

MIDDLE DISTRICT OF TENNESSEE
701 Broadway, Room 170, Nashville, Tennessee 37203

CM/ECF STEP-BY-STEP INSTRUCTION

DOCKETING A MOTION FOR §522(q)(1) ORDER

30 AUGUST 2018



MIDDLE DISTRICT OF TENNESSEE



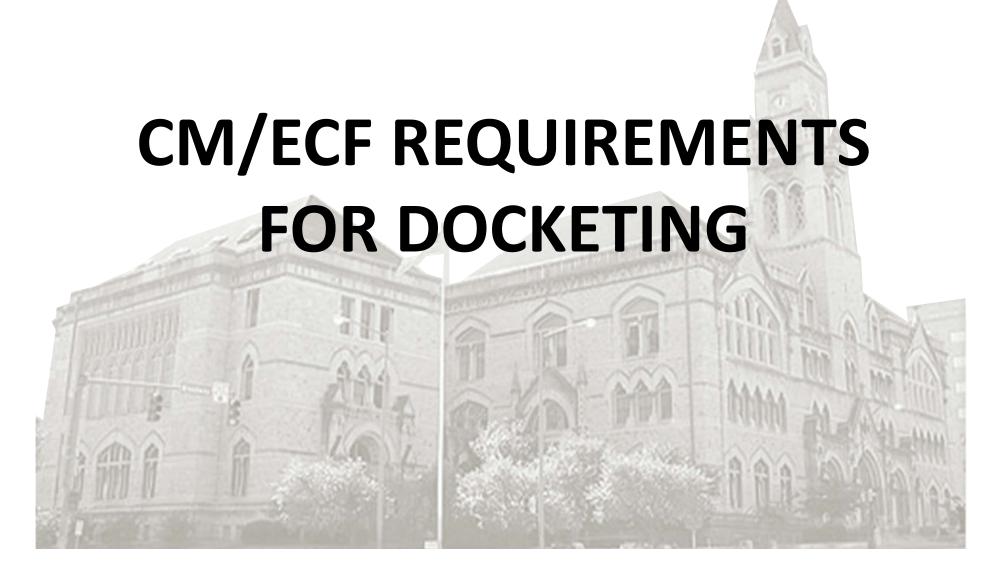
Objectives

When you complete review of these instructions, you should be able to:

- ☐ Understand CM/ECF Requirements for docketing
- ☐ How to Log in to CM/ECF
- ☐ Docket a Motion for §522(q)(1) Order
- ☐ Add Hearing Date, Time, Location & Response Due Date
- Instruction for this event is also provided in the Practitioner's Handbook located on the Court's website (<u>www.tnmb.uscourts.gov</u>) and the ECF event page



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MIDDLE DISTRICT OF TENNESSEE







MIDDLE DISTRICT OF TENNESSEE



STEP 2

Hon. Marian F. Harrison, Chief Judge - Matthew T. Loughney, Clerk of Court STRICT OF T Search this site GO Understanding Court Trustees & CM/ECF **Forms** Home **Judges** Local Rules For Attorneys Bankruptcy Information **US Trustee** Information Home CM/ECF Requirements Administrative Procedures For Electronic **CM/ECF Client Requirements** Case Filing Debtor Electronic Bankruptcy Noticing Most offices already have the required hardware and software for CM/ECF. However, there may be a few additional (DeBN) items you will need to get started. To operate CM/ECF, you must have the following hardware/software: **ECF Training System** 1. Personal Computer **Electronic Evidence Submission** Computer with a 233MHz processor or higher (Pentium processor recommended). Windows XP Service Pack 2 (SP2), Windows Service Pack 3 (SP3), Windows XP Professional x64 Edition, or Windows Server 2003 Service Application (EESA) Pack 1 (SP1). 128MB of Memory or more. 10GB Hard drive or more with 1GB free. 15" SVGA Display or better. Electronic Evidence Order Microsoft Mouse, IntelliMouse or compatible pointing device. Submitted Electronic Evidence Guide 2. Case Filing Electronic Evidence Procedures (EEP) Windows based petition or word processing software 3. Internet Access Connect through an Internet Service Provider (ISP), using point-to-point protocol (PPP), If using a modem, a minimum connection speed of 56kps is needed. High-speed Internet access is highly recommended, but not required. (i.e. cable modems, DSL, etc.) Note: Connection can be made at speeds less than the recommended 56kps. However, system performance may be less than optimal (i.e. slow response time and access). 4. Web Browser Internet Explorer 8.x/9.x or Mozilla Firefox 15.0 / 16.0 / 17.0 / 17.0.1 5. Adobe Acrobat CM/ECF requires documents to be filed in portable document format (PDF). Adobe Acrobat PDF Writer Software converts documents from word processor format to PDF. Acrobat Writer versions 3.x, 4.x, 5.x, & 6.x adequately meet the CM/ECF filing requirements.

Note: This is something you will have to purchase - downloading from the Internet only gives you Acrobat Reader



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LOGGING IN TO CM/ECF





MIDDLE DISTRICT OF TENNESSEE



STEP 1



www.tnmb.uscourts.gov



MIDDLE DISTRICT OF TENNESSEE



STEP 2

CM/ECF Filer or PACER Login

Notice

This is a **Restricted Web Site** for Official Court Business only. Unauthorized entry is prohibited and subject to prosecution under Title 18 of the U.S. Code. All activities and access attempts are logged.

Instructions for viewing filed documents and case information:

If you do not need filing capabilities, enter your PACER login and password. If you do not have a PACER login, you may register online at http://www.pacer.gov.

Instructions for filing:

Enter your CM/ECF filer login and password

Enter login

Enter login

Enter login

	Enter Login					
Authentication						
Login:	IMPORTATION RESPONSIBILITY: All filers must redact: Social Security or taxpayer-					
Password:	identification numbers; dates of birth; names of minor children; and financial account numbers, in compliance with <u>Fed.</u> R. Bankr. P. 9037. This requirement applies to all documents, including attachments.					
Client	The Fording and the state of th					
code:	☐ I understand that, if I file, I must comply with the redaction rules. I have read this notice.					
Forgot your password?						
Login Clear Clic	k Login Check box to comply with redaction rules					

Notice

An access fee of \$0.10 per page or \$2.40 per document with an audio attachment, as approved by the Judicial Conference of the United States, will be assessed for access to this service. For more information about CM/ECF, click here or contact the PACER Service Center at (800) 676-6856.

CM/ECF has been tested using Firefox and Internet Explorer 8 and 9.



MIDDLE DISTRICT OF TENNESSEE
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DOCKETING A MOTION FOR §522(q)(1) ORDER



Bankruptcy

U.S. BANKRUPTCY COURT

MIDDLE DISTRICT OF TENNESSEE



Search

STEP 1

ECF Bankruptcy - Adversary - Query
Logout

Click: US Ban

US Bankruptcy Court for the Middle District of Tennessee

Reports *

Utilities •

I U.S. Bankruptcy Court
Middle District of Tennessee - TRAINING SYSTEM
Official Court Electronic Document Filing System

Supported Web Browsers - IE: 8.x / 9.x | Firefox: 15.0 / 16.0 / 17.0 / 17.0.1 | Safari: 6.0.1

Version 5.1.1 Centralized

This facility is for Official Court Business only. Activity to and from this site is logged. Document filings on this system are subject to Federal Rule of Civil Procedure 11 and Federal Rule of Bankruptcy Procedure 9011. Evidence of unauthorized or criminal activity will be forwarded to the appropriate law enforcement officials under 18USC 152 and 3571.



MIDDLE DISTRICT OF TENNESSEE

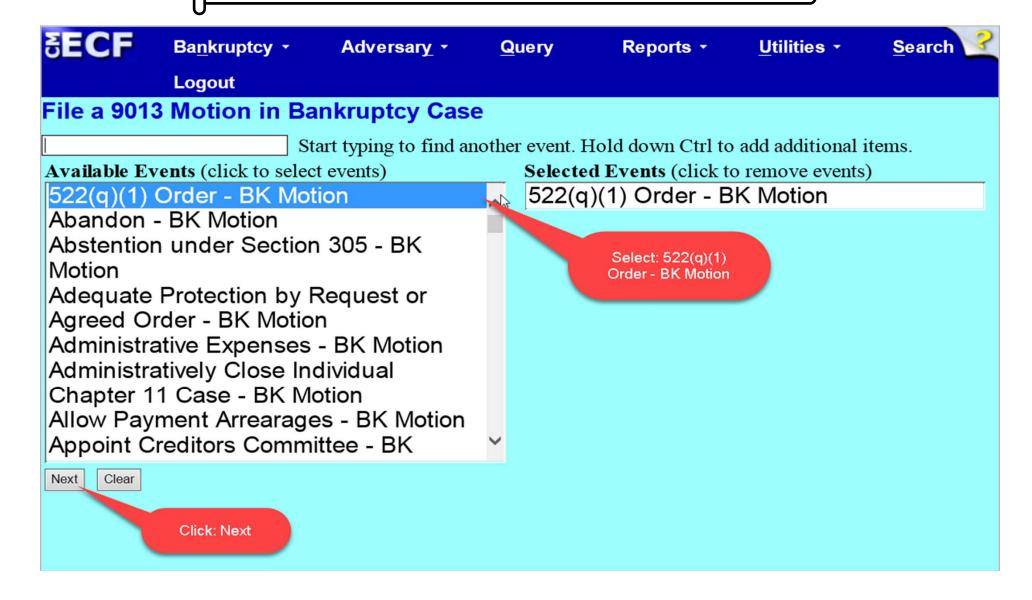


SECF Ba	nkruptcy •	Adversar <u>y</u> ▼	<u>Q</u> uery	Reports +	<u>U</u> tilities ▼	<u>S</u> earch
Lo	gout					
Bankruptcy Ev	<u> </u>					,
Appeals Appeal	Plan; Ch	eous (cont.) 11 Disclosure Statements/Amende	tement	Reaffirmations Reaffirmations Menu	Procedures (R - Open in New Expedited Ma	Window)
Case Opening Events	List			Practitioners	Reaffirmation	
Open BK Case Open Related B Case Open Involunta Case	LBR 90 LBR 90	81 First Day Motio 13 Motions with N 13 Notices Only otions/Application	ons otice	Handbook Practitioners Handbook		
Judge/Trustee Assignment Upload list of creditors file	Response LBR 90 Objectio	**			R 9013 Motions Notice	
Claims Claim Actions Creditor Maintenance File Claims		n to Homestead Ex	<u>kemption</u>			



MIDDLE DISTRICT OF TENNESSEE

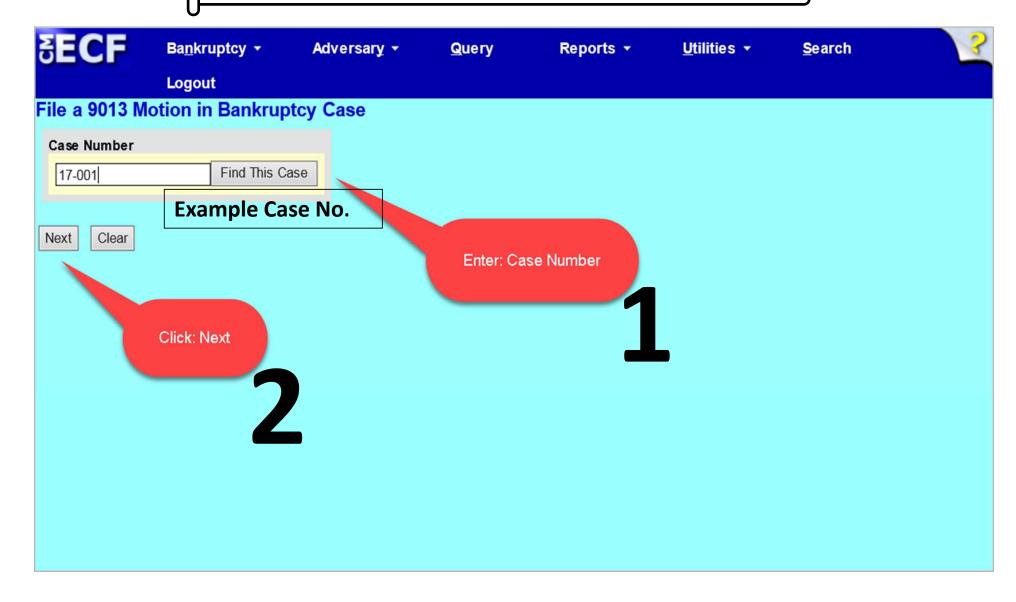






MIDDLE DISTRICT OF TENNESSEE







MIDDLE DISTRICT OF TENNESSEE







MIDDLE DISTRICT OF TENNESSEE



STEP 6

Bankruptcy -Adversary -Query Reports -**Utilities** • Search Logout

File a 9013 Motion in Bankruptcy Case:

3:17-bk-00001 Joseph Wayne Sample and Sarah Lynn Sample Debtor dismissed 09/21/2017, Joint debtor dismissed 09/21/2017

Chapter: 13 v Type: bk Office: 3 (Nashville) Debtor disposition: Joint debtor disposition: Assets: y Dismissed for failure to Dismissed for failure to

make plan payments make plan payments

Judge: GCP

Case Flag: Repeat-TNMB, INTP, OPENAP, REAF, AWClose, DISM(D), DISM(JtD), NOCLOSE, EXHIBIT, 707MOTION, APLDIST, APPEAL

IMPORTANT: The following attorney/party association(s) will be created in this case. De-selecting a party association will result in the filing attorney NOT receiving Notices of Electronic Filing for that party. If this is a joint filing, review the list carefully to ensure that only parties represented by the filing attorney are selected.

☑ Sample, Joseph Wayne(pty:db) represented by testatty, (aty)

✓ Sample, Sarah Lynn(pty:jdb) represented by testatty, (aty)





MIDDLE DISTRICT OF TENNESSEE



STEP 7

Bankruptcy -Adversary -Query Reports -**Utilities** • Search Logout

File a 9013 Motion in Bankruptcy Case:

3:17-bk-00001 Joseph Wayne Sample and Sarah Lynn Sample Debtor dismissed 09/21/2017, Joint debtor dismissed 09/21/2017

Type: bk Chapter: 13 v Office: 3 (Nashville) Debtor disposition: Joint debtor disposition: Assets: y Dismissed for failure to Dismissed for failure to

make plan payments make plan payments

Judge: GCP

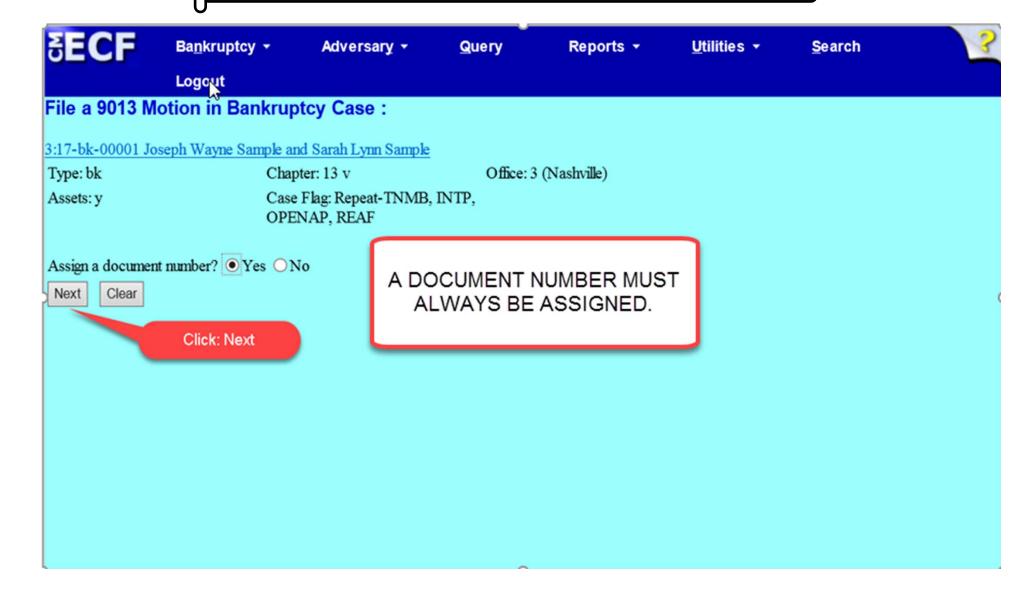
Case Flag: Repeat-TNMB, INTP, OPENAP, REAF, AWClose, DISM(D), DISM(JtD), NOCLOSE, EXHIBIT, 707MOTION, APLDIST, APPEAL





MIDDLE DISTRICT OF TENNESSEE

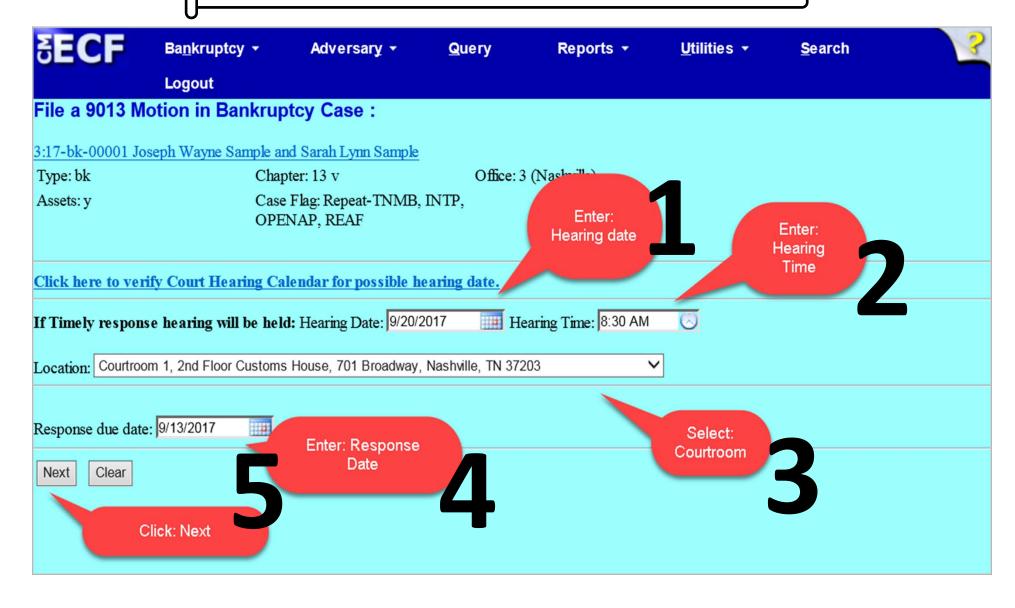






MIDDLE DISTRICT OF TENNESSEE







MIDDLE DISTRICT OF TENNESSEE



STEP 9



3:17-bk-00001 Joseph Wayne Sample and Sarah Lynn Sample

Type: bk Chapter: 13 v Office: 3 (Nashville)

Assets: y Case Flag: Repeat-TNMB, INTP,

OPENAP, REAF

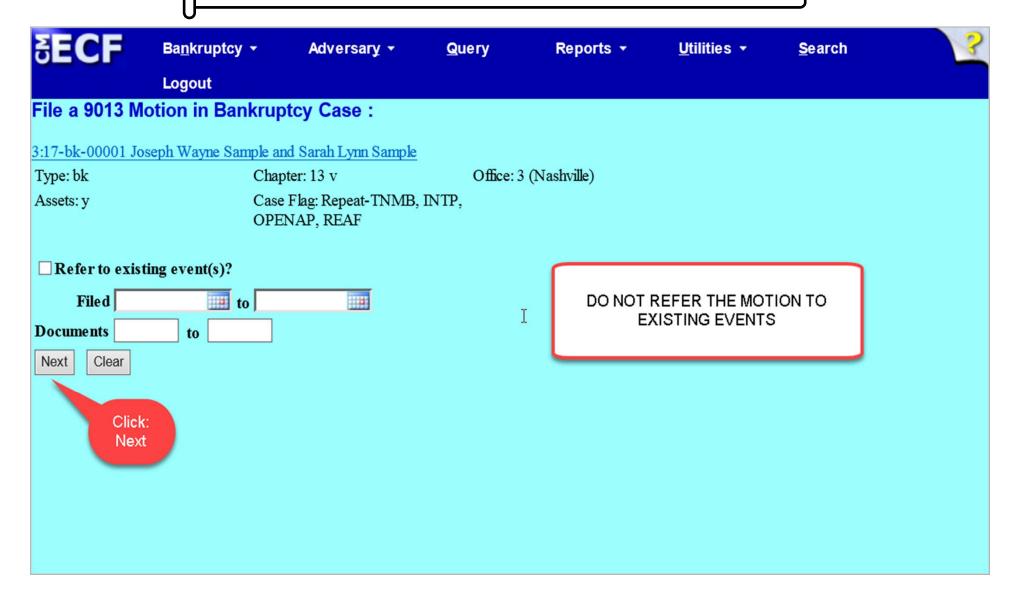
Is this an Amended Motion for 522(q)(1) Order? Select [Yes or No].





MIDDLE DISTRICT OF TENNESSEE







MIDDLE DISTRICT OF TENNESSEE



STEP 11

SECF

Bankruptcy *

Adversary *

Query

Reports *

Utilities •

Search 1

Logout

File a 9013 Motion in Bankruptcy Case:

3:17-bk-00001 Joseph Wayne Sample and Sarah Lynn Sample Debtor dismissed 09/21/2017, Joint debtor

dismissed 09/21/2017

Type: bk Chapter: 13 v

Office: 3 (Nashville)

Assets: v

Debtor disposition: Dismissed for failure to Joint debtor disposition: Dismissed for failure to

make plan payments

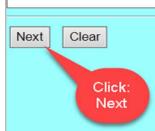
make plan payments

Judge: GCP

Case Flag: Repeat-TNMB, INTP, OPENAP, REAF, AWClose, DISM(D),

DISM(JtD), NOCLOSE, EXHIBIT, 707MOTION

If a Certificate of Service was Mailed - PLEASE enter the date the Certificate of Service was mailed in the box:

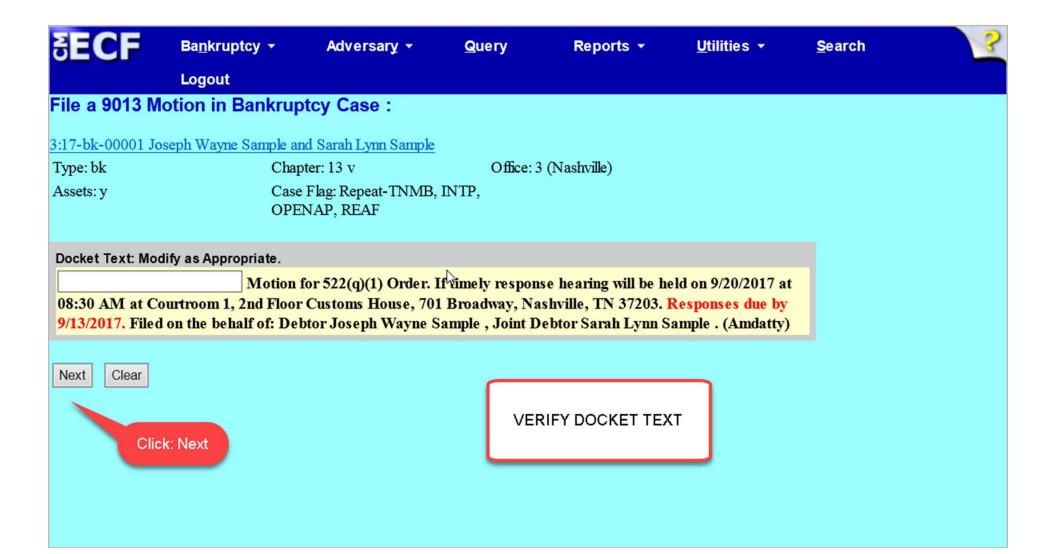


Do not enter mailing date for Certificate of Service (the court will notice this mortion)



MIDDLE DISTRICT OF TENNESSEE

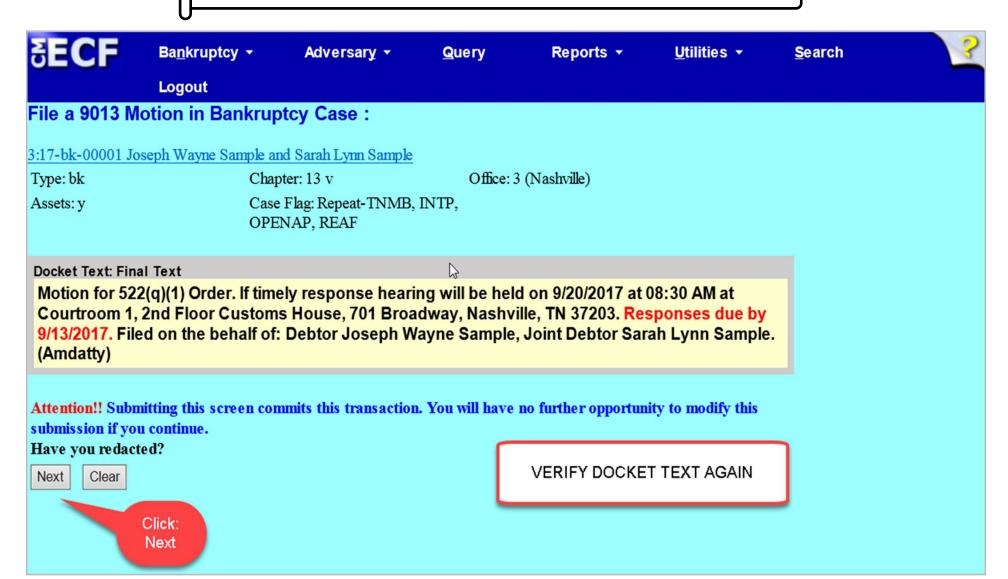






MIDDLE DISTRICT OF TENNESSEE







MIDDLE DISTRICT OF TENNESSEE



STEP 14

Bankruptcy ▼

Adversary -

Query

Reports -

Utilities ▼

Search

Logout

File a 9013 Motion in Bankruptcy Case:

3:17-bk-00001 Joseph Wayne Sample and Sarah Lynn Sample

Office: 3 (Nashville) Type: bk Chapter: 13 v

Case Flag: Repeat-TNMB, INTP, Assets: y

OPENAP, REAF

EXAMPLE

U.S. Bankruptcy Court

Middle District of Tennessee - TRAINING SYSTEM

Notice of Electronic Filing

The following transaction was received from Amdatty entered on 9/15/2017 at 2:26 PM CDT and filed on 9/15/2017

Joseph Wayne Sample and Sarah Lynn Sample Case Name:

3:17-bk-00001 Case Number:

Document Number: 18

Docket Text:

Motion for 522(q)(1) Order. If timely response hearing will be held on 9/20/2017 at 08:30 AM at Courtroom 1, 2nd Floor Customs House, 701 Broadway, Nashville, TN 37203. Responses due by 9/13/2017. Filed on the behalf of: Debtor Joseph Wayne Sample, Joint Debtor Sarah Lynn Sample. (Amdatty)

The following document(s) are associated with this transaction:

3:17-bk-00001 Notice will be electronically mailed to:



MIDDLE DISTRICT OF TENNESSEE
701 Broadway, Room 170, Nashville, Tennessee 37203

Motions for §522(q)(1) ORDERS

- ❖ The email Notice of Electronic Filing you receive and the case's docket report will display a link to the motion. These links may not display in the document until one (1) business day later when the CM/ECF creates the motion for BNC transmission.
- ❖ If objections are received, a hearing will be scheduled. If no objections are received, the court will enter the necessary Motions for §522(q)(1) Order when the case is otherwise ready for discharge.



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Add Hearing, Date, Time, Location & Response Due Date



MIDDLE DISTRICT OF TENNESSEE



STEP 1

2. Trepute from in the form of focultates rippenant o.

- calculate a Response Deadline, which must be at least 21 days from the date of service
- select the Hearing Date (no sooner than 7 days after the Response Deadline), Time, and Location:
 - Go to the Court's website at <www.tnmb.uscourts.gov>
 - Select Calendars > 9013 Availability Calendar
 - Add no less than 28 days to your Response Deadline and select the next available date as follows:
 - Chapter 12 & 13 motions are heard on Wednesdays at 8:30 a.m. in Courtroom 1.
 - Chapter 7 & 11 motions are heard on Tuesdays at 9:00 a.m. in Courtroom 1 (Judge Mashburn's cases), Courtroom 2 (Judge Walker's cases), Courtroom 3 (Judge Harrison's cases).

EXCEPTION: Columbia and Cookeville cases (designated by numbers 1 and 2, respectively, on the formal case number (i.e., 1:07-06783)) are heard only in those cities. Those hearing dates are on the 9013 Calendar.

3. Merge the Notice, Motion, Proposed Order, and Certificate of Service into one document.



MIDDLE DISTRICT OF TENNESSEE



STEP 2

LOCATION OF 9013-1 CALENDAR



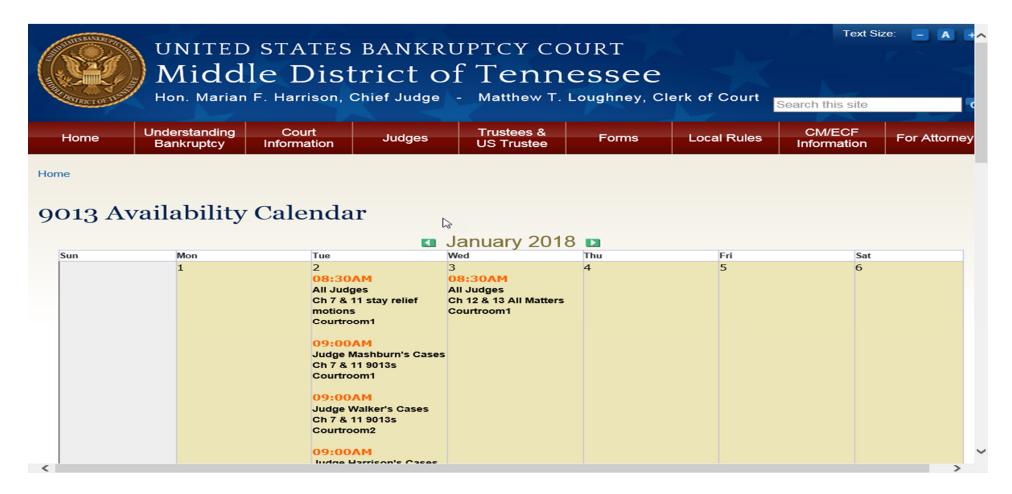


MIDDLE DISTRICT OF TENNESSEE



STEP 3

VIEW OF 9013-1 AVAILABILITY CALENDAR





MIDDLE DISTRICT OF TENNESSEE



EXAMPLES

□ 12-11535	Docket Entry #67
12-11550	Docket Entry #43

- ☐ 13-1019 Docket Entry #47
- ☐ 13-1097 Docket Entry #58
- ☐ 13-1100 Docket Entry #81
- ☐ 13-1107 Docket Entry #83
- ☐ 13-1117 Docket Entry #35
- ☐ 13-2015 Docket Entry #34
- ☐ 13-2017 Docket Entry #88



MIDDLE DISTRICT OF TENNESSEE



BEST PRACTICES

- ✓ Do not submit a proposed order relative to the § 522(q) motion, unless instructed to do so by the Court. Upon case review for discharge, the Order Granting Motion for 522(q) Order will be generated by the Court.
- ✓ Objective 3, Step 6: it is the PDF document that is reviewed, and which controls whether the § 522(q) order granting the motion is issued for one or two debtors. Entering docket text in ECF as to first debtor, second debtor or both debtors does not prompt the Court for entry of an order mirroring what is contained in the ECF docket text.
- ✓ Make sure that the all hearing date, time, location and objection period information is filled in when executing the § 522(q) motion in ECF. No action will be taken (no order granting processed by the Court) on a motion with missing information. Please remember this LBR 9013-1 notice and motion goes out to all parties and creditors in a case and all information must be complete in order for parties and creditors to be able to object timely and have knowledge of the time, date and location for any hearing on an objection.



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Any questions regarding the use and filing of this ECF event can be directed to the Intake Department at 615-736-5584.

The Clerk encourages all ECF Filers and Users to practice the filing of ECF events by signing up and using the ECF Training System. To sign-up for ECF Train, please contact the Intake Department.

The Intake Department will provide information on how to locate an ECF event and commit the ECF event properly. The Clerk staff is unable to provide any legal advice, which includes, providing information as to what type of document should be filed in a given scenario.

ECF Filers and Users are highly encouraged to become familiar with the Local Bankruptcy Rules, ECF Procedures and EESA Procedures before committing any transaction in ECF.