

DCB CM/ECF Newsletter



U. S. Bankruptcy Court for the District of Columbia
www.uscourts.dcb.gov

IN THIS ISSUE:

| | |
|------------------------------------|---|
| Announcing CM/ECF | 1 |
| Welcome to CM/ECF Newsletter | 1 |
| CM/ECF Benefits | 2 |
| Resources | 2 |
| CM/ECF Sample Screen | 3 |
| Hardware and Software Requirements | 4 |
| User's Advisory Group | 4 |
| Clerk's Office Transition Team | 4 |
| Frequently Asked Questions (FAQs) | 5 |
| Verifying Attorney Records | 6 |
| FAQs Continued | 6 |
| Contact Information | 6 |

ANNOUNCING CASE MANAGEMENT/ELECTRONIC CASE FILING (CM/ECF)

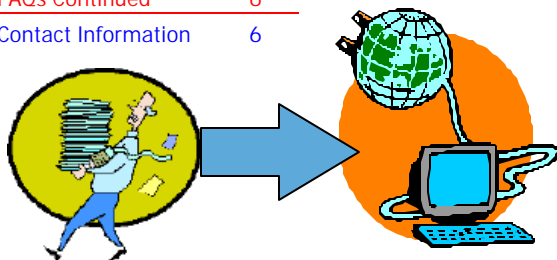
The United States Bankruptcy Court for the District of Columbia is pleased to announce the implementation of the federal judiciary's new automated docket and electronic filing system known as Case Management/Electronic Case Filing (CM/ECF). CM/ECF was developed through the Administrative Office of the U. S. Courts (AO) using Internet technology to provide federal courts a modern mechanism for handling information and moving closer to a paperless operating environment.

The case management (CM) portion of the system will replace the current BANCAP system. Not only will docket information be viewable, but most documents and pleadings will be viewable in their entirety as Portable Document Format (PDF) files.

Electronic filing (ECF) portion will allow trained attorneys and trustees to file bankruptcy cases and other pleadings over the Internet. ECF accepts documents in PDF. PDF retains the way a document looks - so the pages, fonts, and other formatting are preserved. Filing a document with the court's CM/ECF system is quite easy:

1. Create the document using word processing software.
2. Save the document using PDF software.
3. Log onto the court's CM/ECF system, using a court-issued login and password.
4. Follow the set of simple prompts to provide information about the case, party, and document to be filed.
5. Attach the PDF document and submit it to the court for filing (by pressing a submit button).

(Continued on p. 2)



How it works. The elec-

INTRODUCING THE DCB CM/ECF NEWSLETTER

In order to keep our customers informed of changes related to CM/ECF, the Clerk's Office will periodically distribute a newsletter.

Future issues will contain material such as: CM/ECF Skills Checklist, training request forms, and frequently asked questions (and answers).

If you have questions of the Clerk's Office and the CM/ECF system, please ask!! We will respond to you directly,

and when appropriate, include your question and our answer in the next newsletter for the benefit of the entire D. C. bankruptcy community.



Please forward questions or comments to:
 Brenda Esteves, CM/ECF Project Manager
 E-Mail: Brenda_Esteves@dcb.uscourts.gov
 Phone: (202) 273-0042 Ext. 112

INTRODUCING CM/ECF (CONT.)

(Continued from p. 1)

6. Save or print the CM/ECF electronic receipt e-mailed from the court confirming that the document was filed.

Documents are automatically docketed as part of the filing process and are available immediately in electronic format. The system provides filers with immediate confirmation, including the date and time that an item is docketed.

CM/ECF allows attorneys to print case documents on their own office printers—no more pulling files and ordering copies. Docket sheets, claims registers, and many other reports are just keystrokes away with CM/ECF. Users may also opt to receive e-mail notification of filings in cases of interest.

Basic User Components.

- * A personal computer running a standard platform such as Windows or Macintosh.
- * Word processing software.
- * Internet access and a browser. The system has been certified for use with Netscape and is being tested with Internet Explorer.
- * Software to convert documents into PDF.
- * Scanning equipment.

Training. Once the court is ready to implement the ECF portion, Clerk's Office staff will hold training sessions for attorneys, trustees, and their staffs. Training will be offered both in the courthouse and in your offices. At the end of training, users will be issued a password to access the court's CM/ECF system.

Signatures. Using your login and password to file a document is considered to be your signature. The court will issue logins and passwords at the end of each training session.

Fees. There are no added fees for filing documents over the Internet in CM/ECF. Existing document filing fees do apply. Electronic access to court data is available through the Public Access to Court Electronic Records (PACER) program. Attorneys and litigants receive one free copy of documents filed electronically in their cases. Additional copies are available for viewing or downloading at seven cents per page. Directed by Congress to fund electronic access through user fees, the judiciary has set the fee at the lowest possible level sufficient to recoup program costs.

Security. CM/ECF has many security features and has passed an evaluation by the National Security Agency. Access to the system is through the court-issued login and password.

Start Date. The Clerk's Office is in the early stages of implementing the new system. Currently, we are reviewing: case flow processes, potential rules and procedures changes, training strategies, and customer support plans.



Our target date to begin using the CM portion is early Fall 2002. Approximately two to four weeks after we begin using the CM portion, we will begin accepting electronically filed chapter 13 and chapter 11 cases.

CM/ECF RESOURCES

The following Internet sites provide additional CM/ECF information.

U.S. Bankruptcy Court for the District of Columbia
www.dcb.uscourts.gov (includes computer-based tutorials)

U.S. Courts
www.uscourts.gov (includes "About CM/ECF" and FAQs)

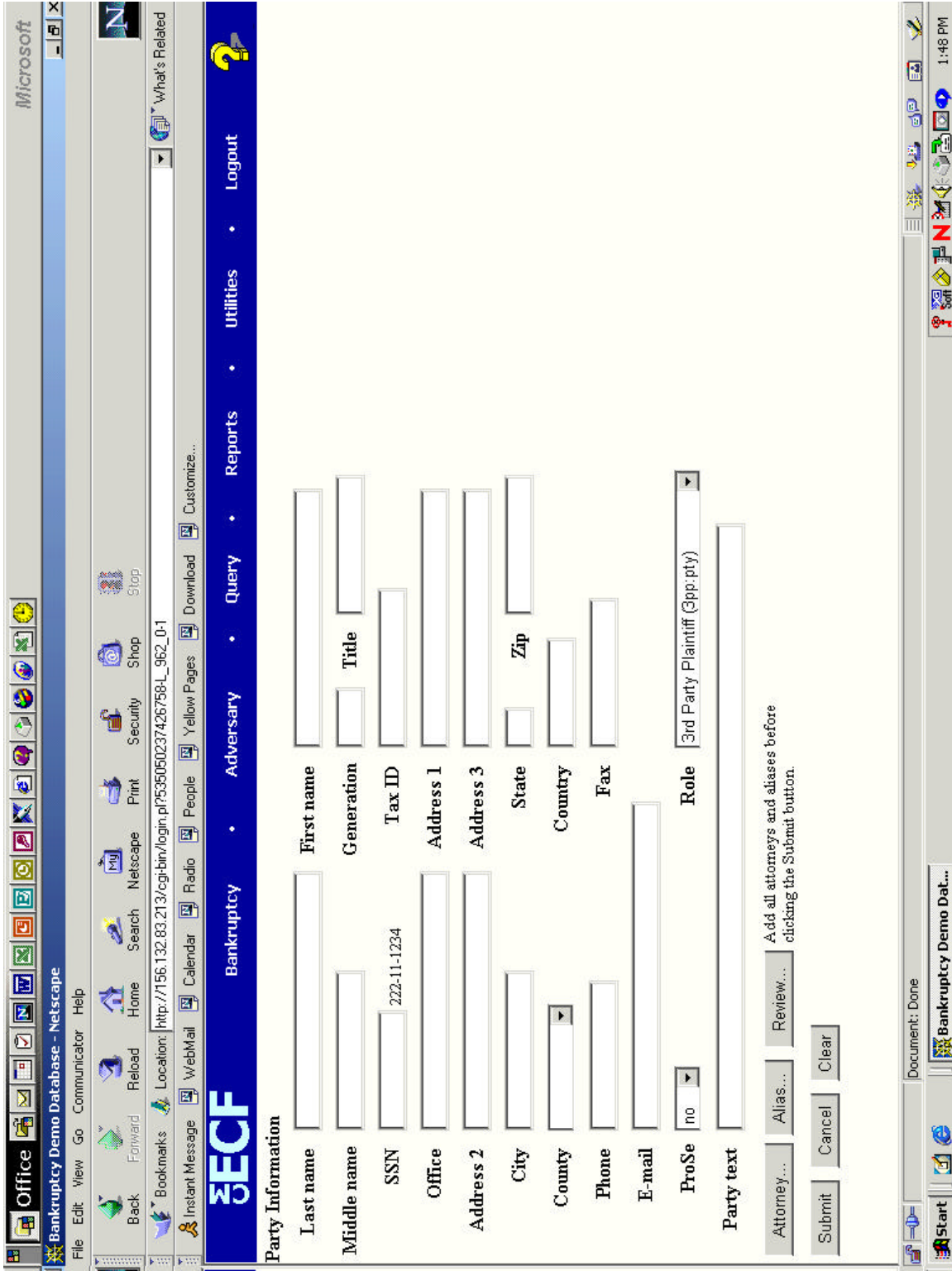
U.S. Bankruptcy Court for the Eastern District of Virginia
www.vaeb.uscourts.gov/ecfnew/ecf.htm



Benefits of CM/ECF

- * 24-hour access to documents filed over the Internet
- * Automatic e-mail notice of case activity
- * The ability to download and print documents directly from the court system
- * Concurrent access to case files by multiple parties
- * Secure storage of documents (so files are not misplaced)
- * No mail or couriers
- * Potential reduction in courier fees

What does it look like?



Sample screen in CM/ECF Bankruptcy Case Opening

HARDWARE AND SOFTWARE REQUIREMENTS

Most offices already have the required hardware and software. However, there may be a few new items you'll need to get started. To operate CM/ECF, you must have the following equipment:

- * A personal computer running a standard platform such as Windows, Windows 95, Windows 98, or Macintosh.
- * An Internet provider using Point to Point Protocol (PPP).
- * Netscape Navigator version 4.6 or 4.7. Netscape 6 **IS NOT** recommended for use with CM/ECF. Internet Explorer version 5.5 is being tested to certify its compatibility with CM/ECF. However, some users accessing the system through Internet Explorer have had positive results. (128 bit encryption is recommended.)
- * Adobe Acrobat PDF Writer software to convert docu-

ments from word processor format to portable document format (PDF). Acrobat Writer Versions 3.X, 4.X, and 5.0 adequately meet the CM/ECF filing requirements. (Adobe Acrobat Reader can be used for viewing documents only, it cannot be used for creating or converting documents.)

- * A PDF compatible word processor like Macintosh or Windows based versions of WordPerfect and Word.
- * A scanner to transmit documents that are not in your word processing system.



Documents that are not available electronically, such as exhibits, will need to be scanned and saved as PDF files.

USER'S ADVISORY GROUP FORMING

The Clerk's Office would like to establish a User's Advisory Group to assist with the development and implementation of the new CM/ECF system. The User's Advisory Group would consist of attorneys, trustees, paralegals, members of the Clerk's Office, and other interested parties. The purpose of the group would be to:

- * Disseminate information to users concerning the system.
- * Test components of the system before opening it to the entire D. C. bankruptcy community.
- * Provide comments and feedback on the development and operation of the CM/ECF system.

If you would like to participate with the Clerk's Office on this project, please contact Brenda Esteves (see p. 6 for contact information). Further details will appear in future newsletters.



MEET THE CLERK'S OFFICE CM/ECF TRANSITION TEAM

A number of Clerk's Office staff are actively engaged in transitioning the U. S. Bankruptcy Court for the District of Columbia away from BANCAP and paper filing toward CM/ECF. We are assessing procedural changes, preparing for rule changes, developing a training package, and performing a host of other tasks. The following individuals represent the Clerk's Office CM/ECF Transition Team:



Denise Curtis - Clerk of Court
 Brenda Esteves - CM/ECF Project Manager
 Jose Bernal - IT Specialist
 Katina Tyson - Case Administrator
 Kevin Nelson - Intake Administrator

Lisa Spayd - Operations Administrator
 Lorrie Brenneman - Chief Deputy
 Richard Monzon - Senior IT Specialist
 Sally Myers - Operations Supervisor
 Wayne Burwell - Courtroom Deputy



FREQUENTLY ASKED QUESTIONS (FAQS)

Our newsletters will include FAQs about the CM/ECF system. Here are a few to get started.

Q: How many users can submit documents simultaneously?

A: There is no fixed limit, and we expect the system to maintain good performance with 100+ users. Response time and expanded use ultimately will tell us what the acceptable limit might be. Enhancements to communications capacity is expected to be an ongoing task to ensure that we meet user needs.

Q: Who may file a document in CM/ECF?

A: Filing a document in CM/ECF requires a login and password. Each court determines for itself to whom it will issue filing logins and passwords. At the present time, courts offering electronic filing are providing document filing access principally to attorneys, although some courts are also providing access to U.S. Trustees and bankruptcy case trustees.

Q: Who may view documents in CM/ECF?

A: Subject to court orders in individual cases, federal judiciary policy, or other individual court limitations, the public may view dockets and documents in CM/ECF systems through the Public Access to Court Electronic Records (PACER) program. PACER logins are available to the public at: www.pacer.psc.uscourts.gov/register.html

Q: Do documents filed in CM/ECF have to be in a particular format?

A: CM/ECF accepts documents in **PDF format ONLY**. This format was chosen because it allows a document to retain its pagination, formatting, and fonts no matter what type of computer is used to view or print the document. It is also an open standard format.

Adobe developed the format and software that converts documents created in most word processing systems into PDF. This software is recommended.

Q: Are there fees associated with CM/ECF?

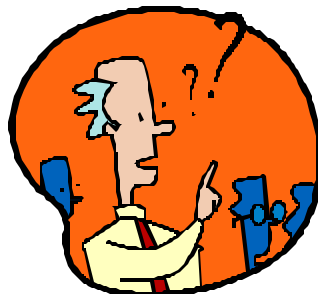
A: There are no added fees for filing documents over the Internet using CM/ECF, although existing court document filing fees do apply. Electronic access to individual case docket sheets and filed documents is available through PACER. Litigants receive one free copy of documents filed electronically in their cases; additional copies are available to attorneys and to the general public for viewing or downloading at the current PACER cost of seven cents per page. Directed by Congress to fund electronic access through user fees, the federal judiciary has set the fee at the lowest possible level sufficient to recoup program costs.

Q: How many people at a time may view an image? How many people at a time may view the docket?

A: There are no limitations for either function.

Q: Does CM/ECF check for duplicate filings when a user opens a case? In other words, when a party name is entered, will the system alert the user to other cases in which the filer appears?

A: The CM/ECF software does not automatically check for duplicate filings. However, when adding a participant to a case, a pick-list is presented with the names of parties that are already in the database. This provides a limited comparison. In bankruptcy cases, the ability to search by social security number in the "Query" function can assist courts in identifying duplicate filings. Providing the court staff and the bar with comprehensive training on case opening will be a key factor in avoiding this problem.

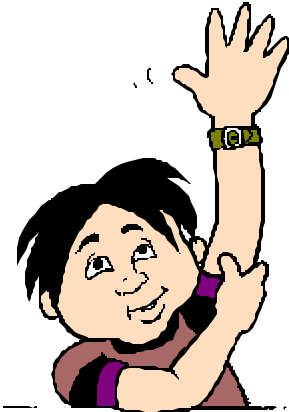


VERIFYING ATTORNEY RECORDS

In preparation for the new case management system, we are verifying our attorney records. If you have changed law firms, addresses, phone numbers, etc., please call us and let us know so that we can correct your personal information in our data base. If you practice from two different locations, please let us know at which office we should be contacting you.

To help us maintain accurate records, please be consistent in the name and contact information you provide when filing pleadings.

To clarify or update your records, please contact Brenda Esteves at (202) 273-0042 Extension 112



(Continued from p.5)

Q: Will docket entries identify who entered them?

A: Yes. All entries are identified by the name of the person that logged in and submitted the entry. The way a person's name appears in a docket entry may be determined by the court (e. g., full name, initials, etc...).

Q: When a user files a pleading with the court, does the system automatically serve the other parties or does the user have to do something extra to serve the others? And, do the other parties just get notification of a filing or do they get the actual document?

A: The system is set up so that when a court user or an attorney files a document with the court, a notice of electronic filing is generated that includes information about what was filed, the text of the docket entry, the unique document stamp, a list of case participants that receive e-mail notification of the filing, and a list of those that do not. The notice of electronic filing sent to those listed as receiving e-mail notification contains a hyperlink to the document.

Whether or not the receipt of this notice constitutes "service" depends on the provisions of the local rules of procedure. Each of the prototype courts has a provision on this topic. Most provide that sending of an electronic notice of filing constitutes service.

CONTACT INFORMATION

As new information becomes available, we will post it on the court's web site at www.dcb.uscourts.gov

If you have questions, please contact us:

Denise Curtis
Clerk of Court
(202) 273-0046 Ext. 101
Denise_Curtis@dcb.uscourts.gov

Brenda Esteves
CM/ECF Project Manager
(202) 273-0042 Ext. 112
Brenda_Esteves@dcb.uscourts.gov

Lorrie Brenneman
Chief Deputy
(202) 273-0046 Ext. 103
Lorrie_Brenneman@dcb.uscourts.gov



U. S. Bankruptcy Court for the District of Columbia
E. Barrett Prettyman U. S. Courthouse
Room 4400
333 Constitution Avenue, NW
Washington D. C. 20001
(202) 273-0046
www.dcb.uscourts.gov

