

BLAST EMAIL

U. S. BANKRUPTCY COURT
SOUTHERN DISTRICT OF ALABAMA

January 30, 2012

12-05

DO NOT REPLY TO THIS EMAIL ACCOUNT
IT IS NOT MONITORED

1 Hour CLE Credit

The first quarterly Best Practice Forum for 2012 will be held February 2, 2012, at Noon in Courtroom 1. *Attorneys that practice in this court are strongly encouraged to attend whether you need CLE credit or not.*
Please bring your Bar ID.

We will be scheduling a session in Selma in the near future.

Agenda:

Court Security - Scott Page from the US Marshall Service will be opening the session. Marshall Page will be discussing court security and the strict enforcement of the security policy for the district by Court Security Officers.

Chapter 7 Cases - At the time of filing a Chapter 7 petition. When selecting Asset or No Asset for the Case in CM/ECF. Please select No Asset for all Chapter 7 cases when opening a case. The determination of Asset or No Asset will be made by the Chapter 7 Trustee. However, please mark your petition appropriately as No Asset or Asset. The CM/ECF selection of No Asset will prevent the pre-mature setting of claims deadlines in the electronic system. Once the trustee files the "Notice of Assets" the appropriate deadlines will be set and all parties and those listed on the creditor mailing matrix will be noticed.

Other Filing Issues: Filing Fee - Be careful not to select "*Filing Fee attached*" on petition and not paying immediately in full via Pay.gov. Be careful not to select "*Filing Fee to be paid in installments*" and not filing an Application to Pay in Installments. Be careful not to select "*Filing Fee waiver requested*" and not filing a *Motion for In Forma Pauperis (Waive Filing Fee)*. DO NOT put anything in the receipt field. These selections may be subject to Show Cause in the near future.

Notice to Correct: To improve the efficiency of corrections being made when noticed by the court: The court will begin including the Debtor in the Notice by mailing Notice to Corrects to the debtor in the near future.

Bankruptcy Code §109(h) Who may be a debtor. - Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement. Plans to Show Cause for Certificate dates that do not match certification on Exhibit D. (Open Discussion)

Notification of Fees Added by Court - When a filing is missing the required and/or the correct fee the court will assess the fee and make available for the attorney to pay via Pay.gov. (Demonstration of Fee appearance in CM/ECF)

New Proposed General Order Re: FRBP 3002.1(f) - Notice Relating to Claims Secured by Security Interest in Debtor's Principal Residence. - Jeffrey Hartley presenting.

PDF/A - PDF/A differs from PDF by omitting features ill-suited to long-term archiving. CM/ECF currently accepts PDF and PDF/A documents. Features in upcoming releases of CM/ECF will enable the court to require that all documents be filed in PDF/A. At this time, we have set June 1, 2012 as a target date to require all documents to be filed PDF/A. This date is subject to change if the Administrative Office for the United States Courts requires an earlier mandatory date. (Handout provided at forum on Creating PDF/A documents with Acrobat 9 Professional, a Scanned Document, Word 2007 (without the PDFMaker Plugin), Word 2010, and OpenOffice).

Discharge Orders - Conditionally Granting - Cases in which the Debtor requests a Hardship Discharge that are set for hearing and Granted by the Judge. When submitting the order to the court the order must include certain language as this will assist the court in processing the order quickly. (The language will be provided in a handout at the forum).

PACER Fees Increasing April 1, 2012 - Pacer Fees will be increasing from .08 per page to .10 cents per page. However, PACER users who do not accrue charges of more than \$15 in a quarterly billing cycle will not be charged a fee. (The current exemption is \$10 per quarter).

General Order #3 Extension - Adoption of Interim Bankruptcy Rule 1007-1 and Amendment of Official Form 22A. On December 13, 2011 the President signed the National Guard and Reservist Debt Relief Extension Act of 2011. The General Order became effective December 19, 2008 and is now extended to December 18, 2015.

CM/ECF 5.0 - This court is scheduled to be one of the first courts to convert to CM/ECF 5.0 in mid-summer 2012 (an exact date has not been scheduled). If time permits we will present a couple of the new features of 5.0.

Clerk's Office Remodel - Phase I is almost complete. Phase II will affect our intake counter and will begin in the near future.

Future Best Practice Forum Dates in Mobile:

May 3, 2012 - ALSB Quarterly Best Practice Forum - Courtroom 2

August 16, 2012 - ALSB Quarterly Best Practice Forum - Courtroom 1

November 1, 2012 - ALSB Quarterly Best Practice Forum - Courtroom 2