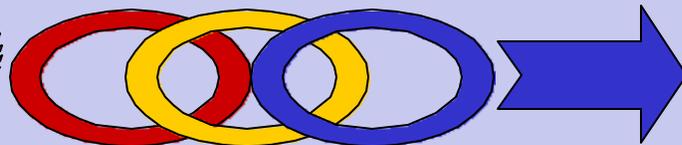


Court Connection



U.S. Bankruptcy Court
Western District of N.C.

E-Mail Address:
Newsletter@ncbankruptcy.org

Volume 2, Issue 4, October 2000

What's Inside?



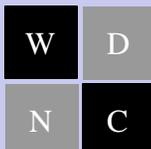
Operations Information
Calendar Changes
CM/ECF Update
... and more

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The Chambers "Skinny"

by George R. Hodges &
J. Craig Whitley, Bankruptcy Judges



The Bankruptcy Court will soon relocate Statesville Division hearings to Wilkesboro. The move was approved by the Judicial Conference at its Fall meeting. We will begin holding court in Wilkesboro as soon as space renovations are complete, possibly as early as January.

This move is necessary due to growth in our caseload and that of the U.S. District Court, from whom we borrow the Statesville Courthouse. Our District Court is one of the nation's busiest, and its use of this building has increased. Moreover, the Western District stands to get two new District Judges next year. Due to lack of space in the Charlotte Courthouse, one of these new judges is likely to be seated in Statesville. Meanwhile, the Bankruptcy Court's case load is more than double 1994 levels. We need additional court days in the Statesville Division, particularly for trials and creditor meetings.

As such, we were excited when the Wilkesboro Courthouse became available. Originally, the Wilkesboro building served as a U.S. District Court for the Middle District. The building was later decommissioned and leased out to the State. Recently, the State Court moved into a new building leaving the second floor of the Federal Courthouse vacant. Our new quarters will include a

courtroom, two attorney conference rooms, and a chambers suite.

Our move will take some getting used to, and we appreciate the Bar's cooperation. We will make the changes as painless as we can. Obviously, our new location is less convenient to those who are located in Statesville (and to the Judge who is in Charlotte). However, Wilkesboro is more centrally located within the Division, and should be more convenient overall. Having dedicated space will also give us flexibility in handling the Division's case load.

To that end, in addition to our customary first week settings (341's, motions day, and a trial day), we intend to add mid-month days (third week) in Wilkesboro for 341's, chambers day, and special settings. With ECF just around the corner, a divisional clerks office is not planned.

The Statesville Division will be renamed the Wilkesboro Division, but will not change in terms of counties included. The U.S. District Court will continue to hold court in Statesville. Further information on the move will be provided on the Court's web site as available.



CM/ECF DEMONSTRATION

Court staff will provide a short demonstration of the new Case Management/Electronic Case Filing (CM/ECF) program at the North Carolina Bar Foundation's upcoming "23rd Annual Bankruptcy Institute". The presentation is scheduled for Saturday, December 2, 2000 at 8:30 a.m. as part of "The Bankruptcy Court-The Next Wave of Automation" session.

Did you KNOW?

More than 465 boxes of case files have been shipped to National Archives (East Point, GA) since October, 1999. The oldest case shipped was 79-50119-Blackwelder Furniture Co.

hhh

\$142,376.79 in unclaimed funds have been paid into the Court since October, 1999.

hhh

Over 194,085 docket entries have been made since October, 1999.

hhh

**Newsletter
Comments?
E-mail**

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Court Connection



News in Court Operations

by Linda Anderton, Chief Deputy Clerk and
Gerri Crockett, Clerk of Court

When filing petitions and complaints over the counter under CM/ECF, please expect to receive the case number and copies back within 24 hours of filing. Under CM/ECF, it is necessary for the Court to make procedural changes to prevent the possibility of duplicate case numbers and experiencing long delays at the counter. Emergency filings will be processed at the time of filing. Your cooperation and patience will be greatly appreciated.

Calendar Changes for 2001

by Linda Simpson, Bankruptcy Administrator

Beginning in January, 2001, a number of calendar changes will be made for regularly scheduled hearings and §341 creditors' meetings. All cases previously assigned to the Statesville Division for court hearings and creditors' meetings will be reassigned to the new Wilkesboro Division. The first Thursday of the month will serve as the Wilkesboro Division hearing date. The regularly scheduled chambers date will be on the third Thursday, and the first and third Mondays will serve as the dates for all creditors' meetings. Facilities will be available to hold Chapter 7 and Chapter 13 first meetings simultaneously beginning at 9:00 a.m. Chapter 11 and Chapter 12 first meetings will be held beginning at 11:00 a.m. Parties and/or attorneys who represent multiple parties should notify both the Chapter 7 and Chapter 13 trustee of the cases in which they have an interest so that accommodations can be made. For Wilkesboro cases, Monday first meetings that fall on a federal holiday will be set for the following day—the first or third Tuesday of the month.

Regular Charlotte Chapter 11 hearing dates for Judge Whitley will change to the first and third Tuesday of each month. Charlotte Chapter 7 hearings will continue to be scheduled on the second and fourth Thursdays of the month.

(Cont'd on Page 3, Column 2...)



Blood Drive

by Cecelia Burr

The Bankruptcy Court in Charlotte sponsored a bloodmobile Friday, September 18 on behalf of the Federal Court Clerks' Association. Court and building staff, as well as local attorneys and their staff, contributed to the success of the much-needed blood donations. Overall, 23 people participated with 20 successful donations. The Court plans on having a mini bloodmobile every eight to ten weeks with the next one scheduled for December. Our goal for the mini bloodmobiles are twenty pints, and we have been successful each time.

The Military Enlistment section of the courthouse provides the space for the bloodmobile and many volunteer donors as well. Our Court would like to double the number of donors during the winter and spring drives, and will actively recruit from law firms. We are asking your participation in this community effort to bring the blood bank up to its potential. The Court posts the dates of the bloodmobile in the Clerk's Office. If you happen to be in the courthouse area when the bloodmobile is here, it would truly help out the community to donate blood at that time. The Winter Bloodmobile will be held December 15 in the Jury Assembly Room. If you have any questions or would like to sign up, please call Cecelia Burr, Bloodmobile Coordinator, at 350-7565.

When you give blood, you give another day at the beach, another hike in the woods, another smile, another hug, another chance. *Please give blood.*



CM-ECF Update

by Karen Heavner

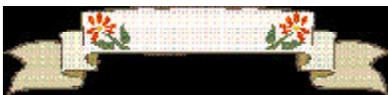


Version One Status: The judiciary's new Case Management (CM) / Electronic Case Filing (ECF) system is currently being tested by the Independent Testing Center (ITC) in Phoenix, Arizona. The Bankruptcy Court for the Western District of North Carolina has installed Version One locally and has a "test" database up and running in which court staff are docketing and testing. Court-specific data entry and modifications to our prototype "dictionary" (docket events) are almost complete. Once final, we will convert all existing BANCAP data to CM/ECF. Our new target date for going "live" on the new system is January 1, 2001.

Public Access & Cost: In compliance with the September 1998 decision of the Judicial Conference of the United States, a \$.07 per page user fee will be charged upon implementation of CM/ECF. To facilitate billing for these services, public users must log in to CM/ECF with a valid PACER account and will be charged for viewing CM/ECF reports and queries. PACER accounts may be established through the PACER Service Center (PSC) at <http://pacer.psc.uscourts.gov> or by telephone between 8:00am and 5:00pm Monday - Friday CST at (800) 676-6856.

Trained, authorized CM/ECF attorneys and parties must have both a PACER account and a CM/ECF account. Filing attorneys and parties will not be charged to file bankruptcy petitions and pleadings in CM/ECF. They may also view documents filed in cases in which they are involved **WITHOUT CHARGE ONE TIME**, by clicking on the hyperlink to the document filed upon receipt of a Notice of Electronic Filing via email. This would be available to parties who have established e-mail notification. Future viewings would be assessed a fee. This is much like receiving one free notice in the mail and paying the court for additional copies, except the \$.07 per page charge billed by PSC is much less than the \$.50 per page copy charge received by the courts. Trustees will have full, free access to the CM-ECF system at all times.

Training: Court staff have docketed in a prototype database for approximately two months and will be docketing in a Version One test database and undergoing training in case management areas over the next two to three months. Some of the topics to be trained are quality assuring documents filed electronically, printing scanned files and word processor documents to PDF, customer service, and utilizing CM/ECF case management reports. The court expects to have a training calendar available for attorneys and trustees sometime after going "live" January 1, 2001. The training calendar and sign-up instructions will be posted on our Internet site at www.ncwb.uscourts.gov.



Awards Ceremony for the Year 2000... A New Beginning

On September 8th, the Bankruptcy Court held their third annual Awards Ceremony. The theme of the ceremony was "A New Beginning". Not only is the year 2000 the first year of the century, but many new programs have also been initiated, e.g., CM/ECF, Teams, credit card program, and drop box. The judges and clerk of court took this opportunity to thank the staff for their hard work, dedication and effort. Two court members were honored for their years of service with the court. Penny Love, Judicial Assistant to Judges Wooten and Whitley, received an award for her 25 years of service with the Court, and Barbara Sifford, Case Administrator, received an award for her 10 years of service with the Court.

A listing of over 90 highlights of fiscal year 2000 accomplishments was presented and reviewed during the ceremony. The Court relies on the full functioning of active committees for every court activity and could not function without the support and input of staff. Examples of some of these critical committees are: Strategic Planning, CM/ECF and all the related Subcommittees, Procedures, Dictionary, Archives, Cheer, Retreat, Suggestion & Solution and Attorney Seminar. Overall, staff were actively involved in 22 committees. The work, time and effort staff expend in the work of these committees is above and beyond their normal every-day workload.



Leftovers at the Bench

From time to time personal items are left in our courtrooms in Charlotte and in Asheville. These items can be claimed in Clerk's Office of the appropriate division. Beginning immediately, if the items are not claimed within one month, they will be donated to a local Goodwill or Salvation Army operation. Please feel free to call if you think we've found what you're looking for.

Calendar Changes for 2001

(Cont'd from Page 2, Column 1...)

The schedule for Charlotte creditors' meetings will also change. Charlotte Chapter 13 first meetings will be held on the first and third Tuesdays of each month beginning at 1:30 p.m. and on the first and third Thursdays of each month beginning at 9:30 a.m. For Charlotte Chapter 7 first meetings, they will be held every Wednesday. Debtor attorneys with the last name beginning with N-Z will have their first meetings set beginning at 10:00 a.m. and debtor attorneys with the last name beginning with A-M will have their first meetings set beginning at 11:00 a.m.

Asheville and Shelby have not changed. The calendars for January through June of 2001 will soon be available on the Clerk's internet web site.