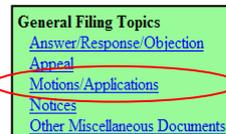


MOTION PRACTICE

Filing a Motion

This section explains the steps in filing a motion in the CM/ECF system. Most of the screens will be the same regardless of the type of motion you are filing. This is true for filing a motion in both bankruptcy and adversary proceeding cases. For demonstration purposes, this section will describe the steps in how to file a Motion for Relief from Automatic Stay.

- Select **“Bankruptcy”** from the blue menu bar. A list of topics will appear. Select **“Motions/Applications”** from the list of general filing topics.



- When prompted, enter the case number and click **“Next.”**

- On the next screen, you will choose the relief sought from a pick list of motions and applications available in the system. Scroll down until you find the type of motion you are filing and click on that item to highlight it. If you have a multiple part motion,

you must click the first part of the relief sought, hold down your control key, scroll to the next relief sought and click on that item. (Note: If you do not hold down the control key while making multiple selections, only one type of relief will be selected). Please note that multiple part motions are proper in very few circumstances and improper use will result in the issuance of a Submission Error Notification and a delay in processing the motion. Instead of scrolling, you can also find the motions on the pick list by hitting the letter key to take you to that part of the list or you can search for the name of the event by entering search criteria. In this example, keep pushing the **“R”** key several times until you find the event for **“Relief from Stay.”** You can also type the word **“Relief”** as a key word search.

- The system will next display all parties already added to this particular case. Review the party list to see if your client is already a party to the case. If so, they will be listed in the party selection box along with the debtor, trustee and possibly others. If your client is listed, simply highlight the name and click **“Next.”** If your party is not listed, you will need to add them as a party to the case. To do so, click on **“Add/Create New Party.”**

- Some parties will already be in the CM/ECF system but not a party to this particular case. You will be prompted to search for a party to see if they are already in the system. You can search by social security number, tax ID number, last name or business name. You may also search variations on your client's name (e.g., Ford Motor Credit may be in the system as FMCC) and often the larger creditors are in the system multiple times, each with a different address. Enter the search criteria and click **"Search"**.

- Any results from the search will be displayed. If your party is found, highlight the party and click on **"Select name from list."**

- If the party is not found, click **"Create new party"** and follow the steps for adding a new party. Be sure to change the "Role" on the party information as appropriate. Click **"Submit"** when finished.

- After you have finished adding the party, the name will now appear on the party selection screen. Click on the party name to highlight the name and then click on **"Next."** If you are representing more than one party on the motion, hold down the control key and select each party you represent.

- The next screen may prompt you to create a link between the party and you as the attorney. If you have not already filed a pleading in this case you will be asked to create an attorney/party association. Simply check the box showing the party you represent and click **"Next."** If you have previously filed a pleading in this case on behalf of your client, you will not see this screen.

- The next screen will prompt you to enter the .pdf file containing your motion. Click on the "browse" button and navigate to the location on your computer where your motion .pdf file is stored. If you are attaching additional documents to the motion, click **"Yes"** for attachments and then click **"Next."**

- If you checked "Yes" for attachments, you will next be prompted to enter the .pdf files containing the attachments to your motion. Click on the "browse" button and navigate to the location on your computer where your attachment .pdf files are stored. Load the attachment and

provide a description which identifies the attachment. Click **“Add to List”** and continue adding attachments (e.g., loan documents, NADA valuation, etc.) as necessary. As you add attachments, the file names will appear in the box above the next button. Click **“Next”** when finished loading all attachments. (Note: If you did not select **“Yes”** for attachments, you will not see this screen).

- The next screen will inform you whether a filing fee will be due for the filing of the motion. If a filing fee is due, you will be prompted to pay the filing fee after the motion has been filed. If no fee is due, you will not see this screen.

- Many motions are automatically set for hearing by the court. To be sure copies of the hearing notice go to the correct address it is important that you alert us if the motion is being served to a mailing address different than what is listed on the matrix. If so, check the box on this screen and follow the directions for adding a service address. Otherwise, click **“Next”** to continue.

File a Motion :
 07-30017 John Q. Citizen
 Type: bk Chapter: 7 v Office: 3 (Pensacola)
 Assets: n Case Flag: PayStub, DebtEd
 Check this box if this pleading is being served to an address not listed on the mailing matrix.
 Address for service of hearing notices if different from address listed on mailing matrix. For questions or assistance please call the HelpDesk at 1-888-765-1752.
 Next Clear

- The docket text screen will give you the opportunity to modify the docket text, if necessary. In some pleadings you may want to add additional text so the docket text will be more descriptive. In this example, we added a description of the property listed in the Motion for Relief from Stay. If you want to modify the text, you can add additional text in the blank field. Click **“Next”** when finished.

File a Motion :
 07-30017 John Q. Citizen
 Type: bk Chapter: 7 v Office: 3 (Pensacola)
 Assets: n Case Flag: PayStub, DebtEd
 Docket Text: Modify as Appropriate.
 Motion for Relief from Stay regarding real estate located at [Fee Amount \$150] filed by Practice Lawyer on behalf of Gator Mortgage Finance (Attachments: # (1) Note# (2) Deed# (3) Mortgage). (Lawyer, Practice)
 Next Clear

- The next screen is very important! You will see a warning that says: **“Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.”** This is exactly how the text will appear on the docket sheet. If the text is correct, click **“Next”**.

File a Motion :
 07-30017 John Q. Citizen
 Type: bk Chapter: 7 v Office: 3 (Pensacola)
 Assets: n Case Flag: PayStub, DebtEd
 Docket Text: Final Text
 Motion for Relief from Stay regarding real estate located in Bay County, Florida [Fee Amount \$150] filed by Practice Lawyer on behalf of Gator Mortgage Finance (Attachments: # (1) Note# (2) Deed# (3) Mortgage). (Lawyer, Practice)
 Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.
 Next Clear

- After the motion has been successfully filed, you will see **“Notice of Electronic Filing.”** The notice will include a hyperlink to the case docket sheet and to the document you just filed. The bottom of the notice will include a list of those individuals who are being served with the motion and the manner in which service will be made.

File a Motion :
 07-30017 John Q. Citizen
 Type: bk Chapter: 7 v Office: 3 (Pensacola)
 Assets: n Case Flag: PayStub, DebtEd
 U.S. Bankruptcy Court
 Northern District of Florida
 Notice of Electronic Filing
 The following transaction was received from Lawyer, Practice entered on 8/22/2007 at 11:31 AM EDT and filed on 8/22/2007
 Case Name: John Q. Citizen
 Case Number: 07-30017
 Document Number: 3
 Docket Text:
 Motion for Relief from Stay regarding real estate located in Bay County, Florida [Fee Amount \$150] filed by Practice Lawyer on behalf of Gator Mortgage Finance (Attachments: # (1) Note# (2) Deed# (3) Mortgage). (Lawyer, Practice)

- Some motions require payment of a filing fee. For instructions on electronic payment of filing fees, please see page 59.

Filing an Amended Motion

This section explains the steps in filing an Amended Motion in the CM/ECF system. Most of the screens will be the same regardless of the type of Amended Motion you are filing. This is true for filing an Amended Motion in both bankruptcy and adversary proceeding cases. For demonstration purposes, this section will describe the steps on how to file an Amended Motion to a Motion for Relief from Automatic Stay which was filed previously.

- Select **“Bankruptcy”** from the blue menu bar. A list of topics will appear. Select **“Motions /Applications”** from the list of general filing topics.



- When prompted, enter the bankruptcy case number (or the A.P. case number if filing a motion in an Adversary Proceeding). Click **“Next.”**
- On the next screen you will choose **“Amended Motion”** from a pick list of motions and applications already included in the system. Click **“Next.”**

- The system will next inquire about the party for whom you are filing the Amended Motion. Typically, the party filing the original motion will be the same as the party filing the Amended Motion. Review the party selection screen to determine if your client is already listed as a party in this particular case. If so, they will be listed in the field along with the debtor, trustee and any others already added to the case. If they are not listed, it will be necessary to add them as a new party. If they are listed, simply highlight the name and click **“Next.”**

- The next screen will prompt you to enter the .pdf file containing your motion. Click on the **“browse”** button and navigate to the location on your computer where your Amended Motion .pdf file is stored. If you are attaching additional documents to the motion, click **“Yes”** for attachments and then click **“Next.”**

- The next screen brings up all pending motions in the case. Check the box next to the motion being amended. This will create a link between the original motion and the Amended Motion. Click “**Next**.”

Select the appropriate event(s) to which your event relates:

08/22/2007 [3](#) Motion for Relief from Stay regarding real estate located in Bay County, Florida [Fee Amount \$150] filed by Practice Lawyer on behalf of Gator Mortgage Finance (Attachments: # (1) Note# (2) Deed# (3) Mortgage). (Lawyer, Practice)

- Many motions are automatically set for hearing by the court. To be sure copies of the hearing notice go to the correct address it is important that you alert us if the Amended Motion is being served to a mailing address different than what is listed on the matrix. If so, check the box on this screen and follow the directions for adding a service address.

File a Motion :

07-39017 John Q. Citrus

Type: bk Chapter: 7 v Office: 3 (Pensacola)

Assets: n Case Flag: Pay/Stuh, DebtEd

Check this box if this pleading is being served to an address not listed on the mailing matrix.

Address for service of hearing notices if different from address listed on mailing matrix. For questions or assistance please call the HelpDesk at 1-888-765-1752

- The docket text screen will give you the opportunity to modify the docket text, if necessary. In some pleadings you may want to add additional text so the docket text will be more descriptive. In this example, we added a description of the property listed in the Amended Motion. If you want to modify the text, you can add additional text in the blank field. Click “**Next**” when finished.

Docket Text: Modify as Appropriate.

Amended Motion (Re: [3] Motion for Relief From Stay) regarding real estate located in Bay County, Florida filed by Practice Lawyer on behalf of Gator Mortgage Finance. (Lawyer, Practice)

- The next screen is very important! You will see a warning that says: “**Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.**” This is exactly how the text will appear on the docket sheet. If the text is correct, click “**Next**”.

Docket Text: Final Text

Amended Motion (Re: [3] Motion for Relief From Stay) regarding real estate located in Bay County, Florida filed by Practice Lawyer on behalf of Gator Mortgage Finance. (Lawyer, Practice)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

- After the amended motion has been successfully filed, you will see “**Notice of Electronic Filing.**” The notice will include a hyperlink to the case docket sheet and to the document you just filed. The bottom of the notice will include a list of those individuals who are being served with the motion and the manner in which service will be made.

U.S. Bankruptcy Court
Northern District of Florida

Notice of Electronic Filing

The following transaction was received from Lawyer, Practice entered on 10/26/2007 at 2:56 PM EDT and filed on 10/26/2007

Case Name: John Q. Citrus
Case Number: 07-39017
Document Number: 3

Docket Text:
Amended Motion (Re: [3] Motion for Relief From Stay) regarding real estate located in Bay County, Florida filed by Practice Lawyer on behalf of Gator Mortgage Finance. (Lawyer, Practice)

Filing a Response to a Motion

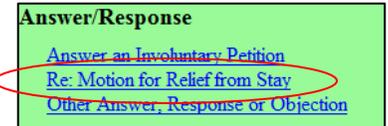
This section explains the steps in filing a response to a motion in the CM/ECF system. Please note that instructions for filing a Response to a Motion for Relief from Stay differ from filing a response to another type of motion. Steps for filing each type of Response are listed below.

- Select “**Bankruptcy**” from the blue menu bar. A list of topics will appear. Select “**Answer/Response/Objection**” from the list of general filing topics.



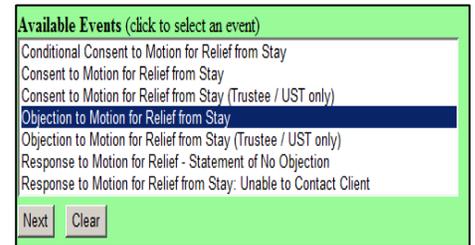
- Follow the steps below which are most appropriate for the Response you are filing.

- If filing a **Response to Motion for Relief From Stay**, follow these steps:



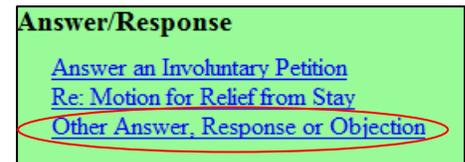
- Select “Re: Motion for Relief from Stay.”

- When prompted, enter the case number and click “Next.”



- Select the appropriate event from the pick list of events. Note that some events indicate that debtor consents to the granting of the motion while other events object to the requested relief. Be sure to select the correct event based on the circumstances of your case.

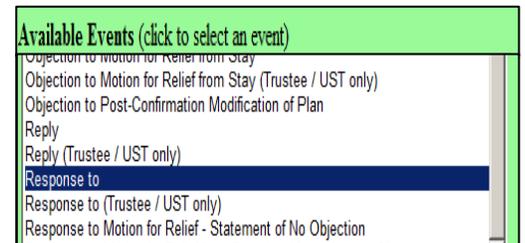
- If filing a Response **OTHER THAN** a Response to Motion for Relief From Stay, follow these steps:



- Select “Other Answer, Response or Objection.”

- When prompted, enter the case number and click “Next.”

- On the next screen, you will choose the nature of the response or objection. Scroll down until you find the type of pleading you are filing and click to highlight. Click “Next.”



- The system will next display all parties already added to this particular case. Review the party list to see if your client is already in the case. If so, they will be listed in the party selection box along with the debtor, trustee and any others already added to the case. If they are listed, simply highlight the name and click “Next.”

Select the Party:

ABC Credit Company, [Creditor] [Add/Create New Party](#)

Citizen, John Q. [Debtor]

Gator Mortgage Finance, [Creditor]

German Car Company, [Creditor]

U.S. Trustee, [U.S. Trustee]

Next Clear

- The next screen will prompt you to enter the .pdf file containing your response. Click on the “browse” button and navigate to the location on your computer where your .pdf file is stored. If you are attaching additional documents to the motion, click “Yes” for attachments and then click “Next.”

Select the pdf document (for example: C:\199cv501-21.pdf).

Filename

C:\ResponseToMotion.pdf [Browse...](#)

Attachments to Document: No Yes

Next Clear

- The next screen will show all documents in the case. Check the box of the document to which you are filing your response. Click “Next” when finished.

Select the appropriate event(s) to which your event relates:

08/17/2007 Chapter 7 Voluntary Petition [Fee Amount \$299] filed by John Q. Citizen 45-day Auto-Dismissal 10/2/2007 Incomplete Filings due by 9/4/2007. (Iam, Sam)

08/21/2007 Adversary case 07-03002. (41 (Objection / revocation of discharge - 727(c),(d), (e)); Complaint by ABC, Inc. against John Q. Citizen Fee Amount \$250 (Attachments: # (1) Summons) (Squyres, Aaron)

08/22/2007 Motion for Relief from Stay regarding real estate located in Bay County, Florida [Fee Amount \$150] filed by Practice Lawyer on behalf of Gator Mortgage Finance (Attachments: # (1) Note# (2) Deed# (3) Mortgage). (Lawyer, Practice)

- The docket text screen will give you the opportunity to modify the docket text, if necessary. In some pleadings you may want to add additional text so the docket text will be more descriptive. In this example, the text doesn’t need any descriptive text. Click “Next” when finished.

Docket Text: Modify as Appropriate.

filed by Debtor John Q. Citizen. (Re: [3] Motion for Relief From Stay) (Squyres, Aaron)

Next Clear

- The next screen is very important! You will see a warning that says: “Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.” This is exactly how the text will appear on the docket sheet. Click “Next”.

Docket Text: Final Text

Response to (Motion for Relief From Stay) filed by Debtor John Q. Citizen. (Re: [3] Motion for Relief From Stay) (Squyres, Aaron)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Next Clear

- After the response has been successfully filed, you will see “Notice of Electronic Filing.” The notice will include a hyperlink to the case docket sheet and to the document you just filed. The bottom of the notice will include a list of those individuals who are being served with the response.

U.S. Bankruptcy Court

Northern District of Florida

Notice of Electronic Filing

The following transaction was received from Squyres, Aaron entered on 10/29/2007 at 3:11 PM EDT and filed on 10/29/2007

Case Name: John Q. Citizen

Case Number: 07-30017

Document Number: 12

Docket Text:

Response to (Motion for Relief From Stay) filed by Debtor John Q. Citizen. (Re: [3] Motion for Relief From Stay) (Squyres, Aaron)