

UNITED STATES BANKRUPTCY COURT

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Jean Rolfs
Clerk of Court

Eastern District Bar Advisory Committee Minutes January 25, 2012 U.S. Bankruptcy Courthouse - Little Rock

In attendance: Kevin Keech, Whit Light, Kent Pray, Harry Hurst, Danyelle Walker, Kyle Havner, Randy Rice, Phyllis McKenzie Jones, Charles Tucker, Lance Owens, Steve Joiner, Robert Gibson, Joe Barrett, Jean Rolfs, Phil Principe, Karen Waldroff and Cindy Scaife.

1. The Clerk's office has revised their procedures regarding the issuance of Memorandum(s) of Document Deficiency (MDDs) in response to perceived issues with documents/pleadings electronically filed by outside parties. In general, staff will modify the docket text to reflect the information provided on the attached .pdf. MDDs will still be issued in limited circumstances, i.e. incorrect court address provided, incomplete forms, no signature, etc.
2. Are there any events in ECF that give you particular problems? Are there documents you file from time to time which you would like for the court to establish a docket event for?

Kevin Keech & Kyle Havner (on behalf of Renee Williams) - Unable to run reports for more than 31 days per report. Request that this be changed . - *A MR (modification request) has already been submitted to the Administrative Office (AO) and we have endorsed the MR. A change is being implemented now to enable users to run the reports for 365 days (an increase from the original 31 days per report). The 365 day report will be available by February 1.*

Kyle Havner - When filing a small business Business Income & Expenses form as a Small Business Cash Flo, it is difficult to locate the event in ECF. Can it be moved to a better location? - *Yes. As of 1/25/2012 the event **Balance Sheet; Cash Flow Statement and Statement of Operations** events have been added to the Chapter 7 Schedules Events; Chapter 9 Schedules Events; Chapter 11 Schedules Events, Chapter 12 Schedules Events and Chapter 13 Schedules Events. The event also remains in its original location under Miscellaneous.*

Kyle also requested that the BNC E-mail listing Proofs of Claim add a column to designate who filed the Proof of Claim. In addition, can the report showing Objections to Claim also designate who filed the objection? *We are looking into the feasibility of this request.*

Harry Hurst - Office staff is having difficulty opening some .pdfs. - *Karen Waldroff is to contact his office and offer assistance. Kevin Keech mentioned that after the ECF 4.2 conversion he had some Mozilla / Firefox issues with some .pdfs and installed updates that solved the issue.*

Phyllis Jones - Is there a time limit to the free one-time look at documents? She has had several .pdf that she has been unable to look at and believes no one in her office has previously viewed them. Danyelle Walker has seen the problem that she hasn't been able to view older emails. - *Karen Waldroff stated that when you double click the link it will count as previously being viewed. Be sure and only click once for your one free view. Yes, there is a 30 day limit for your free one-time look.*

Randy Rice - Claims Register does not provide the ability to "view all" documents items on the docket sheet. - *A Modification Request (MR) has already been submitted to the AO and we have endorsed the MR.*

Randy said the new Calendar Events report is longer and more difficult to read. *A modified version of the Calendar Event report has been created: Calendar Events - Less Space, which is located right below Calendar Events on the Reports menu.*

Randy Rice - Filed a Motion to Sell today and the text appeared "Free & Clear of Liens," which is not necessarily correct. Randy was using his Trustee log-in. *Only the Trustee's event states "Motion to Sell Free and Clear of Liens." The event for attorneys states only "Motion to Sell."*

3. ECF 4.2 Issues

Phyllis Jones - Loves the color specifications on the docket.

4. Is there any information not provided on the Court's website that you think would be helpful? For instance, information that may reduce the instances where you would need to contact the court for the information?

Kevin Keech - Chambers orders dropbox addresses are hard to locate. Also, the Administrative Office of the Courts has a very good multi-part video regarding Bankruptcy. It would be nice to have a link to refer to clients to on the court's website. *The clerk's office has added a link to the dropbox information to the main page on website. The Bankruptcy Basics Video is located on our website under: Filing Information, Bankruptcy Basics Video.*

Whit Light - What is the best way to find out if the court is closed during inclement weather? - *Call the main number in Little Rock for Eastern divisions and the main number in Fayetteville for Western divisions. In case of inclement weather, the telephone message is typically updated by 6 a.m. in both LR and FA. Chuck stated that the decision to hold first meetings is at the discretion of the trustee. However, he has instructed that if the schools are closed and the first meetings are held, but the parties do not appear, it should not be held against them. For Chapter 13 first meetings you could contact the respective trustee's office.*

5. Some attorneys continue to file Form B21 (Statement of SSN) with the Voluntary Petition, which lists the debtor's complete SSN. The Clerk's office does not issue an MDD or redact the information. It is up to the attorney to take any action as the attorney may see fit.

6. Frequently, motions are filed as miscellaneous documents or miscellaneous reports. The CAs are required to re-docket these as motions so they will appear on the appropriate internal reports

for the purpose of setting hearings and entering orders. If attorneys cannot locate or determine the motion event, they should contact the Help Desk for assistance.

7. Open discussion from all members.

Kent Pray - We were having a problem with first meeting notices being faxed, but the issue with BNC has been corrected. There was a problem with court emails going to his spam folder, but he corrected that by changing his spam filters.

Chuck Tucker - Debtor audits have resumed.

Phyllis Jones - Expressed gratitude that her paralegals have received excellent training from the Court and support from the Help Desk. - *Jean passed on the credit to Leslie Crider.*

Robert Gibson - Is there a way to have consistency between Bankruptcy Court and District Court regarding when filings are accepted as timely? The Bankruptcy court accepts up to midnight, while District Court only accepts as timely filed before 5:00 pm. *Each federal court establishes what is deemed timely. These are not consistent between district and bankruptcy, or even between bankruptcy courts nationwide.*

Joe Barrett - Great job.