

**U.S. Bankruptcy Court
Western District of Tennessee**

**CM/ECF Version 3.1
Attorney Training**

CM/ECF Version 3.1

Objectives

By the end of this module you will be able to:

- Describe the new statistical requirements in Version 3.1
- Explain the new Bankruptcy and Adversary case opening screens
- Identify changes to the new Official Bankruptcy forms:
 - Voluntary Petition Form 1
 - Adversary Cover Sheet Form 104

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- The Bankruptcy Abuse Prevention and Consumer Protection Act (BAPCPA) of 2005 was signed into law on April 20, 2005.
- Most of the provisions of the Act were effective six months later on October 17, 2005.
- The compiling of additional data in consumer cases became effective 18 months after enactment. Therefore, the requirement for increased statistical reporting becomes effective October 17, 2006.

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CM/ECF Version 3.1 is designed primarily to collect and transmit additional data about bankruptcy filings and adversary proceedings to the Administrative Office's Statistics Division.

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Besides the data required from the BAPCPA, CM/ECF Version 3.1 contains statistical elements from requirements of the Judicial Conference's Committee on the Administration of the Bankruptcy System.

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New Reporting Requirements

- Filing Fees
- in forma pauperis
- Assets
- Amended plans and orders approving plans
- Chapter 11 trustee activity
- Transfer cases
- Appeals
- Rent deposits
- Damages for creditor misconduct
- Debtor attorney sanctions
- Damages under Rule 9011
- Reaffirmation agreements

CM/ECF Version 3.1 will be collecting and reporting more data to send to the Statistics Division. The traditional reporting of case opening and closing data will continue, but new fields from actual docketing events will also be transmitted.

This list is an example of the variety of information being gathered.

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- Event Specific Data
 - Event frequency
 - Filed date
 - Role of filer
 - Dollar amounts
 - Order Actions
 - Hearing locations

Some event specific data is extracted through CM/ECF docket events.

Contested Matters are actions that have the potential to raise objections and hearings.

Fifty Contested Matters

- Data not reported until matter is disposed
- Includes all related events, hearings, answers, etc.

Your court will provide you with a list of new events.

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CM/ECF Version 3.1 BANKRUPTCY CASE OPENING

ECF Bankruptcy Adversary Query Reports

Open New Bankruptcy Case

Prior filing within last 8 years [dropdown]

Fee status: Paid

Nature of debt: [dropdown]

Asset notice: No

Estimated number of creditors: [dropdown]

Estimated assets: [dropdown]

Estimated debts: [dropdown]

Type of debtor:

- Single Asset Real Estate
- Railroad
- Stockbroker
- Commodity Broker
- Clearing Bank
- Other
- Tax-Exempt Entity

A "Prior filing within last 8 years" field has been added. This information is included on the Voluntary Petition.

Next Clear

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BK v3.1 8

CM/ECF Version 3.1 BANKRUPTCY CASE OPENING

ECF Bankruptcy Adversary Query Reports

Open New Bankruptcy Case

Prior filing within last 8 years [dropdown]

Fee status: Paid

Nature of debt: [dropdown]

Asset notice: No

Estimated number of creditors: [dropdown]

Estimated assets: [dropdown]

Estimated debts: [dropdown]

Type of debtor:

- Individual
- Corporation (includes LLC & LLP)
- Partnership
- Other

The "Nature of debt" field default is now blank.

Next Clear

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CM/ECF Version 3.1 BANKRUPTCY CASE OPENING

Asset notice No

The "Asset notice" field defaults to "No" for Chapter 7 case openings. This field defaults to "Yes" for all other chapters.

BK v3.1 10

CM/ECF Version 3.1 BANKRUPTCY CASE OPENING

Estimated number of creditors

Estimated assets

Estimated debts

The field default is blank for: "Estimated number of creditors", "Estimated assets", and "Estimated debts". There are five new check-box categories for Estimated Assets and Estimated Debts/Liabilities on the new Voluntary Petition. The software has been updated to reflect this change.

BK v3.1 11

CM/ECF Version 3.1 BANKRUPTCY CASE OPENING

Nature of business

- "Nature of business" label added above list of business types
- "Other" type added
- Radio buttons instead of check-boxes
- "Tax-Exempt Entity" can be selected in conjunction with any type of business
- "Tax-Exempt Entity" was formerly called "Non-Profit".

BK v3.1 12

**CM/ECF Version 3.1
BANKRUPTCY CASE OPENING
SUMMARY OF SCHEDULES**

- The Summary of Schedules event:
 - Will display the new summary of schedules screen.
 - Will display values previously entered at case opening.
 - Allow you to add or change dollar amounts.
- Entering data on the Summary of Schedules screen has the same effect as docketing the event separately.

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BK v3.1 22

**CM/ECF Version 3.1
BANKRUPTCY CASE OPENING
SUMMARY OF SCHEDULES**

- Your court will provide instructions for filing amended schedules.

CAUTION!

- The amount entered will **OVERWRITE** any previous value. It will not add the new amount to the previous value.

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**CM/ECF Version 3.1
ADVERSARY CASE OPENING
NEW NATURE OF SUIT CODES**

Primary nature of suit
Second nature of suit
Third nature of suit
Fourth nature of suit
Fifth nature of suit

State law

A new field for State law is for entry of an existing substantive issue of state law.

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BK v3.1 24
