

## **Frequently Asked Filing Questions**

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3. **Why do I have to file all these attachments, like the notice of hearing, certificate of service, proposed order? Why can't I just file everything as one PDF document?**
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10. **What if I forgot to sign the motion? Do I have to file everything again?**
11. **I filed a signed motion (or objection, response or complaint) with a notice of hearing and proposed order but I forgot to file an exhibit. How do I file that?**
12. **I don't understand why on some things I file I get that message about referring to an existing document but on other things I don't see that message. What's the difference?**
13. **I need to file something in an adversary, how do I know where to file documents?**
14. **Why does it matter if I file something regarding an adversary complaint using the bankruptcy case number?**
15. **When filing a motion there is a prompt for a hearing date. Where do I get this date?**
16. **The type of motion I am filing has never needed a hearing date in the past. Do I have to call the Court?**
17. **Why do I always have to file a proposed order with my motion? Can't the court just issue an order?**
18. **I've filed all the documents I need to file. Why do I have to log out, can't I just close my browser?**

## 1. How do I sign document filed electronically?

**Answer:** All documents should be signed in the following manner: /s/ YOUR NAME. We need both the /s/ which designates signature and the name you are signing. Your client's signature may be presented in the same fashion. Some attorneys are using an italic style font, which allows a typed signature to appear more like a traditional signature. (4/28/03)

Examples:

/s/ Joe Debtor  
Joe Debtor

/s/ Josephine Debtor  
Josephine Debtor

/s/ Jo Attorney  
Jo Attorney  
BNH09876  
129 Main Way  
Anywhere, NH 03103  
(603) 202-2222

## 2. How long will it take to transmit lengthy documents?

**Answer:** Most documents are transmitted within seconds. The time it takes to transmit a document primarily depends on the user's Internet Service Provider (ISP), modem speed, and the size of the PDF files being transmitted. Generally, the larger the file, the longer it will take to load. (4/28/03)

## 3. Why do I have to file all these attachments, like the notice of hearing, certificate of service, proposed order? Why can't I just file everything as one PDF document?

**Answer:** The notice of hearing and proposed order MUST be separate attachments. The certificate of service, list/matrix of who was served and exhibits can be one PDF as part of the motion (or objection.) For large exhibits, we suggest you file these as a separate attachment to minimize your uploading or downloading time. (4/28/03)

## 4. I represent two parties in a case. ECF won't let me pick both parties, why?

**Answer:** To pick two or more parties, single mouse click on the first party, then while holding down the control key, single mouse click on the second party. At this point both parties will be highlighted. If more than two parties, continue to hold down the control key and click on the parties you represent. When finished picking the parties, click on the next button and continue with your filing. (4/28/03)

## **5. What do I do if the document I need to file is not listed in the event list?**

**Answer:** Review Appendix 2 in the CM/ECF Training Manual, the Key Word Index, which lists every filing event available. You may want to call it one thing, but the court believes it should be called something else. If after reviewing Appendix 2 you still cannot find what you are trying to file, use one of the generic filing events: generic motion, generic notice, generic report or generic statement. Or call the court for assistance. (4/28/03)

## **6. How can I find out BEFORE I prepare and file my motion who will receive electronic notice?**

**Answer:** There are two ways to find this information. Log into ECF and:

Click on 'Utilities' in the blue ECF Main Menu Bar  
Click on the 'Mailings...' option  
Click on 'Mailing Info for a case', then enter the case number and click submit.  
The list separates those who will receive electronic notice and those who will require manual notice. Only attorneys are listed here, trustees and the US Trustee are not.

OR

Click on 'Query' in the blue ECF Main Menu Bar, then enter the case number and click Run Query.  
Click on the 'Parties' hyperlink.  
Any party listed with an e-mail address under their name will receive electronic notice.  
Any party without an e-mail address under their name will not receive electronic notice.  
(4/28/03)

## **7. How do you file two motions at the same time?**

### **Example A - Motion to Dismiss Case or Convert Case**

Under the Motions/Applications events click/highlight the Convert Case filing event, hold down the control key and scroll down to the Dismiss Case filing event. Click to highlight it and then click next.

### **Example B - Objection to Confirmation or alternatively Motion to Dismiss**

You cannot do this as one filing, these are two very separate and distinct items. Create two documents which you convert to PDF.. File the objection to confirmation using the Plan (11,12,13) & Disclosure Stmt events and file the motion to dismiss using the Motions/Applications events. (4/28/03)

**8. How many motions can I file at the same time?**

**Answer:** You can file only one pleading at a time, but you can file a multiple-part motion which is one document. We would prefer each motion to be filed individually as a PDF document, with its own proposed order and notice of hearing. However if you cannot have separate PDF's, when you arrive at the motions pick list, choose each and every motion type you are filing by highlighting it and holding the control key. (4/28/03)

**9. I forgot to sign the certificate of service on my motion? Do I have to file everything again?**

**Answer:** No. If the only thing not signed was the certificate of service, you do not have to file the motion and all of its attachments again. File only an amended certificate of service (under Other/Miscellaneous choose certificate of service) refer to the originally filed motion and use the drop down box on the final screen to choose "Amended". (4/28/03)

**10. What if I forgot to sign the motion? Do I have to file everything again?**

**Answer:** Yes, you will have to file the motion and any attachments again. Electronically signing the document is extremely important. Any motion that is not signed will be marked as "ENTERED IN ERROR" and not reviewed by the Judges. If you realize you have not signed the motion please call us to let us know. (4/28/03)

**11. I filed a signed motion (or objection, response or complaint) with a notice of hearing and proposed order but I forgot to file an exhibit. How do I file that?**

**Answer:** File the exhibit and link it to the motion (or objection, response or complaint). On the Bankruptcy Events menu go to Other/Miscellaneous and on the Adversary Events menu go to Notices/Miscellaneous for the exhibit filing event. (4/28/03)

**12. I don't understand why on some things I file I get that message about referring to an existing document but on other things I don't see that message. What's the difference?**

**Answer:** A number of documents filed with the court will always refer to another document filed in the case, such as responses, certificates of service or proposed orders. Whenever you see the question 'Does this filing refer to an existing document in this case? (If yes, click on the box)' the right answer is to check the box. (4/28/03)

**13. I need to file something in an adversary, how do I know where to file documents?**

**Answer:** Choose the Adversary menu to find the filing event you need. At the case number prompt ALWAYS enter the adversary proceeding number. (4/28/03)

**14. Why does it matter if I file something regarding an adversary complaint using the bankruptcy case number?**

**Answer:** The Clerk's office makes a fuss about ensuring adversary proceeding documents are filed in the adversary for one very simple reason - the appropriate party will not receive electronic notice if something is filed using the bankruptcy case number. Any document regarding an adversary that is filed in the bankruptcy case will be marked as "Entered in Error" on the docket and no action will be taken. (4/28/03)

**15. When filing a motion there is a prompt for a hearing date. Where do I get this date?**

**Answer:** If you are filing a motion for relief or a motion to avoid lien, go to the main page of the Court's web site and click on the 'Motions for Relief and Motions to Avoid Lien Hearing date' link. Hearing dates, notice of hearing forms and certificate of service forms are available.

If you are filing any other type of motion, contact the calendar clerk for the Judge assigned to the case. For Judge Vaughn cases contact Maureen at (603) 222-2685. For Judge Deasy cases contact Chris at (603) 222-2644. (4/28/03)

**16. The type of motion I am filing has never needed a hearing date in the past. Do I have to call the Court?**

**Answer:** If you are sure you do not need a hearing date for a motion, file the motion without a notice of hearing. If, after reviewing the motion, the Court decides a hearing is required you will be contacted and asked to serve and file a notice of hearing. (4/28/03)

**17. Why do I always have to file a proposed order with my motion? Can't the court just issue an order?**

**Answer:** Local Bankruptcy Rule 7102 (b)(4) states "The initiating motion shall be accompanied by a proposed form of order for the relief requested." The only exception to this rule are motions for relief, where the Court issues a standard order. Otherwise, always file a proposed order or be ready to receive a phone call from the Clerk's office. Motions files without a proposed order may be denied for failure to file the proposed order. (4/28/03)

**18. I've filed all the documents I need to file. Why do I have to log out, can't I just close my browser?**

**Answer:** Clicking on the Logout option on the Blue Menu Bar ensures you are fully off the system and no one can try to file anything using your login and password. It is also gentler on both your computer and the CM/ECF system. (4/28/03)