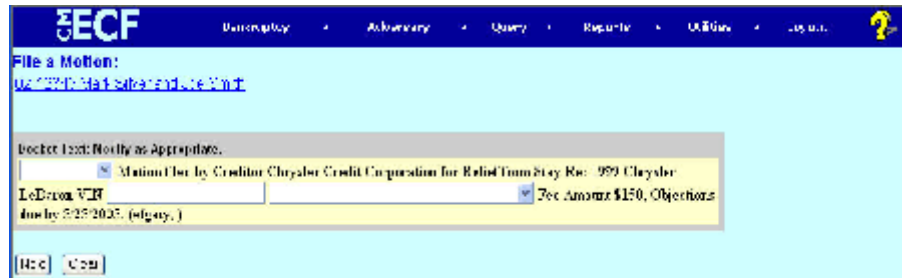


Figure 17

- ◆ Use the pull-down boxes before and after the motion text to indicate whether this is an amended motion and/or whether it is being filed with a certificate of service.
- ◆ If necessary, use the text box in the center to further describe the property.

STEP 18 **FINAL TEXT EDITING** screen displays. (See Figure 18.)

This is the last opportunity to make any changes to this event.

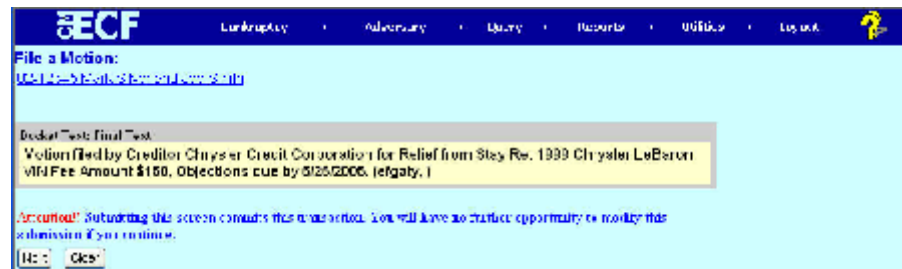


Figure 18

- ◆ Verify the accuracy of the docket text. This is what will print on the docket sheet.
- ◆ If the docket text is incorrect, click the browser **[Back]** button at the top of the screen one or more times to find the error.
- ◆ If the docket text is correct, click on the **[Next]** button to continue.

STEP 19 After a series of security pop-up boxes, to which you click yes, the **SUMMARY OF CHARGES** pop-up box displays. (See Figure 19.)

How to File a Motion



Figure 19

- ◆ Click the **[Pay Now]** button.

STEP 20 Clicking the Pay Now button contacts the U.S. Treasury's Pay.gov system and calls the **PAYMENT INFORMATION** box to appear. (See Figure 20.)

Enter Payment Information

Cardholder Name: _____

Billing Address: _____

Billing Address 2: _____

City: _____

State/Province: _____

ZIP/Postal Code: _____

Country: United States

Card Type: Visa

Card Number: _____

Expiration Date: ____/____/____

Payment Amount: \$150.00

Plastic Card Payment Steps

1. Select Payment Type
2. Enter Payment Information
3. Authorize Payment / Payment Summary
4. Payment Confirmation

Continue Cancel

Figure 20

- ◆ Enter your/your firm's credit card information.
- ◆ Enter the payment amount \$150.00.

- ◆ Click [**Continue**].

STEP 21 The **PAYMENT SUMMARY AND AUTHORIZATION** screen displays. (See Figure 21.)

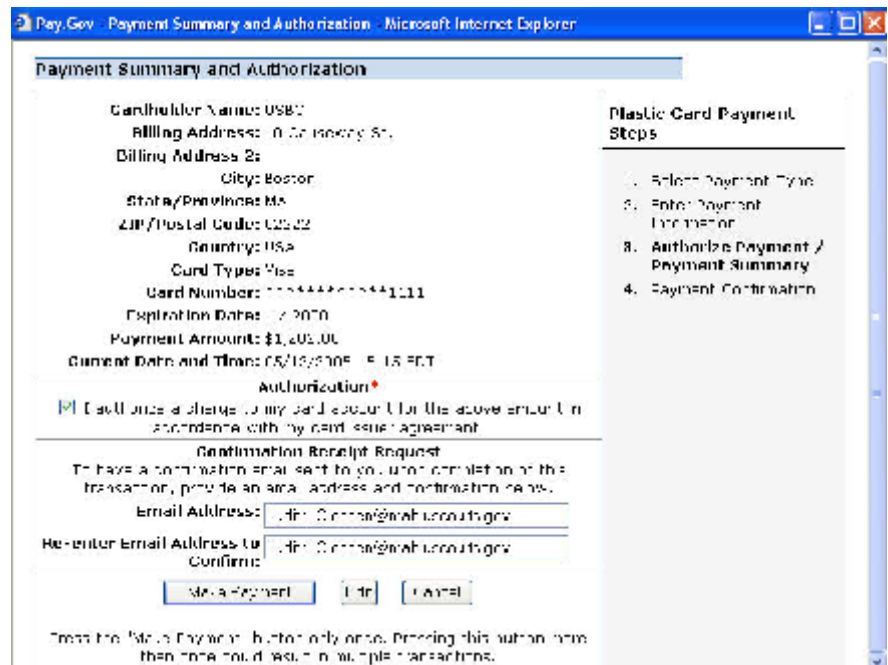


Figure 21

- ◆ Check the box authorizing the charge to your/your firm's credit card.

- ◆ Enter your email address twice so that a receipt for this transaction may be sent to you.
- ◆ Verify all of the information you have entered. Edit if necessary.
- ◆ Click once on **Make a Payment**.

Note: Should you become impatient and click [Make Payment} more than one time, you will be charged twice. Should this happen, contact the financial administrator for the court at 617-565-6339. Do not contact your credit card company and dispute the charges. Work with the court to reimburse your card.

STEP 22. The **NOTICE OF ELECTRONIC FILING** screen displays.
(See Figure 22.)

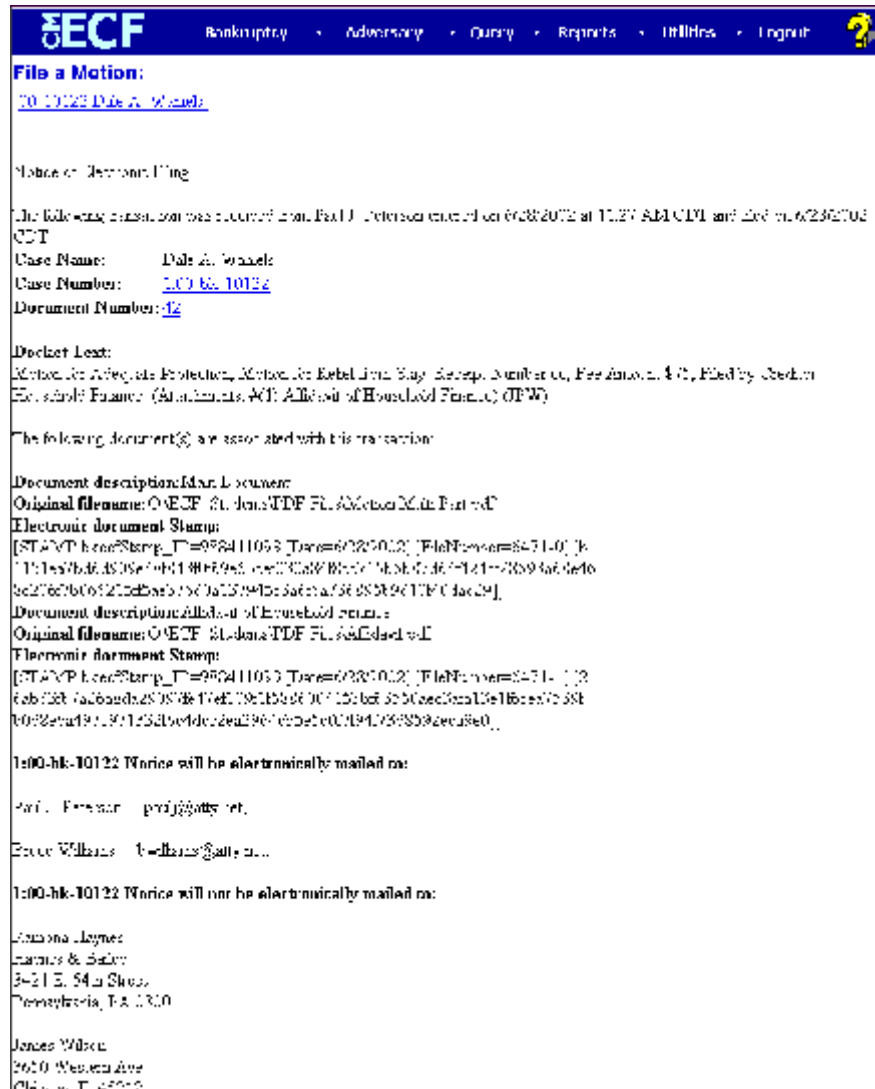


Figure 22

- ◆ Clicking on the case number hyperlink on the Notice of Electronic filing will present the docket report for this case.
- ◆ Clicking on the document number hyperlink will present the PDF image of the application just filed.
- ◆ Scroll down to see participants who have or have not registered for electronic noticing on this case.
- ◆ To print a copy of this notice click the browser **[Print]** icon. You may

also save the notice through the browser **File/Save** option.

Notice of Electronic Filing:

Hyperlink to docket sheet

Date and time stamp information

Case Title

Case number hyperlink to docket sheet?

Docket text

- Annotated text in italics
- Text produced from docket event
- Attachment type, description and attachment number which is a hyperlink to the PDF file of the attached document if there is one.

Associated (PDF) documents:

Document description: Defaults to Main Document being docketed.

Original filename: Filer's full directory path from firm or court's hard drive or network.

Electronic document stamp: Unique identifying name of the document being filed for security purposes. Key file of the court used for encryption

Notice will be electronically mailed to:

Any party on the case who has registered their e-mail address with the court will be listed here with their current e-mail address, not their street address.

Notice will not be electronically mailed to:

Name and address of other parties on the case who have not furnished their e-mail address with the court.