



The Docket Electric CM/ECF Newsletter

U.S. Bankruptcy Court, Northern District of Oklahoma

Spring 2011

Certification & Request for Issuance of Discharge; Local Form 4004-1

Local Rule 4004-1 requires debtors in Chapter 12 and 13 cases to file a “Certification and Request for Issuance of Discharge” on Local Form 4004-1. Individual Chapter 11 debtors are also required to file this form. Local Form 4004-1 recently has been updated to version “4/11,” which is available on the Court’s Website at: <http://www.oknb.uscourts.gov/>. Go to Clerk’s Office> Forms. You will find all forms under the heading for either “National” or “Local Forms.”

Local Form 4004-1 should be filed within 21 days after the notice that all plan payments have been made. For example, when the Chapter 13 Trustee docket a “Notice of Completion of Plan Payments” or a “Notice of Early Completion of Plan Payments,” the debtor has 21 days to file Local Form 4004-1. The Clerk’s Office sends out a courtesy notice to file this certification, which provides the debtor with a due date for the certificate and a copy of Local Form 4004-1. This courtesy notice is titled “Notice of Requirement to File a Certification and Request for Issuance of Discharge.”

The requirement for this certification should not be confused with the debtor’s duty to also file a certification of completion of the financial management course. This certification must be filed before the final plan payment on Official Form B 23, which is titled “Debtor’s Certification of Completion of Post-Petition Instructional Course Concerning Personal Financial Management.” Failure to file either certificate may lead to the case being closed without a discharge.

New 2011 Poverty Guidelines

The Poverty Guidelines, issued by the U.S. Department of Health and Human Services, which are used for Applications to Proceed In Forma Pauperis, have been updated for 2011. View the 2011 Poverty Guidelines on the Court’s Website at <http://www.oknb.uscourts.gov/>. Go to Clerk’s Office> BAPCPA Information> HHS Poverty Guidelines> 2011.

Inside this issue:

Certification & Request for Issuance of Discharge	1
2011 Poverty Guidelines	1
New Payment Address for PACER	2
Submitting Proposed Orders to the Court	2
Continuing Ed Credit	2
Court Holidays	2
CM/ECF Electronic Filing Training Class Info	3
Changing Law Firms	4
Reaffirmation Agreement Forms	4



New Payment Address for PACER Payments

Effective March 1, 2011, PACER has a new payment address:

PACER Service Center
P.O. Box 71364
Philadelphia, PA 19176-1364

Checks should be mailed to the above address. Payments made by credit card are accepted at www.pacer.gov. Credit card payments are also accepted by telephone at (800) 676-6856 during the PACER Service Center's normal business hours from 8AM to 6PM Central Time, Monday through Friday.

If you have any questions, please contact the PACER Service Center via email at: pacer@psc.uscourts.gov

Submitting Proposed Orders to the Court

All proposed orders should be submitted in Word or WordPerfect format. Proposed orders submitted in PDF format or any other format will not be opened or processed by the Court. (See Appendix A to the Local Rules titled "CM/ECF Administrative Guide of Policies and Procedures," Section XIII or page 7.)

In addition, proposed orders should be submitted electronically to the assigned Judge's email address as follows:

Judge Michael:
michael.orders@oknb.uscourts.gov

Judge Rasure:
rasure.orders@oknb.uscourts.gov

Continuing Ed Credit for Certified Paralegals

The Bankruptcy Court is pleased to announce that the Association of Legal Assistants – Paralegals (NALA) has approved the Court's monthly CM/ECF Electronic Filing Training Class for continuing education credit. Certified Paralegals may receive up to three hours of credit for attending. The class covers the basic electronic filing requirements for both debtor pleadings and creditor pleadings. Other items such as reports and account maintenance will also be covered. This class is available once a month on a first-come, first-served basis. For a class schedule, please see the "CM/ ECF Electronic Filing Training" section in this newsletter. Or, you may also view and register for a class by going to: www.oknb.uscourts.gov. Then, click Clerk's Office> CM/ECF Information> Training> Sign-up for CM/ECF Training.

Court Holidays

The Court will be closed on the following days:

- May 30th, in observation of Memorial Day
- July 4th, in observation of Independence Day



CM/ECF Electronic Filing Training

Who: Attorneys and/ or Staff

What: Basic training on electronic filing in CM/ECF for debtors and creditors.

Where: The Federal Building at 224 S. Boulder Avenue
Bankruptcy Court Training Room

Why: The class is free, and attorneys and certain limited- use individuals may be eligible to receive electronic filing rights. In addition, **both attorneys and legal assistants/ paralegals may be eligible to receive continuing education credit for attending this class.** * **

When: 1:00 pm to 4:30 pm on:

- May 18, 2011
- June 8, 2011
- July 13, 2011
- August 10, 2011
- September 14, 2011
- October 19, 2011
- November 16, 2011
- December 14, 2011

How: Please register online on the Court's website by going to: www.oknb.uscourts.gov. Then, click "Clerk's Office"> CM/ECF Information> Training> Sign-up for CM/ECF Training.

*** For paralegals: "This seminar meets the requirements of the NALA Certifying Board for Paralegals for continuing legal education credit required to maintain the CP (Certified Paralegal) credential." This class qualifies for up to 3.00 credit hours.**

****For Attorneys: "This course has been approved by the Mandatory Continuing Legal Education Commission of Oklahoma for a maximum of 3.00 credit hours, of which 0.50 hours are credits covering professional responsibility, legal ethics, or legal malpractice prevention."**

Changing Law Firms

When an attorney changes firms, both the attorney and the former law firm have responsibilities in maintaining their CM/ECF accounts, PACER accounts, and reflecting any change in representation on the docket.



CM/ECF Account Maintenance: Attorneys must personally update their account information by logging into CM/ECF. Once in CM/ECF, go to “Utilities,” then to “Maintain Your ECF Account.” The attorney’s new address and/or phone number should be updated on the initial screen, and any new email addresses should be entered under the “Email Information” tab. Then, click the “Submit” button so that all the updated information will be saved in the system.

PACER Account Maintenance: In addition to changing contact information, attorneys and their former law firms should also verify that any default settings, such as the PACER login, have been cleared. For example, an attorney may have his or her former firm’s PACER login stored in the system so that it defaults to this login in order to avoid manual entry each time. Until this default login has been cleared, the attorney that has switched firms may actually be unintentionally using the former firm’s information to log in to PACER. This will result in PACER charges being billed to the former firm instead of the new firm. To avoid this problem, once logged into CM/ECF, the attorney should go to “Utilities” and then to “Clear Default PACER Login.” It is the attorney’s responsibility to clear the default settings. However, the former firm should verify the attorney has taken the proper steps when leaving the firm.

Docket Maintenance: If an attorney switches law firms, and does not take their current cases to the new firm, this should be reflected on the docket by filing a motion. Pursuant to Local Rule 9010-1(D), an attorney is permitted to withdraw from a case or proceeding only upon leave of Court. A “Motion to Withdraw as Counsel” or a “Motion to Substitute Counsel” are possible options for attorneys. A “Motion to Withdraw” may be filed in CM/ ECF by going to Bankruptcy> Motions/ Applications> Withdraw as Attorney. A “Motion to Substitute Counsel” may be filed in CM/ECF by going to: Bankruptcy> Motions/ Applications> Substitute Attorney.

Reaffirmation Agreement Forms

Official Form B240A titled “Reaffirmation Documents” and dated “04/10,” contains the Reaffirmation Agreement, disclosures, and other documents necessary for a debtor to reaffirm a debt. Official Form B27 is the required Reaffirmation Cover Sheet. Both of these forms may be found by going to the Court’s website at www.oknb.uscourts.gov. Click on Clerk’s Office > Forms > Official Bankruptcy Forms. The Reaffirmation Agreement Cover Sheet (B 27)(12/09) is located under the heading “Part I,” and Reaffirmation Documents (B 240A) (4/10) is located under the heading “Part II.”

In the event parties intend to file a separate attached Reaffirmation Agreement as contemplated by 11 U.S.C. §524, the alternative Reaffirmation Agreement Form B 240A/B ALT (4/10), also located under the heading “Part II,” may be used.