



## SERVICE GUIDELINES

Julie Gibson, Data Quality Analyst/Trainer

**[Presenter: Julie Gibson, DQA/Trainer]**

As I mentioned a few minutes ago, the second highest number of Submission Error Notifications we issue are service related so, on that note, let's talk briefly about service guidelines.

TO WHOM IS SERVICE REQUIRED?

**See Federal Rules of Bankruptcy Procedure 2002, 7004, and 9008.**

Generally, service is always required to be made upon the debtor, debtor's attorney, trustee, and parties in interest or their designated counsel in a bankruptcy case, and the plaintiff(s), defendant(s), their respective counsel, and interested parties in an adversary proceeding.

Depending on the type of document being served, notice upon the "20 largest unsecured creditors" (chapter 11), interested parties, and/or all creditors may also be required.

You should always serve the debtor, debtor's attorney, trustee, and parties in interest or their designated counsel in a bankruptcy case.

In an adversary proceeding, the plaintiffs, defendants, their respective counsel, and interested parties should be served.

There are additional rules for Chapter 11 cases regarding creditors' committees and the 20 Largest Unsecured Creditors, and in any chapter you may be required to serve all interested parties, instead of just parties specific to the matter, and/or all creditors in the case.

You should carefully review Federal Rules of Bankruptcy Procedure 2002, 7004, and 9008 for specifics.

We cannot tell you, specifically who needs to be served with what because that would be considered providing legal advice, which we are prohibited to do, but we can point you in the right direction.



EXECUTION OF SERVICE

## FDIC INSURED DEPOSITORY INSTITUTIONS

*Fed. R. Bankr. P. 7004(h)*

- (h) Service of Process on an Insured Depository Institution. Service on an insured depository institution (as defined in section 3 of the Federal Deposit Insurance Act) in a contested matter or adversary proceeding shall be made by certified mail addressed to an officer of the institution unless—
  - (1) the institution has appeared by its attorney, in which case the attorney shall be served by first class mail;
  - (2) the court orders otherwise after service upon the institution by certified mail of notice of an application to permit service on the institution by first class mail sent to an officer of the institution designated by the institution; or
  - (3) the institution has waived in writing its entitlement to service by certified mail by designating an officer to receive service.

The Rules are very detailed as to how service is to be executed upon institutions that are insured by the Federal Deposit Insurance Corporation.

Different methods of service are required depending upon whether the institution is represented by counsel.

Please carefully read Rule 7004(h) to ensure that you are serving documents correctly to FDIC insured institutions.

## U.S. GOVERNMENT

*Fed. R. Bankr. P. 7004(b)(4), (5), & (10)*

- Service upon **any agency of the United States government** must be made by first class mail to:
  - The agency at their address to the attention of an officer or managing agent
  - AND to the Attorney General in Washington, D.C.
  - AND to the United States Attorney, at the attention of the Civil Process Clerk, in the district in which the case is brought.
- Upon the **United States trustee**, when the United States trustee is the trustee in the case and service is made upon the United States trustee solely as trustee, by mailing a copy of the summons and complaint to an office of the United States trustee or another place designated by the United States trustee in the district where the case under the Code is pending.

Service upon any agency of the federal government may be made by first class mail but you must also serve the U.S. Attorney General in Washington, D.C. and the U.S. Attorney in the district in which the case is brought.

Service upon the U.S. Trustee may also be made by first class mail.

Service on federal government agencies or entities is governed by Rules 7004(b)(4), (b)(5), and (b)(10).

## OTHER GOVERNMENT AGENCIES

*Fed. R. Bankr. P. 7004(b)(6) :*

- Upon a state or municipal corporation or other governmental organization thereof subject to suit, by mailing a copy of the summons and complaint to the person or office upon whom process is prescribed to be served by the law of the state in which service is made when an action is brought against such a defendant in the courts of general jurisdiction of that state, or in the absence of the designation of any such person or office by state law, then to the chief executive officer thereof.

Refer to Rule 7004(b)(6) for guidance when serving other government agencies. You are to mail a copy to “the person or office upon whom process is prescribed to be served...”

Unfortunately, sometimes we don’t know who that is and in state government, that could change with every election cycle.

OTHER GOVERNMENT AGENCIES



Search for the Rules of Civil Procedure or general statutes for the state and then search for “process” or “civil process” or search for the agency website to obtain contact information.

In that case, Google it! Search for the Rules of Civil Procedure or general statutes for the state, or search the agency website for contact information to call and ask.



## NON GOVERNMENT AGENCIES

*Fed. R. Bankr. P. 7004(b)(3) :*

- Upon a domestic or foreign corporation or upon a partnership or other unincorporated association, by mailing a copy of the summons and complaint to the attention of an officer, a managing or general agent, or to any other agent authorized by appointment or by law to receive service of process and, if the agent is one authorized by statute to receive service and the statute so requires, by also mailing a copy to the defendant.

Service to a corporation, partnership, or other business is governed by Rule 7004(b)(3).

## PARTIES REPRESENTED BY AN ATTORNEY

- If an attorney has made an appearance on behalf of an individual or an entity, then service on the attorney is considered proper service to that individual or entity.
- If the attorney is a registered user of the local court's CM/ECF system, the Notice of Electronic Filing (NEF) can constitute proper service.

if an attorney has made an appearance on behalf of an individual or an entity, then service on the attorney is considered proper service to that individual or entity.

If the attorney is a registered user of the local court's CM/ECF system, the Notice of Electronic Filing (NEF) can constitute proper service.

But how do you know if an attorney has made an appearance?



## CM/ECF LISTS & THE MATRIX

The CM/ECF lists and matrix can tell you.

## PARTY LISTS

- Query by Case Number or SSN
- Select “Party” option

**Search Clues** Mobile Query

Case Number:

Last / Business Name:

(Examples: Desoto, Des't)

First Name:  Middle Name:

SSN / ITIN:  Tax ID / EIN:

Type:   Open cases  Closed cases

Filed Date:  to

Last Entry Date:  to

Nature of Suit (AP and MP cases only):  
 01 (Determination of removed claim or cause)  
 02 (Other (e.g. other actions that would have been brought in state court if unrelated to bankruptcy))  
 11 (Recovery of money/property - 542 turnover of property)  
 12 (Recovery of money/property - 547 preference)

**16-40001-JCO Jimmy Joe Schmo, III**  
 Case type: bk Chapter: 7 Asset: No Vol: v Judge: Jerry C. Oldshue  
 Date filed: 04/06/2016 Date of last filing: 05/24/2017

[Mobile Query](#)

**Query**

[Alias](#) [Related Transactions](#)

[Associated Cases](#) [Status](#)

[Attorney](#) [Trustee](#)

[Case File Location](#) [View Document](#)

[Case Summary](#) [Filing Fee](#)

[Creditor](#) [Corporate Parents/Affiliates](#)

[Deadline/Schedule](#) [Claims Register](#)

[Docket Report ...](#)

[Filers](#)

[History/Documents](#)

[Notice of Bankruptcy Case Filing](#)

[Electronic & Manual Service Lists](#)

**Party**

**Mailing Label Options**  
*Electronic recipients marked by + after name on matrix*  
[Official Mailing Matrix](#)

**Mailing Label Options**  
*Electronic recipients marked by + after name*  
[List of Creditors](#)

ECF contains “party lists” for each case. These are the parties in the case and anyone who has made an appearance in the case.

You can see this list using the Query option in the blue menu bar at the top of the CM/ECF screen, and entering the case number.

Select Party from list of available options.

You will be prompted to login to PACER but there is no fee incurred for this list.

**PARTY LISTS**

**16-40001-JCO Jimmy Joe Schmo, III**  
**Case type: bk Chapter: 7 Asset: No Vol: v Judge: Jerry C. Oldahue**  
**Date filed: 04/06/2016 Date of last filing: 05/24/2017**

**Parties**

<p><b>Abel B. Adams</b>                      123 Almosta Rd.                      Tallahassee, FL 32301                      123-456-7890                      abadamstee@email.com                      Added: 04/07/2016                      (Trustee)</p>	<p><b>Charlie Brown</b>                      Office of Charles Brown &amp; Snoopy                      9876 Comic Strip Lane                      Tallahassee, FL 32301                      CharlieBrown@deadmail.com                      Assigned: 04/13/16                      LEAD ATTORNEY</p>
<p><b>Jimmy Joe Schmo, III</b>                      PO Box 1235                      Tallahassee, FL 32301                      SSN / ITIN: xxx-xx-5698                      Added: 04/06/2016                      (Debtor)</p>	<p><b>Blondie Bumstead</b>                      123 S. First St                      Tallahassee, FL 32301                      850-867-5309                      Blondie_Bumstead@ECFTest.com                      Assigned: 04/13/16                      LEAD ATTORNEY</p>
<p><b>United States Trustee</b>                      110 E. Park Ave.                      Tallahassee, FL 32301                      fakeemail@trustee.com                      Added: 04/06/2016                      (U.S. Trustee)</p>	<p><b>Hagar T. Horrible</b>                      Hagar the Horrible, P.A.                      4321 Sundry Dr.                      Tallahassee, FL 32301                      800-867-5309                      hagar_t_horrible@yahoo.com                      Assigned: 04/06/16</p>

The party list has the name(s) of the parties on the left side of the screen and each party's counsel, if applicable, on the right side.

## ELECTRONIC AND MANUAL SERVICE LISTS

- Provides the name(s) of *parties* who will receive electronic/email service for the case and those *parties* who will not receive electronic/email service.

### Query

[Alias](#)

[Associated Cases](#)

[Attorney](#)

[Case File Location](#)

[Case Summary](#)

[Creditor](#)

[Deadline/Schedule](#)

[Docket Report ...](#)

[Filers](#)

[History/Documents](#)

[Notice of Bankruptcy Case Filing](#)

[Electronic & Manual Service Lists](#)

[Party](#)

[Related Transactions](#)

[Status](#)

[Trustee](#)

[View Document](#)

[Filing Fee](#)

[Corporate Parents/Affiliates](#)

[Claims Register](#)

### Mailing Label Options

*Electronic recipients marked by + after name on matrix*

[Official Mailing Matrix](#)

### Mailing Label Options

*Electronic recipients marked by + after name*

[List of Creditors](#)

Another useful list in ECF is the Electronic and Manual Service List.

This list provides the names of parties who will receive electronic service for the case and those parties who will not receive electronic service in the case.

Be mindful that CM/ECF has different designations for “parties” and “creditors.” This list will only contain the PARTY information.

## ELECTRONIC AND MANUAL SERVICE LISTS

### Mailing Information for Case

#### Electronic Mail Notice List

The following is the list of **parties** who are currently on the list to receive email notice/service for this case.

- **Abel B. Adams** abadamstee@email.com, abadamsasst@email.com
- **Charlie Brown** CharlieBrown@deadmail.com
- **Blondie Bumstead** Blondie\_Bumstead@ECFTest.com
- **Hagar T. Horrible** hagar\_t\_horrible@yahoo.com
- **United States Trustee** fakeemail@trustee.com

#### Manual Notice List

The following is the list of **parties** who are **not** on the list to receive email notice/service for this case (who therefore require manual noticing/service). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)

#### [Creditor List](#)

Click the link above to produce a complete list of **creditors** only.

This list includes links to the Creditor List (creditors only).

You can also access this list through the Bankruptcy menu under “Mailing Information”

No PACER fees are incurred for the Electronic & Manual Service Lists.

## MAILING MATRIX

**Query**

<a href="#">Alias</a>	<a href="#">Related Transactions</a>
<a href="#">Associated Cases</a>	<a href="#">Status</a>
<a href="#">Attorney</a>	<a href="#">Trustee</a>
<a href="#">Case File Location</a>	<a href="#">View Document</a>
<a href="#">Case Summary</a>	<a href="#">Filing Fee</a>
<a href="#">Creditor</a>	<a href="#">Corporate Parents/Affiliates</a>
<a href="#">Deadline/Schedule</a>	<a href="#">Claims Register</a>
<a href="#">Docket Report ...</a>	
<a href="#">Filers</a>	<b>Mailing Label Options</b>
<a href="#">History/Documents</a>	<i>Electronic recipients marked by + after name on matrix</i>
<a href="#">Notice of Bankruptcy Case Filing</a>	<a href="#">Official Mailing Matrix</a>
<a href="#">Electronic &amp; Manual Service Lists</a>	
<a href="#">Party</a>	<b>Mailing Label Options</b>
	<i>Electronic recipients marked by + after name</i>
	<a href="#">List of Creditors</a>

- Also available through the Bankruptcy menu
- No PACER fees incurred

Also available through the Query screen or the Bankruptcy menu is the “Official Mailing Matrix.”

This is the mailing list for everyone in the case; all parties and creditors.

You should pull a new matrix anytime you need to service something to ensure that you have a complete list of those to be served as well as the most recent address as provided to the court.



## READING THE MAILING MATRIX

<p><b>(c)</b> Address corrected by the USPS Locatable Address Conversion System</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>(c)MORRISON &amp; FOERSTER LLP 101 YGNACIO VALLEY RD STE 400 WALNUT CREEK CA 94596-7032</p> </div>	<p><b>(p)</b> Preferred address registered with the National Creditor Registration Service (NCRS)</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>(p)DELL FINANCIAL SERVICES P O BOX 81577 AUSTIN TX 78708-1577</p> </div>
<p><b>(d)</b> Duplicate entry</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>(d)eCAST Settlement Corporation POB 35480 Newark NJ 07193-5480</p> </div>	<p><b>(u)</b> Undeliverable as addressed</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>(u)RADIOMETER MEDICAL A/S ATTN: KIRSTEN RONO, PATENT DEPT. ARANDEVEJ 21 DK-2700 BRONGSHO,</p> </div>

The mailing matrix is generated by Bankruptcy Noticing Center and will contain some notations of which you should be familiar:

A “c” in parenthesis before the name indicates that the address has been corrected by the U.S. Postal Service’s Locatable Address Conversion System. This may be corrections such as adding a four-digit zip code extension.

A “d” indicates an exact duplicate. You are not required to serve the document to multiple identical addresses. Note that if there is even a slight difference in addresses, the entity will not be marked as a duplicate and must be served at each unique address.

The “p” indicates that a “preferred address” was provided to the National Creditor Registration Service, or NCRS, pursuant to 11 U.S.C. § 342(f) and Rule 2002(g), and was substituted in place of the address provided by the debtor.

Unfortunately, you cannot access that database to find the preferred address to include in a petition, but it will be noted on the matrix once the case is filed.

And a “u” indicates that the address is incomplete and mail to the address as given is undeliverable.

## READING THE MAILING MATRIX

Recipient is a registered user of the CM/ECF system for the U.S. Bankruptcy Court for the Northern District of Florida and will receive a Notice of Electronic Filing (“NEF”).

Hagar T. Horrible +  
Hagar the Horrible, P.A.  
4321 Sunday Dr.  
Tallahassee, FL 32301

Recipient has filed a Notice of Appearance in the case or is designated as one of the “20 Largest Unsecured Creditors” in a chapter 11 case.

\*Jemimah Schmo  
123 Main St.  
Crawfordville, FL 32327

Some local modifications we have made in the Northern District of Florida are the plus sign and asterisk on the matrix.

The plus sign indicates that this person is registered user of our CM/ECF system and will receive Notice of Electronic Filing of all items docketed in the case.

The asterisk indicates that the person has made an appearance in a case by the filing of a Notice of Appearance and/or that the entity was listed on the 20 Largest Unsecured Creditors list in a chapter case.

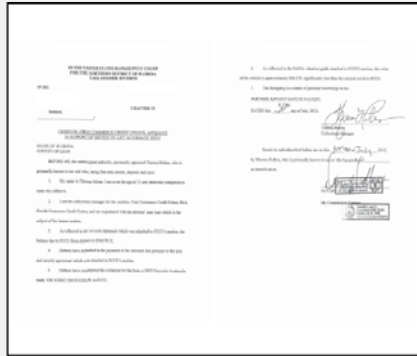


SERVING A “TRUE” COPY

When serving a document, you must serve a “true” copy of that document.

### true copy: an exact copy of a written instrument

Documents may be duplexed (one full page on each side of a sheet of paper) but otherwise must be a “true” copy. “Multiplexing” is not permitted.



A “true copy” is an exact copy.

Our judges will allow you to duplex a document, with one full page on the front and one full page on the back of a sheet of paper, when serving documents but multiplexing is not permitted.

Multiplexing is having the image of two or more pages per side of sheet of paper, as in the examples shown here.

