

Objections to Motions

For Attorneys

This lesson explains how to docket an objection (or a response) to a motion or application. The example used is an objection to a Motion to Avoid a Lien.

- STEP 1** Click the [Bankruptcy](#) hyperlink on the CM/ECF Main Menu. (See **Figure 1**.)



Figure 1

- STEP 2** The **BANKRUPTCY EVENTS** screen displays. (See **Figure 2**.)



Figure 2

- ◆ Click the [Answer/Response](#) hyperlink.

- STEP 3** The **ANSWER/RESPONSE TYPE** screen displays. (See **Figure 3**.)



Figure 3

- ◆ Click the [Reference an Existing motion/application](#) hyperlink.

STEP 4 The **CASE NUMBER** screen displays (See Figure 4.)

The screenshot shows the ECF web interface. At the top, there is a blue navigation bar with the ECF logo on the left and menu items: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. A yellow question mark icon is on the far right. Below the navigation bar, the text "File an answer to a motion" is displayed. The main content area has a "Case Number" label above a text input field containing "02-10069". To the right of the input field is a dropdown menu with the text "99-12345, 1-99-bk-12345 or 1-99-bk-12345". Below the input field are two buttons: "Next" and "Clear".

Figure 4

- ◆ Enter the correct case number, including the hyphen.
- ◆ Click **[Next]**.


STEP 5 The **DOCUMENT TYPE SELECTION** screen displays. (See Figure 5.)

The screenshot shows the ECF web interface. At the top, there is a blue navigation bar with the ECF logo on the left and menu items: Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. A yellow question mark icon is on the far right. Below the navigation bar, the text "File an answer to a motion" is displayed. The main content area shows a link: "02-10069 Frank G. Hammock and Carol A. Hammock". Below the link is a dropdown menu with "Objection" selected. Below the dropdown menu are two buttons: "Next" and "Clear".

Figure 5

- ◆ Click on the down arrow in the **Document Type** pick list.
- ◆ Your choices in the starter database are Objection, Reply or Response. Highlight **Objection**.
- ◆ Click **[Next]**.

STEP 6 The **JOINT FILING** screen displays. (See Figure 6.)

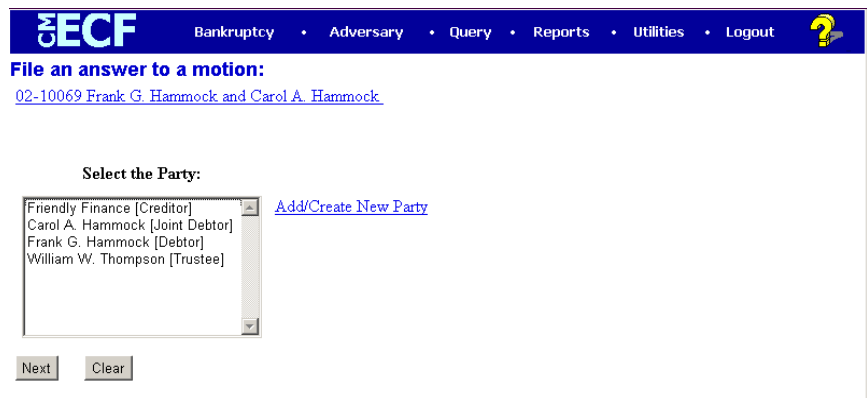


The screenshot shows the ECF interface with a navigation bar containing 'Bankruptcy', 'Adversary', 'Query', 'Reports', 'Utilities', and 'Logout'. The main heading is 'File an answer to a motion:' followed by the case number '02-10069 Frank G. Hammock and Carol A. Hammock'. Below this is a checkbox labeled 'Joint filing with other attorney(s)'. At the bottom are 'Next' and 'Clear' buttons.

Figure 6

- ◆ This screen will only be used if another attorney is joining in this filing. If you are the only attorney filing this application, skip this screen.
- ◆ If this were a joint filing and the box were checked, a listing of attorneys presently on the case would be presented for selection.
- ◆ Click **[Next]**.

STEP 7 The **SELECT PARTY** screen displays. (See Figure 7.) All participating parties on the case will appear on this list.

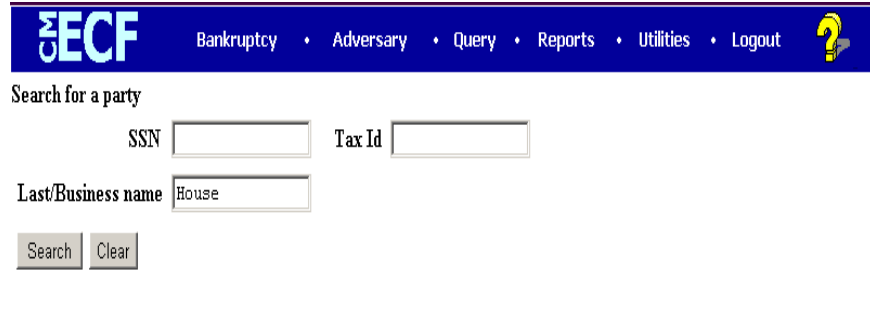


The screenshot shows the ECF interface with the same navigation bar. The heading is 'File an answer to a motion:' followed by the case number '02-10069 Frank G. Hammock and Carol A. Hammock'. Below this is a section titled 'Select the Party:' containing a scrollable list box with the following entries: 'Friendly Finance [Creditor]', 'Carol A. Hammock [Joint Debtor]', 'Frank G. Hammock [Debtor]', and 'William W. Thompson [Trustee]'. To the right of the list box is a blue hyperlink 'Add/Create New Party'. At the bottom are 'Next' and 'Clear' buttons.

Figure 7

- ◆ The party for whom you are filing the objection in this example is Household Finance.
- ◆ Since the party name (Household Finance) does not display in the **Select The Party** box, they need to be added to this case.
- ◆ Click the Add/Create New Party hyperlink.

- STEP 8** The **PARTY SEARCH** screen displays. (See Figure 8.) You must first search the database to retrieve the party record. If the party is new to the court, a new party record must be created.



Search for a party

SSN Tax Id

Last/Business name

Figure 8

- ◆ It is very important to search carefully and thoroughly before adding a new party so duplicate records for the same person or entity do not reside on the database. Additional search hints are provided below.

Search Hints:

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Include punctuation. (O'Brien, Garcia-Barrera)
- Try alternate search clues if your first search is not successful.
- Partial names using a minimum of two characters can be entered.
- Wild cards (*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (*son, Gr?y)

- ◆ Click in the **Last/Business name** box and enter the last (or partial) name or business name of the party. We have entered House for Household Finance.
- ◆ Click **[Search]** .

STEP 9 The system will search the court database and then display a list of all parties whose names match the search criteria you entered. Our search has found one party that matched our search criteria. However, in this example, Household Finance is not the correct party. (See Figure 9a.)

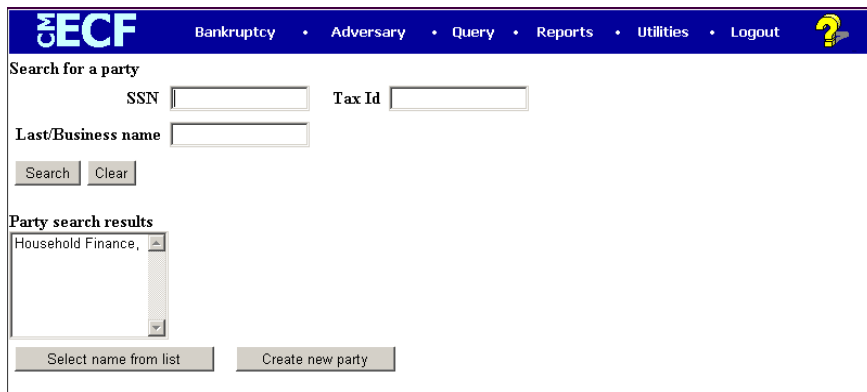


Figure 9a

NOTE: Your name search may find more than one record having the same name as shown in **Figure 9b**. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.

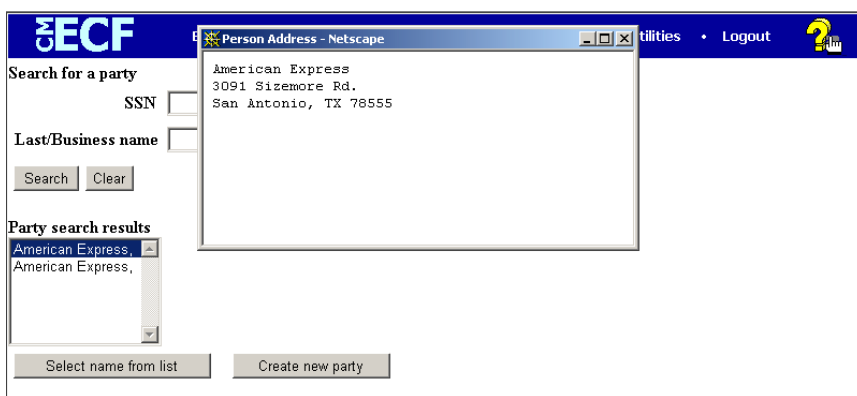


Figure 9b

◆ In our example we need to create a new party record in this case so click the **[Create new party]** button.

STEP 10 The **PARTY INFORMATION** screen will then appear.
(See Figure 10.)

Figure 10

- ◆ Complete all appropriate name fields. The entire business name should be entered in the Last Name field. Do not add address information unless required by the court.
- ◆ Since this party is represented by an attorney, do not change the pro se default value of No.
- ◆ Click to expand the Party Role list arrow ▼ and highlight Creditor (cr:cr).
- ◆ Click **[Submit]**

STEP 11 The **SELECT PARTY** screen displays again with the new party filer highlighted at the top of the list (Householders Finance).
(See Figure 11.)

Figure 11

- ◆ Click **[Next]**.

STEP 12 The **ATTORNEY/PARTY ASSOCIATION** screen appears. (See Figure 12.)

CM/ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

File an answer to a motion:
[02-10069 Frank G. Hammock and Carol A. Hammock](#)

The following attorney/party associations do not exist for this case.
 Please check which associations should be created for this case:

Householders Finance, (cr:cr) represented by Walker, Heather (aty)

Next Clear

Figure 12

- ◆ Since your party, Householders Finance, is new to this case, this screen will establish you as counsel for them on this case. Heather Walker is used as an example here.
- ◆ Check the box and click **[Next]**.

STEP 13 The **PDF DOCUMENT SELECTION** screen displays. (See Figure 13a.)

CM/ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout ?

File an answer to a motion:
[02-10069 Frank G. Hammock and Carol A. Hammock](#)

Select the **pdf** document (for example: C:\199cv501-21.pdf).

Filename Browse...

Attachments to Document: No Yes

Next Clear

Figure 13a

- ◆ Click **[Browse]**, then navigate to the directory where the PDF file is located.
- ◆ In the **File Upload** screen, change **Files of type:** to **All Files(*.*)**.

- ◆ To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. (See Figure 13b.)

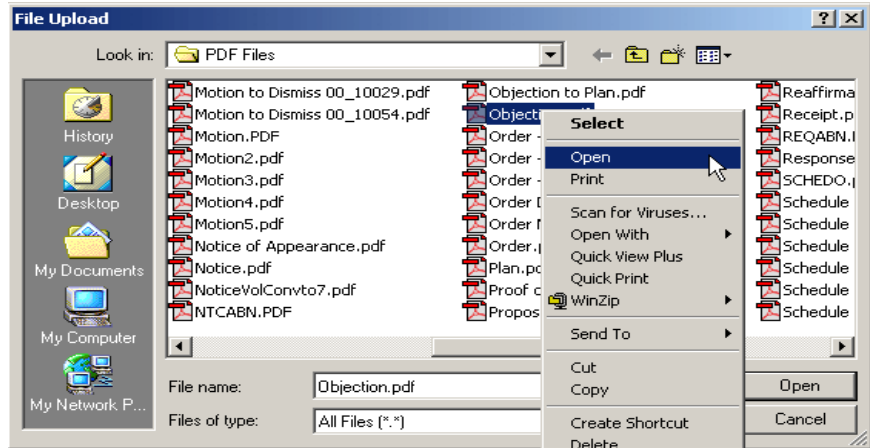


Figure 13b

- ◆ This will launch the Adobe Acrobat Reader which will display the contents of the images document. Verify that the document is correct.
- ◆ Close or minimize the Adobe application and if that is the correct file, click [**Open**] on the **FILE UPLOAD** dialogue box. (See Figure 13c.)

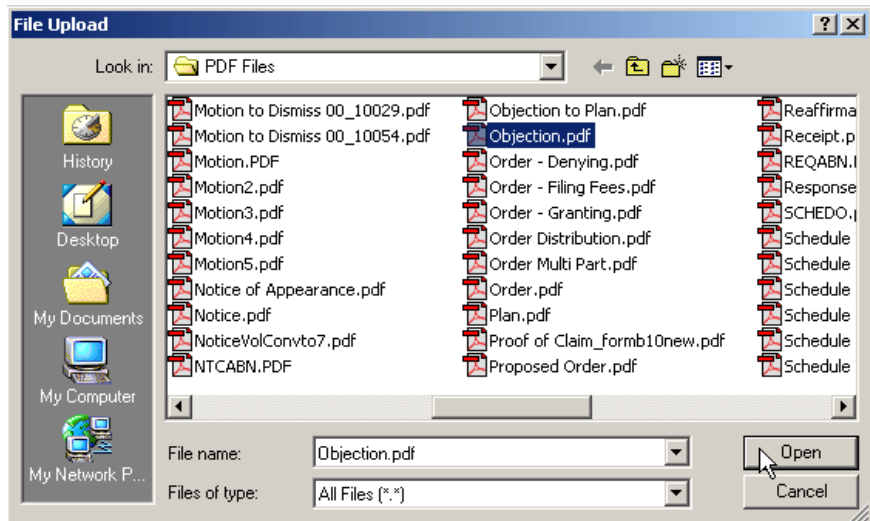


Figure 13c

- ◆ The path and name of the selected PDF file is placed in the **Filename**. The file will be associated with the current event and a hyperlink will be created to it. (See Figure 13d.)

Figure 13d

- ◆ There will not be any Attachments to the objection in this lesson. Accept the **No** default radio button.
- ◆ Click **[Next]**.

STEP 14 The **PENDING MOTIONS** screen appears. (See Figure 14.)

Figure 14

- ◆ Select the appropriate motion you wish to answer by clicking in the box next to the date. If there is more than one possibility, click on the document number hyperlink to view the imaged application or motion.
- ◆ Click **[Next]**.

- STEP 15** The **MODIFY DOCKET TEXT** screen appears. This screen will display a prefix box and a supplemental text box to add more detail to the docket text. (See **Figure 15**.)

The screenshot shows the ECF interface with a navigation bar containing 'Bankruptcy', 'Adversary', 'Query', 'Reports', 'Utilities', and 'Logout'. The main heading is 'File an answer to a motion:' followed by a link to '02-10069 Frank G. Hammock and Carol A. Hammock'. The 'Docket Text: Modify as Appropriate' section contains a dropdown menu with a down arrow, followed by the text: 'Objection to (related document(s): [10] Motion to Avoid Lien with Household Finance, filed by Frank G. Hammock, Carol A. Hammock) Filed by Creditor Household Finance (Walker, Heather)'. At the bottom of this section are 'Next' and 'Clear' buttons.

Figure 15

- ◆ Click the down arrow ▼ to display the prefix options. Select a descriptive prefix, if it is appropriate.
- ◆ If necessary, add detail to the final text.
- ◆ Click **[Next]**.

- STEP 16** The **FINAL DOCKET TEXT** screen appears.)See **Figure 16**.)

The screenshot shows the ECF interface with the same navigation bar. The main heading is 'File an answer to a motion:' followed by a link to '02-10069 Frank G. Hammock and Carol A. Hammock'. The 'Docket Text: Final Text' section contains the text: 'Objection to (related document(s): [10] Motion to Avoid Lien with Household Finance, filed by Frank G. Hammock, Carol A. Hammock) Filed by Creditor Household Finance (Walker, Heather)'. Below this text is a red 'Attention!!' notice: 'Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.' At the bottom of this section are 'Next' and 'Clear' buttons.

Figure 16

- ◆ Use caution on this screen and proof the contents of the entry carefully. Read the **Attention!!** notice.

NOTE: To abort or restart the transaction at any time, click the Bankruptcy hyperlink on the main menu bar.

- ◆ When you click **[Next]**, the entry is sent to the court's database.
- STEP 17** The **NOTICE OF ELECTRONIC FILING** screen appears. (See Figure 17.)

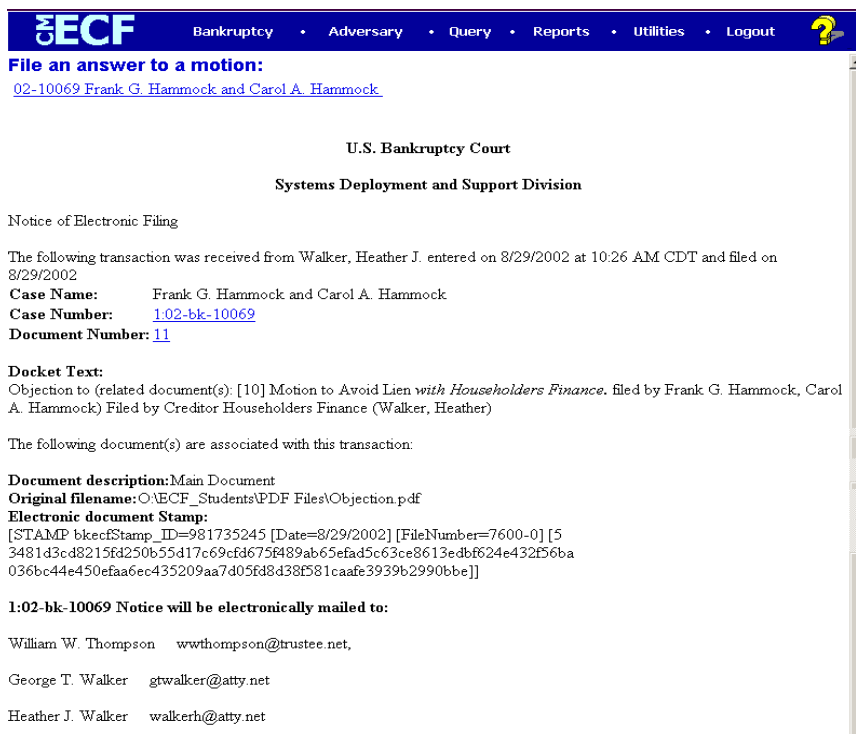


Figure 17

Features of the CM/ECF Notice of Electronic Filing:

- ◆ Hyperlink to docket sheet
- ◆ Date and time stamp information
- ◆ Case Title
- ◆ Case number hyperlink to docket sheet?
- ◆ Docket text
 - Annotated text in italics
 - Text produced from docket event
 - Attachment type, description and attachment number which in the Docket Sheet is a hyperlink to the PDF file of the attached document

- ◆ **Associated documents:**
- ◆ Document description: Defaults to the Main Document being filed.
- ◆ Original filename: Filer's full directory path from firm or court's PC or network.
- ◆ Electronic document stamp: Unique identifying number of the document being filed. Used for security purposes. Key file of the court used for encryption.
- ◆ **Notice will be electronically mailed to:**

Any party on the case who has registered their e-mail address with the court will be listed here with their current e-mail address, not their street address.
- ◆ **Notice will not be electronically mailed to:**

Name and address of other parties on the case who have not furnished their e-mail address to the court.
- ◆ To print a copy of this notice click the browser **[Print]** icon.
- ◆ You may also save the notice through the browser **File/Save** option.

*****NOTE TO ATTORNEY/TRUSTEE USERS*****

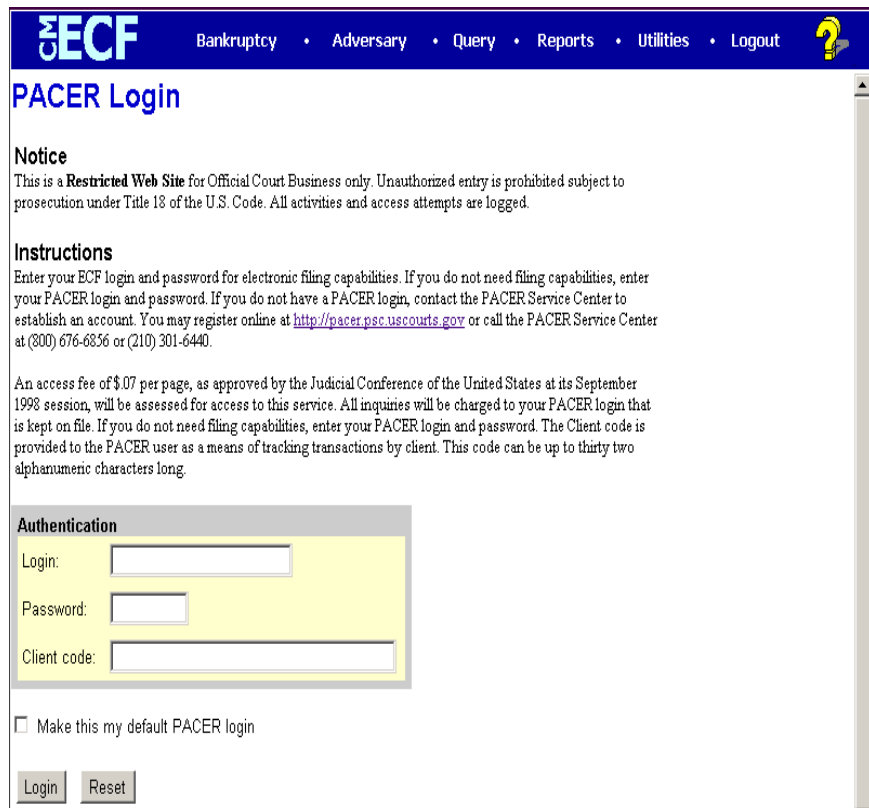
You may view each filed **PDF** document once without charge. To avoid later charges, download a copy of each document during this first viewing.

Queries and Reports

- ◆ Trustee and Attorneys will have access to the Notice of Electronic Filing when it is first generated. To print a copy of this notice click the browser **[Print]** icon. To obtain a duplicate copy, a docket report can be generated with an option to include the Notices of Electronic Filing.

However, subsequent access to any Query or Report programs for attorneys and trustees must go through the Public Access to Electronic Records (**PACER**) system.

- ◆ When an attorney or trustee filer selects a menu option from Reports, Query or the Claims Register, they will be accessing it through PACER using their PACER login name and password. (See Figure 13b.)



The screenshot shows the PACER Login page. At the top, there is a blue navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the navigation bar, the page title is "PACER Login". A "Notice" section states that the site is restricted for official court business only. An "Instructions" section provides details on how to use PACER, including the need for a login and password, and mentions an access fee of \$0.07 per page. Below the instructions is an "Authentication" section with three input fields: "Login:", "Password:", and "Client code:". There is also a checkbox for "Make this my default PACER login" and two buttons: "Login" and "Reset".

Figure 13b

- NOTE:** Users must already be registered with the PACER system in order to have a login and password. The PACER login and password must not be confused with the court assigned CM/ECF login and password that's used for filing.

- ◆ A Transaction Receipt is provided at the end of each report that is printed by the PACER user. This information displays the number of billable pages that was printed. (See Figure 13c.)

PACER Service Center			
Transaction Receipt			
08/22/2002 12:13:14			
PACER Login:	ao0055	Client Code:	
Description:	Docket Report	Case Number:	02-10069
Billable Pages:	1	Cost:	0.07

Figure 13c