



UNITED STATES BANKRUPTCY COURT SOUTHERN DISTRICT OF OHIO

Review of Proposed Orders

In a continuing effort to promote uniformity across the district, effective on October 7, 2019, the United States Bankruptcy Court for the Southern District of Ohio will implement a new procedure regarding electronic orders in the Cincinnati and Dayton locations. This procedure is currently used in Columbus, and Chief Judge Hopkins has a modified version of the procedure in place.

Under the new procedure, when an electronic order is uploaded to CM/ECF, it will be routed to the case administrators for preliminary review before it is routed to chambers. The case administrators will review each order for compliance with the Local Bankruptcy Rules, Forms, and Procedures and the Administrative Procedures for Electronic Case Filing.

If the order complies, it will be routed to chambers for final review. If the order contains a deficiency, the party who uploaded the order will receive an email notification of the deficiency. That party is responsible for correcting the deficiency and uploading a new order. The new order will undergo the same review procedure and will be routed to chambers if no deficiencies are found.

The Clerk's Office expects the training process for its staff to last approximately four to six weeks. During this time, there may be a slight delay in the issuance of orders; however, any delays should be eliminated when training is completed.

The case administrators will be reviewing the items identified on the attached checklist. Please take this opportunity to review your forms to ensure that they comply with the Local Bankruptcy Rules, Forms, and Procedures and the Administrative Procedures for Electronic Case Filing.

E-Order Review Checklist

General

- The order was uploaded in the main case instead of the adversary proceeding.
- The order was uploaded in the adversary proceeding instead of the main case.
- The wrong PDF was uploaded.
- The order is illegible.

Caption

- The order references the incorrect court or division.
- The order references the incorrect case number. See LBR 9072-1(a).
- Adversary Proceedings: The order does not reflect the adversary proceeding number or references an incorrect adversary proceeding number. See LBR 9072-1(a).
- The order lists the wrong debtor's/debtors' name(s). See LBR 9072-1(a).
- The order does not reference the case chapter or references an incorrect case chapter. See LBR 9072-1(a).
- The caption of the order does not contain a statement of the nature of the order and the relief proposed to be granted. See LBR 9072-1(a).
- The caption of the order does not reference the docket number of the underlying filing or references an incorrect docket number. See LBR 9072-1(a).
- The caption of the order should include the word "Amended" to acknowledge the original order previously docketed.
- The caption of the order should not include the word "Amended" since there is no previously docketed order regarding this matter of record.

Text

- The order includes the incorrect docket entry date for the docket entry referenced in the order.
- The order includes the debtor's/debtors' full social security number(s). Only the last four digits of the debtor's/debtors' social security number(s) may appear. See Fed. R. Bankr. P. 9037(a)(1).
- Payroll Deduction Orders: The order reflects the incorrect address for the submission of chapter 13 payments.
- The order appears to be incomplete (e.g., blanks, omitted text, pages and/or exhibits).
- The language, "SO ORDERED" does not appear at the end of the text of the order. See LBR 9072-1(c).
- Agreed Order: The agreed order does not contain a signature (e.g., image of the signature or "/s/ Name") of a required signatory to the order.

Service List

- The order provides for service that does not comply with LBR 9072-1(d).
- Adversary Proceedings: The order does not contain a service list in accordance with LBR 9072-1(d)(3).
- The service list must include the full mailing address for parties who do not receive electronic mail notice through CM/ECF or e-mail notice through BNC.
- The service list on the order refers to an attached list of creditors but no list of creditors is attached.

Formatting

- The order is not properly sized to 8.5 x 11. See LBR 9004-1(b).
- The order is not a text searchable document. See ECF Procedure 5(b).
- The order does not contain a 4” top margin on the front page to accommodate the judge’s electronic signature. See LBR 9072-1(c).
- The order should not contain a signature line for the judge. The Court will affix an electronic signature in the 4” top margin on the front page of the order. See LBR 9072-1(c).

Procedural

- The matter has been set for hearing.
- The matter has been withdrawn; no order is necessary.
- An order disposing of the underlying matter has already been uploaded, signed and docketed.
- The order was uploaded prior to expiration of the applicable response time. See LBR 9072-1(e); ECF Procedure 4(b); and Fed. R. Bankr. P. 9006.

Other

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