

Submission of Proposed Orders/Judgments

RECORD OF CHANGES.....	<u>2</u>
I. INTRODUCTION AND OVERVIEW.....	<u>3</u>
II. UPLOAD ORDER ON PREVIOUSLY FILED MOTION.....	<u>4</u>
III. UPLOAD ORDER - NO SEPARATE MOTION.....	<u>6</u>
IV. UPLOAD BATCH ORDER.....	<u>7</u>
V. SPECIAL PROCEDURES for LBF #1307, LBF #1365, and LBF #1378.....	<u>8</u>
VI. STIPULATED JUDGMENTS/ORDERS.....	<u>10</u>
VII. ORDER QUERY.....	<u>11</u>

RECORD OF CHANGES

Date	Section	Summary of Change
7/4/08	Introduction and Overview	Deletes references to filing LBF #1307, 1365, and 1378 on paper; notes that procedures for orders to be served by the applicant are discussed in Section V.
7/4/08	Special Procedures for LBF #1307, 1365, and 1378	Sets forth new procedures for these orders. These procedures are in effect beginning with the 8/8/08 version of the LBFs.
7/10/06	Stipulated Judgments/Orders	Stipulated judgments/orders do not require a separately filed motion or stipulation unless a fee is required or the stipulated order is intended to stop or delay entry of an imminent court order (e.g., discharge or dismissal); see Section VI for more detailed procedures
6/30/05	Upload Order on Previously Filed Motion; Upload Order - No Separate Motion	Removed many Order Types including Ex Parte (No Hearing Held), Hearing Scheduled, and Other.
6/30/05	Upload Batch Order	Choose "Other" as the Order Type for Order Directing Chapter 13 Payment to Trustee
6/1/05	Introduction	Adds formatting requirements for proposed orders and judgments.
6/1/05	Previously Filed Motion	When linking to a related document, if it was refiled using the event Relief from Stay Refiled with No Fee, choose <i>motion</i> ; if it was refiled using the event Refile Fee Event with No Fee, choose <i>miscellaneous</i> .
6/1/05	Previously Filed Motion	Trustees must link Orders of Distribution to the Trustee's Final Report.

I. INTRODUCTION AND OVERVIEW

The following procedures describe how to submit orders electronically to the court and how to check the status of submitted orders. Submitted orders do not appear on the docket until they are electronically signed by the judge and docketed by the case administrator.

There are 3 events for submitting proposed orders:

1. **Upload Order on Previously Filed Motion.** Use this option to submit a proposed order relating to a separate, previously filed document such as a motion.
2. **Upload Order - No Separate Motion.** Use this option to submit both: (a) stipulated judgments, and stipulated motions/orders except if a fee is due (i.e., compel abandonment of property and withdrawal of reference, which must be filed as a motion and then a separate order) or you are attempting to delay or stop the automatic entry of an imminent court order (see VI, Stipulated Judgments/Orders, for further information); and (b) combined motion/orders on a local bankruptcy form (e.g., LBF #763.2, *Objection to Claim; Order and Notice Thereon*).
3. **Upload Batch Order.** Chapter 13 trustees, only, may use this option to submit Orders Confirming Plan and Orders Directing Chapter 13 Payment to Trustee in batch (i.e., for several cases simultaneously).

All proposed orders and judgments must have 4" of blank space (i.e., devoid of all text, including firm name, address, etc.) at the top of the first page and 3 pound symbols (###) centered at the end of the order or judgment. Pleading paper format is permissible as long as both the numbers and vertical line are within 3/4" of the left edge of the paper.

If you need to submit an **explanatory letter** with your proposed order, file it using the event **Bankruptcy-Miscellaneous-Correspondence** or **Adversary-Notices/Misc-Correspondence**. If possible, file the correspondence before submitting the order. If the order is an **emergency**, call the chambers of the presiding judge.

After an order or judgment is signed by the judge and filed on the docket, it is generally served by the court via the Bankruptcy Noticing Center and ECF emails. However, some orders are returned to the proponent for service, including many Chapter 11 orders and those listed below. The latest versions of these and all other public LBF's can be found on the court's website. See Section V below for complete procedures.

LBF #1307 *Application by Debtor's Attorney for Supplemental Compensation*

LBF #1365 *Debtor's Motion for Order for Allowance and Future Payment on Untimely Filed Claim(s)*

LBF #1378 *Notice of Motion for Hardship Discharge; Statement Re 11 USC § 522(q)(1) Applicability; and Fixing Times for Filing Objections, Complaints, and Motions*

II. UPLOAD ORDER ON PREVIOUSLY FILED MOTION

- STEP 1.** Click on **Bankruptcy** or **Adversary** on the ECF Main Menu Bar.
- STEP 2.** Click on **Order Upload**.
- STEP 3.** Click on **Upload Order on Previously Filed Motion**.
- STEP 4.** The **Case Number** screen displays.
- Insert the case number using the YY-NNNNN or YY-NNNN format.
 - Click **Next**.
- STEP 5.** Confirm the case name and number are correct.
- In the **Related Document Number** field, enter the document number of the related motion or application if known.
 - Click **Next**.
- STEP 6.** If you entered the document number of the related motion or application, skip to **STEP 8**. If you did not enter a document number:
- Under **Select the category to which your event relates**, choose the correct category. In most instances, it will be **motion**. If you refiled a motion for relief from stay using the Relief from Stay Refiled with No Fee event and you are submitting an order on the motion, choose **motion**. If you refiled the correct version of the related document using the Refile Fee Event with No Fee event, choose **miscellaneous**.
- NOTE:** Always link proposed orders to the underlying motion or application, not to any response or objection filed on the motion. Trustees must link Orders of Distribution to the Trustee's Final Report.
- If you would like to further narrow the list of motions, enter a range of filing dates or document numbers.
 - Click **Next**.
- STEP 7.** The **Select the appropriate event(s) to which your event relates** screen displays.
- Mark the box(es) of the document to which the proposed order relates.
 - Click **Next**.
- STEP 8.** An order information screen displays.

- Confirm the related document is correct.
- In the **Order Type** drop down list, select the most appropriate order type. First check the specific types listed below the dashed line. If there is a specific type which describes your proposed order (e.g., Relief from Stay), select it. Otherwise, choose the general type above the dashed line (i.e., Emergency, Hearing Held, or Other) which best describes your proposed order.

NOTE: If you select **Emergency** as the order type, you must call the chambers of the presiding judge.

- In the **Hearing Date** field, enter the date of any hearing scheduled or held on the related motion.
- In the **File to Upload** field, click **Browse** to select the PDF of the proposed order to attach.
- Click **Next**.

STEP 9. A screen displays confirming that your proposed order was successfully submitted to the Court.

- If you would like to upload another order on a previously filed motion, click **Do it again**.

III. UPLOAD ORDER - NO SEPARATE MOTION

STEP 1. Click on **Bankruptcy** or **Adversary** on the ECF Main Menu Bar.

STEP 2. Click on **Order Upload**.

STEP 3. Click on **Upload Order - No Separate Motion**.

STEP 4. An order information screen displays.

- In the **Order Type** drop down list, select the most appropriate order type. First check the specific types listed below the dashed line. If there is a specific type which describes your proposed order (e.g., Relief from Stay), select it. Otherwise, choose the general type above the dashed line (i.e., Emergency, Hearing Held, or Other) which best describes your proposed order.

NOTE: If you select **Emergency** as the order type, you must call the chambers of the presiding judge.

- In the **Order Description** drop down list, select the name of the proposed order to be submitted.
- In the **Hearing Date** field, enter the date of any hearing scheduled or held which relates to the proposed order.
- In the **Case Number** field, enter the case number using the YY-NNNNN or YY-NNNN format.

STEP 5. A file upload screen displays.

- Confirm the case number and name are correct.
- In the **File to Upload** field, click **Browse** to select the PDF of the proposed order to attach.
- Click **Next**.

STEP 6. A screen displays confirming that your proposed order was successfully submitted to the Court.

- If you would like to upload another order with no separate motion, click **Do it again**.

IV. UPLOAD BATCH ORDER

NOTE: This event may be used by Chapter 13 trustees only.

- STEP 1.** Click on **Bankruptcy** on the ECF Main Menu Bar.
- STEP 2.** Click on **Order Upload**.
- STEP 3.** Click on **Upload Batch**.
- STEP 4.** An order information screen displays.
- In the **Order Type** drop down list, select either Order Confirming Plan or Other.
 - In the **Order Description** drop down list, select either Order Confirming Plan or Order Directing Chapter 13 Payment to Trustee.
 - In the **Hearing Date** field, enter the date of the confirmation hearing if submitting an Order Confirming Plan.
 - In the **Case Number(s)** field, enter the case number(s) using the YY-NNNNN format.
- STEP 5.** A file upload screen displays.
- Confirm the case number(s) and name(s) are correct.
 - In the **File to Upload** field(s), click **Browse** to select the PDF of each proposed order to attach.
 - Click **Next**.
- STEP 6.** A screen displays confirming the order type, order description, hearing date (if any), and case number(s) and name(s).
- Click **Next**.
- STEP 7.** A screen displays with the hyperlinked proposed orders.
- If you would like to upload another batch order, click **Do it again**.

V. SPECIAL PROCEDURES for LBF #1307, LBF #1365, and LBF #1378

The following procedures apply to the following LBFs:

LBF #1307 *Application by Debtor's Attorney for Supplemental Compensation*

LBF #1365 *Debtor's Motion for Order for Allowance and Future Payment on Untimely Filed Claim(s)*

LBF#1378 *Notice of Motion for Hardship Discharge; Statement Re 11 USC § 522(q)(1) Applicability; and Fixing Times for Filing Objections, Complaints,, and Motions*

A. LBF Submitted on Pre-8/8/08 Version [NOTE: The 8/8/08 versions are posted at www.orb.uscourts.gov. Attorneys are encouraged to begin using these versions immediately!]

- STEP 1.** Submit the LBF in paper to the court with any required attachments and a self-addressed, stamped envelope (S.A.S.E.).
- STEP 2.** When you receive the signed order, serve photocopies of the original (i.e., with the judge's signature) on the appropriate parties and complete the certificate of service.
- STEP 3.** Prepare the document for filing as follows:
- Scan the order and any attachments in a single pdf, with the LBF as the top document and the attachments in the order mentioned in the motion. [NOTE: On LBF #1365, the only attachment should be a copy of the Proof of Claim.]
- STEP 4.** File the order using the appropriate event:
- Bankruptcy-Motions/Applications-Supplemental Compensation**
 - Bankruptcy-Motions/Applications-Allow Untimely Filed Claim**
 - Bankruptcy-Motions/Applications-Hardship Discharge**

B. LBF Submitted on 8/8/08 and Subsequent Versions

- STEP 1.** Upload the LBF into ECF using **Upload Order - No Separate Motion** (see Section III above).
- STEP 2.** When you receive email notification of the filing of the signed order, serve a copy of the order (i.e., with the judge's signature) and any hearing notice on the appropriate parties per the instructions on the Notice to Serve Document. [The Notice to Serve Document and any Notice of Hearing will be in the same email notification as the signed order.]
- STEP 3.** Complete the certificate of service on a copy of the order, scan it, and file as follows:
- Click on **Bankruptcy** on the ECF Main Menu Bar.

- Click on **Miscellaneous**.
- Enter the case number.
- Select **Certificate of Service**.
- Select your client(s) as the party filer(s).
- Select **Refer to existing events?**
- Select the category **Motion**. On the same screen, click **Browse** and attach the PDF of the order with the completed certificate of service without attachments.
- Select the docket entry of the original filed order.
- Click **Next** and review the docket text.
- Click **Next** to complete the filing of the certificate of service.

VI. STIPULATED JUDGMENTS/ORDERS

General. Stipulated judgments and orders may be submitted without filing a separate motion or stipulation unless a fee is required or there is a need to stop or delay the automatic entry of a court order. The stipulation/motion language and signature must be placed after the three pound signs (###) denoting the end of the order or judgment text. Follow the procedures in Section III, Upload Order - No Separate Motion, and select among the following Order Descriptions:

Judgment (Stipulated)

Order (Stipulated)

Order of Dismissal (Stipulated)

Order re: Relief from Stay (Stipulated)

Fee Required. If the stipulated order relates to a motion for which a fee is required (e.g., compel abandonment of property or withdrawal of reference), first file the stipulated order using the event that would have been used if a stipulation had not been reached (e.g., Motion to Abandon, Motion for Withdrawal of Reference). Then submit the same pdf again using Upload Order on Previously Filed Motion and link it to the motion event.

Stipulation Intended to Delay/Stop Entry of an Imminent Court Order (e.g., Discharge, Dismissal). Many court orders are automatically entered when the pertinent deadlines or objection periods expire. To ensure that an order is not automatically entered while a related stipulated order is undergoing review, first file the stipulated order using the event that would have been used if a stipulation had not been reached (e.g., Motion to Delay Discharge, Motion to Extend Time to File 727 Complaint, etc.). Then submit the same pdf again using Upload Order on Previously Filed Motion and link it to the motion event.

VII. ORDER QUERY

Order Query allows you to confirm that a proposed order has been received by the court and is in process. It does not provide specific information about where the order is in the court's process. Orders submitted in paper and uploaded by the case administrator will display in Order Query. The orders listed in Section V above, and any other orders routed in paper to the judge because they do not meet electronic signature formatting requirements, will not display in Order Query. Signed and deleted orders will also not display in Order Query.

STEP 1. Click on **Reports** on the ECF Main Menu Bar.

STEP 2. Click on **Order Query**.

STEP 3. The **Query Order Status** screen displays.

- Enter the case number using the YY-NNNNN or YY-NNNN format.
- Click **Next**.

STEP 4. A screen displays showing any pending (i.e., unsigned) proposed orders.

- If desired, click on the **Case Number** hyperlink to view the docket, the **Related Doc#** hyperlink to view the related motion or application, or the **Order** hyperlink to view the proposed order.
- If a submitted order does not appear on this screen, it may have been signed by the judge, in which case you will receive electronic notification when it is docketed. Alternatively, the judge may have decided not to approve it and deleted it, in which case you will be notified of the judge's decision (generally via correspondence).