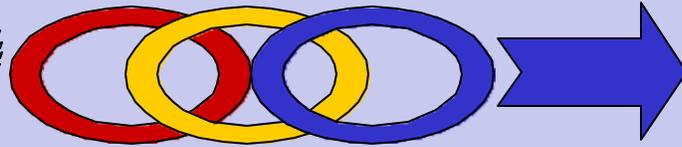




Court Connection



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

E-Mail Address:
Newsletter@ncbankruptcy.org

Volume 4, Issue 1, July, 2002

What's Inside?



Operations Information

- CME/ECF Update
- Ch. 11 Fee News
- Attorney Tricks
- Trustee Tip
- ...and More

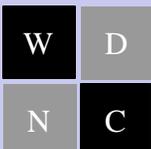
U.S. Bankruptcy Court
Western District of N.C.

P.O. Box 34189
Charlotte, NC
28234-4189

Tel: 704.350.7500
Fax: 704.344.6403



100 Otis Street
Room 112
Asheville, NC 28801
Tel: 828.771-7300
Fax: 828.271.4150



The Chambers "Skinny"

by George R. Hodges & Craig Whitley, Bankruptcy Judges

The Clerk's office held its annual seminar during June. The group developed ideas they felt were important characteristics of our organization. I wanted to share with you those thoughts. The Judges whole-heartedly support the the Clerk's Office and are proud of their efforts over the past year during a very challenging transition to ECF.

Our Declaration of Inter-Dependence

We the people, men and women of the U.S. Bankruptcy Court, having come together of one mind in order to form a more perfect work environment, insure justice, tranquility, provide for the common support of one another, promote the general welfare and learning of one another, and secure the blessings of work-place liberty and happiness for ourselves, do ordain and establish this as Our Declaration of Inter-Dependence. These shall be the common goals we hold dear, and shall be our expression and acknowledgment of a desire and commitment for inter-dependence, all for one and one for all. We hold these truths to be self-evident that all of us are equally endowed with an inalienable right to give and receive respect and dignity, and that we have, together, chosen the following truths to be held above all others:

That, acknowledging the importance of **Trusting and Supporting** one another, we will strive to offer assistance where a need is seen, and to welcome assistance where a need is felt. We have discovered that through offering and accepting the support of our fellow colleagues and friends, trust is created. Small, unexpected acts of kindness will be the hallmark of our success in learning to trust and support one another.

That, acknowledging the importance of **Open and Honest Communication** one to another, we will strive to speak to each other respectfully, yet honestly, with dignity and with tact, always remembering that honesty is never cruel or brazen. It gently serves to strengthen, enlighten and provide a foundation for understanding. It does not unnecessarily aim to hurt or tear away at the fiber of another man's heart for the sake of an impure motive. We have discovered that open and honest communication, offered in a noble, straight forward manner, yields an opportunity to further fortify trust and support.

That, acknowledging the importance of **Accountability** on a personal level, we recognize that an organization is only as strong as its weakest member. Understanding that we are all members of a larger body, we each eagerly strive to hold ourselves to the level of accountability that we accept is obtainable through self-direction, self-motivation and the support and encouragement of friends and colleagues. We have discovered that when each member is accountable, all members are able to confidently rely on the knowledge that our load is shared equally, our tasks are made easier, and all functions are performed without fail. We are a well-oiled machine.

That, acknowledging the value of **Continuous Learning**, we will never hesitate to embrace an opportunity to expand our horizons. Presenting itself with many faces, continuous learning may be revealed as an opportunity to support a colleague with a special project, volunteer for a committee, watch a JNET production or identify a previously unseen need by responding with a new idea or perspective. We are challenged and intrigued by the continuous learning process, ever ready to involve ourselves in the ongoing learning process that life offers.

That, acknowledging our world is often defined by **Risk**, we recognize that risk-taking, in addition to being fun and exciting, is often the genesis of a new, more efficient way of doing a standard task. Being on the cutting edge, often risking alone, we concur that the value of presenting such innovative ideas is essential to the growth of our organization. Therefore, we promise to honor, support and respect those in our midst who stand before us to present risky, new ideas that may at first seem foreign and peculiar, pledging to greet these new ideas with an open mind.

That, all of the above is for naught if we fail to understand our innate need for **Unity, Fun and Celebration**. It is through our connectedness to one another and the world around us, we see first hand that unity, loyalty, fun and celebration enable us to experience all of life's grand rewards. We know that a great deal of our lives are spent with one another, and we relish the unique perspectives, talents and skills each member brings to the company of the others. With fun and celebration, we cherish and nurture our relationships, both personal and professional, leading to an enhanced sense of unity and pride in our accomplishments. Our ability to succeed in fostering unity, fun and celebration is predicated upon all previous truths.

Together as one, we praise our differences and each person's unique and important place in the organization. Together, we achieve what would be impossible for any one member working alone. We are in awe of the great things accomplished when we hold these truths we have chosen as our own and devote ourselves to these ideals.

NOTABLES:



When filing a new petition, fee status is always "credit card", never 'paid'.



Click the Judge/Tr. Assignment link after new case filing - WOW - instant information!!!



Attorney/ Trustee Training Materials are located on the Court's Web-Site!



**Newsletter
Comments?
E-mail**

Newsletter@ncbankruptcy.org

Page 2

Court Connection



News in Court Operations

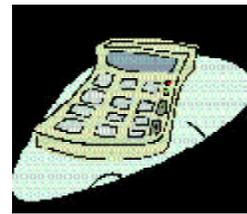
by Gerri Crockett, Clerk of Court and
David Weich, Chief Deputy

It appears that filings continue to be high and show no sign of slowing down. The court has also been making a great effort to close cases this past year. As can be seen below, we are trying to catch up with the filings. The following is a quick overview of filings and terminations (closings) from July, 2001 through May, 2002. It is easy to see that we have all been extremely busy this past year!

During this period, you, the Bar, have been incredibly supportive and helpful with the implementation of CM/ECF. This has required much patience, detailed learning and then more learning on your part! The court is truly appreciative of your successful effort. During the month of May, 94% of all new petitions were filed electronically. This is truly incredible, particularly given that we only started accepting electronic filings in June, 2001.

The Clerk's Office is involved in a major training effort for court staff. Every two weeks, staff receives some sort of in-house training to enhance their skills and understanding of court processes, procedures, software, etc. This development is not only beneficial to all staff, it is anticipated that it will be helpful to the public as well. By providing consistent and standard training, we believe that the public will also receive consistent and standard answers to their questions as well as the processing of court work. If you have any suggestions for improvement in the Clerk's office, please call or send us an e-mail.

	Open Cases	Closed Cases
7/01	748	900
8/01	833	700
9/01	667	507
10/01	795	552
11/01	738	760
12/01	747	874
1/02	670	567
2/02	789	808
3/02	786	619
4/02	804	926
5/02	885	884
TOTAL	8,462	8,097



Fee\$ and Financial

by Alesia S. Wallace, Financial Specialist

New Chapter 11 Quarterly Fees

THE JUDICIAL CONFERENCE OF THE UNITED STATES HAS APPROVED THE CHARGE OF QUARTERLY FEES IN ALL **CHAPTER 11 CASES FILED ON OR AFTER APRIL 1, 2002.**

Quarterly Chapter 11 fees are payable on the last day of the month immediately following the end of the calendar quarter. The Bankruptcy Clerk shall collect the fees. Money orders and certified funds shall be made payable to "Clerk, U.S. Bankruptcy Court".

The obligation to pay quarterly fees ends when the final decree closing the case is entered, when the case converts or when the case is dismissed.



Finding Your Way in CM/ECF (Attorney Tricks)

by Robin Cherkas, Quality Systems Specialist

 When entering information into your bankruptcy petition preparer software, it is not necessary to enter the debtor's home phone, e-mail address, or a home fax number, or to enter a country (unless the debtor lives outside the USA).

 If any adversary proceeding is filed electronically, it is no longer necessary to image and docket an 'unissued summons.' The court automatically issues electronic summonses in electronically-filed adversaries.

 Time for 341 meetings? Click on Reports, then select Calendar Events. Select the division(s), then enter the date of the 341 meeting. Finally, click to highlight '341 Meeting', then run the report. To quickly find cases that you are involved in, click on Edit at the top of the Browser Bar and select 'Find in Frame.' Type the attorney last name and click search. You will quickly find each of your cases!



CM/ECF Update (as of May 31, 2002)

One-Year Anniversary: North Carolina Western's one-year CM/ECF LIVE anniversary was March 5, 2002. Presently there are **151** registered ECF users in this district, **118** of whom have actually filed cases or documents electronically.

Bankruptcy Statistics (NCW): Effective March 1, 2002 the court required all attorney-filed bankruptcy cases to be filed electronically. Listed below are statistics for bankruptcy petitions filed during the months of January through May, 2002.



<u>Month</u>	<u>Total petitions filed</u>	<u>E-filed</u>	<u>Percentage E-filed</u>
January	662	252	38%
February	782	343	44%
March	774	645	83%
April	795	706	89%
May	874	824	94%

National Status: Nationwide there are 32 Bankruptcy Courts and nine District Courts live on CM/ECF systems. Additionally, there are 39 Bankruptcy Courts and 12 District Courts in some stage of the implementation process. A complete list of those courts is available on the Federal Judiciary's web page at http://www.uscourts.gov/cmecf/cmecf_about.html.

Case Upload: In mid-May North Carolina Western added the new 'Case Upload' functionality to ECF! Case Upload allows attorneys using petition preparation software to forego all the 'case opening' screens in ECF and open bankruptcy cases without re-keying the same data already entered in a petition. **200 cases were filed in May using the upload function.** Attorneys should contact their software provider if unsure whether their petition software generates the files necessary to use the upload function.

Judge/Trustee/341 Assignment: The court encourages attorneys to run the Judge/Trustee Assignment program daily after all cases have been filed for the day. An attorney may choose to run the program immediately after opening an individual case if he/she prefers. This ECF module does the following:

- Chapter 7: Assigns judge and trustee, and schedules 341 meeting
- Chapter 11: Assigns judge and schedules 341 meeting
- Chapter 13: Assigns judge and trustee

Users Group: A group of ECF users met in February and May and plan to meet every three months. Minutes of these meetings are posted on the court's ECF web page. If you would like to attend the next Users Group meeting please contact Sheila Smith at the law office of David R. Badger, P.A. either by e-mail at sheilasmith@carolina.rr.com or by telephone at (704) 375-8875.

Trustee Tip Of The Month

by Robin Felts, Quality Systems Specialist

Chapter 7 trustees may now choose to file their Semi-Annual Reports in batch. Click on Bankruptcy, and then select the Batch Filing (Trustee only) category that contains the new Semi-Annual Report event. This will allow Semi-Annual Reports to be filed in batch, each Report with its own image and receiving its own document number. The event will prompt for the time frame of the Semi-Annual Report, so to use this feature in batch, all Reports must be for the same time frame.