

Abstention

Overview

A motion to abstain is filed by a party in interest asking the court to refrain from exercising jurisdiction over a matter.

Sources

≠ [11 U.S.C.: 305](#)

≠ [FRBP 9014](#)

≠ [FRBP 5011\(b\)](#)

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Abstention** from the available events list

a) **Next**

3) Joint Filing With Attorney

a) If motion is not being filed with another attorney. Click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#).

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate.
 - a) Next
- 9) Review the final docket text
 - a) Next
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Access to Tax Documents

Overview

At the request of the court, the Bankruptcy Administrator, or any party in interest, an individual debtor in a case under Chapter 7, 11, or 13 shall file a copy of their tax return for any year ending while the case is pending, or for any year during the 3-year period ending prior to the commencement of the case that had not been filed as of the commencement of the case.

The debtor is required to file tax return information with the Court only if such a request is made under Section 521(f). See Request for Debtors Tax Documents/Returns for instructions on requesting the filing of such information. The requesting party must file a Motion for Access to Tax Documents after the debtor has complied with the original request to file such documents. See Tax Documents/Returns for instructions on filing tax returns.

* Pursuant to section 521(e)(2) the debtor is required to *provide* (not file) the trustee a copy of the debtor's federal tax return "for the most recent tax year" prior to the commencement of the case and for which a return was filed. The debtor is obligated to do so not later than 7 days before the meeting of creditors. The debtor is also obligated to provide a copy of this tax return to any creditor that timely request such a copy. Copies of tax returns provided under Section 521(e)(2) SHOULD NOT be filed with the Court, but provided directly to the trustee (via email) and to any requesting creditor. For a list of trustee email addresses, go to <http://www.almb.uscourts.gov/trustee/index.html>.

Filing Requirements

- ≠ Motion for Access to Tax Documents
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. 521\(f\)](#)
- ≠ [Flowchart](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**
- 2) Select **Access to Tax Documents** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Use this event only if you have first requested tax returns pursuant to Section 521(f) and such returns have been filed. To request tax returns provided to the trustee pursuant to Section 521(e)(2)(a), use ECF event Bankruptcy>Miscellaneous>Request for Tax Returns.
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Add Creditor(s)-Creditor Use Only

Overview

On motion of a party in interest, after notice and a hearing, the court may order any voluntary petition, list, schedule, or statement to be amended, and the clerk shall give notice of the amendment to entities designated by the court.

Filing Requirements

- ≠ Motion to Add Creditor(s)
- ≠ No filing fee required

Sources

- ≠ [Rule 1009\(a\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Add Creditor(s)-NOT Debtor request-If Debtor request use Misc. event Amended Creditor Matrix** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Adequate Protection

Overview

A Motion for Adequate Protection is generally filed by a secured creditor who is concerned about the collateral and is seeking either monetary relief (in the form of a cash payment for the debtor's continued use of the collateral) or some other relief (such as proof of car insurance). Adequate protection is usually requested in conjunction with a request for the lift of an automatic stay, use sale, or lease of property or request for obtaining credit.

* A motion to approve an *agreement* to provide adequate protection should be filed under the negative noticing requirements of LBR 9007-1. See [Rule 9007-1 Motion](#).

Filing Requirements

- ≠ Motion for Adequate Protection
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. 361](#)
- ≠ [11 U.S.C. 362](#)
- ≠ [11 U.S.C. 363](#)
- ≠ [11 U.S.C. 364](#)
- ≠ [FRBP 4001](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Adequate Protection** from the events list

- a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Administrative Expenses

Overview

The Bankruptcy Code allows for an entity to file a request for payment of an administrative expense. The Code gives lists several types of administrative expenses, including, but not limited to, the actual and necessary costs and expenses of preserving an estate, reasonable compensation for professional services, etc.

Filing Requirements

- ≠ Application for Payment of Administrative Expenses
- ≠ 21-day notice to parties in interest of a hearing on a request that exceeds \$1000

Sources

- ≠ [11 U.S.C. 503](#)
- ≠ [FRBP 2002\(a\)\(6\)](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Administrative Expenses** from the event list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is **not** being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Allow

Filing Requirements

≠ Motion to Allow

≠ No filing fee required

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Allow** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

8) Refer to existing events(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

9) On the following screen, be sure to specify what is being requested to be allowed

10) Review the docket text and modify as appropriate

a) **Next**

11) Review the final docket text

a) Click **Next** to complete the filing

12) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Allow Claims

Overview

A Motion to Allow Claims is usually filed when a claim is filed after the established bar date for filing a proof of claim has passed.

Filing Requirements

≠ Motion to Allow Claims

≠ No filing fee required

Sources

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Allow Claims** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
- b) **Next**
- 7) Select claim(s) from list
 - a) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Alter, Amend, or Vacate Order

Overview

Motion to Alter, Amend, or Vacate Order is filed to request a judge to set aside, amend, or nullify an order that the party in interest finds was improper.

Filing Requirements

- ≠ Motion to Alter, Amend, or Vacate Order
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. § 105](#)
- ≠ [FRBP 9020](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Alter, Amend, or Vacate Order (not for amended plans)** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) If you are amending a post confirmation plan, file using Bankruptcy-Motions/Applications- Rule 9007-1 Motion. If you are amending a pre-confirmation plan, file using Bankruptcy-Plan- Amended Chapter 13 Plan
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Are you asking to Vacate, Reconsider, or Set Aside a Dismissal of a Case?
 - a) Select **Yes** or **No** from the drop down box
 - b) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Amended Proof of Claim

Filing Requirements

- ≠ Motion to File Amended Proof of Claim
- ≠ No filing fee required

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Amended Proof of Claim** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Appoint Examiner

Overview

In a Chapter 11 case, if the court has not ordered the appointment of a trustee, at any time before the confirmation of a plan a party in interest or the Bankruptcy Administrator may request the court to order the appointment of an examiner to conduct an appropriate investigation, including any allegations of fraud, dishonesty, incompetence, misconduct, mismanagement, or irregularity in the management of the affairs of the debtor by current or former management if:

1. such appointment is in the interests of creditors, any equity security holders, and other interests of the estate; or
2. the debtor's fixed, liquidated, unsecured debts, other than debts for goods, services, or taxes, or owing to an insider, exceed \$5,000,000.

Filing Requirements

≠ Motion to Appoint Examiner

≠ No filing fee required

Sources

≠ [11 U.S.C. § 1104\(c\)](#)

≠ [FRBP 2007.1](#)

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Appoint Examiner** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing box and click **Next**

- ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Appoint Trustee

Overview

In a Chapter 11 case, at any time after the commencement of a case but before confirmation of a plan, a party in interest or the Bankruptcy Administrator, and after notice and hearing, the court may appoint a trustee,

1. for cause, including fraud, dishonesty, incompetence, or gross mismanagement of the affairs of the debtor by current management, either before or after the commencement of the case, or similar cause, but not including the number of holders of securities of the debtor or the amount of assets or liabilities of the debtor; or
2. if such appointment is in the interests of creditors, any equity security holders, and other interests of the estate, without regard to the number of holders of securities of the debtor or the amount of assets or liabilities of the debtor.

Filing Requirements

≠ Motion to Appoint Trustee

≠ No filing fee required

Sources

≠ [11 U.S.C. 1104](#)

≠ [FRBP 2007.1](#)

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Appoint Trustee** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing box and click **Next**

- ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Assume/Reject Executory Contract or Unexpired Lease

Overview

Governing Rules - 11 U.S.C. § 365(a) requires court approval for the assumption or rejection of an executory contract or unexpired lease by the trustee or debtor in possession. Pursuant to FRBP 6006(a), a proceeding to assume, reject, or assign an executor contract or unexpired lease, other than as part of a plan, is governed by FRBP 9014.

Exceptions to the Federal Rules of Bankruptcy Procedure - In addition to the assumption or rejection of contracts in a plan pursuant to 11 U.S.C. §§ 1123(b)(2) or 1322(b)(7), which are expressly excluded from the application of FRBP 6006, the rule also does not apply to the automatic rejection of contracts which are not assumed within 60 days after the order for relief in chapter 7 liquidation cases. Advisory Committee Note to FRBP 6006.

If a request for a hearing is not made, a hearing is not required.

Noticing Requirements

- ≠ the other party to the contract or lease
- ≠ other parties in interest, such as a creditors' committee, as the court may direct
- ≠ Bankruptcy Administrator.

Filing Requirements

- ≠ Motion for Adequate Protection
- ≠ No filing fee

File only in Ch. 11 cases. Any other chapter docket using Rule 9007-1 Motion

Sources

- ≠ [**11 U.S.C. 365**](#)
- ≠ [**FRBP 6006**](#)
- ≠ [**LBR 9007-1**](#)

Procedure

A motion to Assume/Reject an Executory Contract or Unexpired Lease should be filed under the negative noticing provisions of LBR 9007-1 (see [Rule 9007-1 Motion](#)).

If the filer desires the motion to be set for hearing, the following ECF procedure should be used:

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Assume/Reject** from the event list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing **Party**. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) If this motion is being filed pursuant to Section 365, please use event Bankruptcy-Motions/Applications-Rule 9007-1.

a) **Next**

7) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

8) Select **Assume or Reject** from the drop down box

a) **Next**

9) Review the docket text and modify as appropriate

a) **Next**

10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Motion to Use Cash Collateral

Overview

Cash collateral is cash, negotiable instruments, documents of title, securities, deposit accounts, or other cash equivalents in which the estate and an entity other than the estate have an interest.

Filing Requirements

- ≠ Motion for Adequate Protection
- ≠ No filing fee

Sources

- ≠ [11 U.S.C. 363](#)
- ≠ [FRBP 4001](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Cash Collateral** from the event list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
 - b) **Next**

- 6) Click **Browse** to find and select the PDF document being filed
- 7) Is this an AMENDED Motion?
 - a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
 - ii) Click the checkbox next to the motion being amended
 - iii) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing.
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Certification to Court of Appeals

Filing Requirements

- ≠ Motion for Certification to Court of Appeals
- ≠ No filing fee required

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Certification to Court of Appeals** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Clarify Order

Overview

The purpose of a Motion to Clarify Order is to ask the Court to explain the provisions of a prior order. This motion is not to be used if a party contests or wishes to change the outcome with respect to an issue in the order.

Filing Requirements

- ≠ Motion to Clarify Order
- ≠ No filing fee required

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Clarify Order** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction

for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Click on the checkbox for the appropriate event(s) to which your event relates

a) **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Close Individual Chapter 11/Substantial Consummation

Overview

In a chapter 11 individual case, after the effective date of a confirmed chapter 11 plan, the Court may, upon motion by the debtor and opportunity for hearing, close the chapter 11 case; provided however that the debtor's case shall not be closed if any related adversary proceeding remains pending. Upon satisfaction of the requirements of § 1141(d)(5), the debtor may move to reopen the chapter 11 case and request a discharge. The debtor shall not be obligated to pay quarterly fees or file financial reports while the debtor's case is closed.

Filing Requirements

- ≠ Motion to Administratively Close Individual Chapter 11
- ≠ No filing fee required

Sources

- ≠ [L.B.R. 4004-1\(g\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Close Individual Ch. 11 Case/Substantial Consummation** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click Yes and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Use this event only if the debtor is an individual, plan payments have not been completed and the case should be administratively closed rather than a Final Decree be entered.
 - a) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Motion to Compel

Overview

A motion to compel requests the court to order an opposing party or third party to take some action. The motion to compel is often used to ask the court to order a non-complying party to produce documentation or information requested, and/or to sanction the non-complying party for their failure to comply with discovery requests.

Filing Requirements

≠ Motion to Compel

≠ No filing fee required

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Compel** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction

for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Review the docket text and modify as appropriate

a) **Next**

8) Review the final docket text

a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Confirm Termination or Absence of Stay

Overview

A motion to confirm termination or absence of stay may be filed to verify the debtor does not have the protection of an automatic stay pursuant to 11 U.S.C. 362(c)(3) and (4).

Filing Requirements

- ≠ Motion to Confirm Termination or Absence of Stay
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. 362\(c\)\(3\) & \(4\)](#)
- ≠ [11 U.S.C. 362\(j\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Confirm Termination or Absence of Stay** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Review the docket text and modify as appropriate

a) **Next**

8) Review the final docket text

a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Consolidate

Overview

Pursuant to Fed. R. Bankr. P. 1015(a) it states that substantive consolidation may be ordered when the affairs of the debtors who are not spouses, such as a corporation or a corporation and an affiliate or subsidiary, are so intermingled that separate administration of the estates is almost impossible, or, at least, very difficult and expensive.

Filing Requirements

≠ Motion to Consolidate

≠ No filing fee required

Sources

≠ [FRBP 1015\(a\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Consolidate** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Enter Lead Case and Enter Member Case(s)

a) **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Contempt

Overview

A Motion for Contempt is filed when the movant requests the court to determine if contempt was committed in a case or proceeding pending before a bankruptcy Judge.

Filing Requirements

- ≠ Motion for Contempt
- ≠ No filing fee required

Sources

- ≠ [Fed. R. Bankr. P. 9014](#)
- ≠ [Fed. R. Bankr. P. 9020](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Contempt** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click Browse to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Review the docket text and modify as appropriate

a) **Next**

8) Review the final docket text

a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Continuation of Utility Service

Overview

In a Chapter 11 case, a utility may alter, refuse, or discontinue utility service, if during the 30 day period beginning on the date of the filing of the petition the utility does not receive from the debtor or the trustee adequate assurance of payment for utility service that is satisfactory to the utility. On request of a party in interest and after notice and a hearing the court may order modification of the amount of an assurance of payment.

Filing Requirements

- ≠ Motion for Continuation of Utility Service
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. 366\(c\)\(2-3\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Continuation of Utility Service** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click Browse to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click Yes and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Review the docket text and modify as appropriate

a) **Next**

8) Review the final docket text

a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Continue/Reschedule Hearing

Overview

A party docket the Motion to continue event to request a continuance on a hearing date already set in the case.

Filing Requirements

- ≠ Motion to Continue/Reschedules Hearing
- ≠ No filing fee required

Sources

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Continue/Reschedule Hearing** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Do not use this event to request the rescheduling of a Section 341 Meeting of Creditors. Call the trustee directly to reschedule a meeting of creditors.

7) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

8) Refer to existing event(s)

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

b) If No, click **Next**

9) Review the docket text and modify as appropriate

a) **Next**

10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Convert Ch 11 to Ch 7

Overview

11 U.S.C. 1112(a) gives debtor one absolute right to convert Ch. 11 to Ch. 7 unless:

- 1) Debtor is not debtor in possession
- 2) The case is an involuntary case commenced under Ch. 11
- 3) The case was converted to Ch. 11 other than on debtor's request

Court must determine whether conversion to Ch 7 is in the best interests of creditors and the estate. Cause may include, but is not limited to, circumstances listed in 11 U.S.C. 1112(b)(1)-(4). Court prohibited from converting Ch 11 case of farmer or a corporation that is not moneyed, business, or a commercial corporation to Ch 7 unless debtor requests such conversion

Filing Requirements

≠# Motion to Convert Ch 11 to Ch 7

≠ \$15.00 Fee

Sources

≠ [11 U.S.C. 1112](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Convert Ch 11 to Ch 7** from the events list
 - a) **Next**

- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 6) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 7) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 8) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 9) Is this an AMENDED Motion?
 - a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - ii) The payment entered will be charged to your credit card
 - iii) **Next**
 - iv) **Next**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
 - ii) Click the checkbox next to the motion being amended
 - iii) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Convert Ch 12 to Ch 13

Overview

11 U.S.C. 1112(d) states the court may convert a case under Chapter 12 to Chapter 13 only if:

- 1) The debtor requests such conversion
- 2) The debtor has not been discharged under section 1141(d) of this title

Filing Requirements

≠# Motion to Convert Ch 12 to Ch 13

≠ No filing fee required

Sources

≠ [11 U.S.C. 1112\(d\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Convert Ch 12 to Ch 13** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If **Yes**, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If **No**, click **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Convert Ch 12 to Ch 7 (Creditor/Trustee Use Only)

Overview

The debtor may convert a case under this chapter to a case under chapter 7 of this title at any time. Any waiver of the right to convert under this subsection is unenforceable.

"Within 14 days after the entry of an order converting a case to chapter 7, the debtor shall file a schedule of those assets remaining in the possession of the debtor as of the date of conversion, and a list of abandoned property and property against which the automatic stay of lien enforcement terminated during the case, and a schedule of assets and unpaid post-petition obligations or expenses, if any. The schedule must be signed by the debtor under penalty of perjury certifying that the schedule and any attachments have been read and that they are true and correct to the best of the debtor's knowledge, information and belief. With respect to said post-petition obligations or expenses, the debtor shall prepare and file a supplemental mailing matrix."

"Where a case is converted from chapter 11, chapter 12 or 13 to chapter 7, the "meeting of creditors" for the purpose of Bankruptcy Rule 3002(c) shall mean the meeting of creditors held in the chapter 7 case."

Filing Requirements

≠# Motion to Convert Ch 12 to Ch 7

≠ \$60 Fee

Sources

≠ [U.S.C. 11 § 1208\(a\)](#)

Procedure

1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

- 2) Select **Convert Ch 12 to Ch 7 (Creditor/Trustee Use Only)** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Is this an AMENDED Motion?
 - a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
- 8) The payment entered will be charged to your credit card
 - a) **Next**
 - b) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing

- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Convert Ch 13 to Ch 11

Overview

This event is used when a motion to convert is filed requesting that the case be converted from a chapter 13 to a chapter 11.

Filing Requirements

≠#Motion to Convert Ch 13 to Ch 11

≠ \$765 Fee (Fee is due after the court grants debtor's motion)

Sources

≠ [11 U.S.C. § 1307](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Convert Ch 13 to Ch 11** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Refer to existing events(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

7) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

8) Review the final docket text

a) **Next**

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Convert Ch 13 to Ch 7 (Creditor/Trustee Use Only)

Overview

The Trustee/Creditor files a Motion to Convert Case to Chapter 7 to request permission from the court to convert a case to Chapter 7.

Filing Requirements

≠ Motion to Convert Ch 13 to Ch 7

≠ \$25 Fee

Sources

≠ [11 U.S.C. § 1112\(e\)](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Convert Ch 13 to Ch 7 (Creditor/Trustee Use Only)** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Is this an AMENDED Motion?
 - a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - b) Select **Yes** if the filing is an amended motion (no fee required if amending)
 - i) **Next**
 - ii) Click the checkbox next to the motion being amended
 - iii) **Next**
- 8) The payment entered will be charged to your credit card
 - a) **Next**
 - b) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Convert Ch to 13

Overview

This event is used when a motion to convert is filed requesting that the case be converted from a chapter 11 or chapter 12 to a chapter 13

Filing Requirements

- ≠ Motion to Convert Case to Chapter 13
- ≠ Conversion of Chapter 12 to 13: \$35 Fee (Fee is due after the court grants debtor's motion)
- ≠ Conversion of Chapter 11 to 13: No filing fee required

Sources

- ≠ [11 U.S.C. § 1307](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Convert Ch to 13** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the final docket text
 - a) **Next**
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Damages for Creditor Misconduct

Overview

A motion for damages for creditor misconduct is filed when the movant requests the court to determine if imposition of penalties for damage to the movant (for example, a motion by the debtor for damages against a creditor who violated the automatic stay) was committed in a case or proceeding pending before a bankruptcy Judge.

Filing Requirements

≠ Motion for Damages for Creditor Misconduct

≠ No filing fee required

Sources

≠ [Fed. R. Bankr. P. 9011 \(b\)](#)

Procedure

- 1) Click **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Damages for Creditor Misconduct** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to retrieve your PDF document

- a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) Next
 - 9) Review the final docket text
 - a) Click Next to complete the filing
 - 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Deconsolidate Case Association

Filing Requirements

- ≠ Motion to Deconsolidate Case Association
- ≠ No filing fee required

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Deconsolidate Case Association** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Defer Discharge (More than 30 days)

Overview

On motion of the debtor, the court may defer the entry of an order granting a discharge for more than 30 days and, on motion within that period, the court may defer entry of the order to a date certain.

* Use this event only if you are filing a motion to defer discharge for more than 30 days. Use [Rule 9007-1](#) event with negative notice if requesting a deferral of discharge for 30 days or less. If requesting an extension of the objection to discharge deadline use Motion to Extend Time event.

Filing Requirements

- ≠ Motion to Defer Discharge
- ≠ No filing fee required

Sources

- ≠ [Rule 4004\(c\)\(2\)](#)
- ≠ [LBR 9007-1](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Defer Discharge (More than 30 Days)** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney

- i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Use this event only if you are filing a motion to defer discharge for more than 30 days. Use Rule 9007-1 event with negative notice if requesting a deferral of discharge for 30 days or less. If requesting an extension of the objection to discharge deadline use Motion to Extend Time event.
 - a) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Defer Fee

This event may only be used by a case trustee or the Bankruptcy Administrator

To request an extension of time to make filing fee installment payments, use [Bankruptcy>Motions>Extend Time to Make Installment Payments](#)

Filing Requirements

- ≠ Application to Defer Fee Payment
- ≠ No filing fee required

Procedure

- 1) **Bankruptcy>Trustee/Bankruptcy Administrators**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Defer Fee** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Deposit Funds Into Court Registry

Overview

Any party who seeks to deposit funds into the Registry of the Court pursuant to 28 U.S.C. § 2041 or FRCP 67 or other rule must first file a motion in the form required by LBR 7067.1(a). The motion must be accompanied by a proposed order specifying the amount of funds to be deposited. The motion must be served on all interested parties to the proceeding.

Filing Requirements

- ≠ Motion to Deposit Funds Into Court Registry
- ≠ No filing fee required

Sources

- ≠ [28 U.S.C. § 2041](#)
- ≠ [Rule 67\(a\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Deposit Funds Into Court Registry** from the events list
 - a) **Next**
- 3) Joint filing with Attorney(s)
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachment to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Determine Final Cure and Mortgage Payment Rule 3002.1

Overview

Applies in a Chapter 13 case to claims that are 1) secured by a security interest in the debtor's principal residence, and 2) provided for under 1322(b)(5) of the Code in the debtor's plan. On motion of the debtor or trustee filed within 21 days after service of the statement under subdivision (g) of this rule, the court shall after notice and hearing, determine whether the debtor has cured the default and paid all required postpetition amounts.

Filing Requirements

- ≠ Motion to Determine Final Cure and Mortgage Payment Rule 3002.1
- ≠ No filing fee required

Sources

[F.B.R.P. 3002.1](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Determine Final Cure and Mortgage Payment Rule 3002.1** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Select the appropriate event(s) to which your event relates
 - a) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing.

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Determine Mortgage Fees and Expenses

Overview

Applies in a Chapter 13 case to claims that are 1) secured by a security interest in the debtor's principal residence, and 2) provided for under 1322(b)(5) of the Code in the debtor's plan. On motion of the debtor or trustee filed within 21 days after service of the statement under subdivision (g) of this rule, the court shall after notice and hearing, determine whether the debtor has cured the default and paid all required postpetition amounts.

Filing Requirements

- ≠ Motion to Determine Mortgage Fees and Expenses
- ≠ No filing fee required

Sources

[F.B.R.P. 3002.1](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Determine Mortgage Fees and Expenses** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Select the appropriate event(s) to which your event relates
 - a) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing.

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Determine Secured Value

Filing Requirements

- ≠ Motion to Determine Secured Value
- ≠ No filing fee required

Procedure

1) **Bankruptcy>Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Determine Secured Value** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and Click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**

6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
- b) **Next**

7) Review the docket text and modify as appropriate

a) **Next**

8) Review the final docket text

a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Determine Tax Liability

Overview

A trustee may request a determination of any unpaid liability of the estate for any tax incurred during the administration of the case.

Filing Requirements

- ≠ Motion to Determine Tax Liability
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. § 505\(b\)\(2\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Determine Tax Liability** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Documents \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Directing Payment of Funds

Overview

A claimant entitled to payment of the funds may petition the court for payment, with notice to the United States Attorney and, after providing full proof of the right thereto, may obtain an order from the court directing payment to the claimant.

Filing Requirements

- ≠ Application/Motion for Order Directing Payment of Funds
- ≠ No filing fee required

Sources

- ≠ [28 U.S.C. § 2042](#)
- ≠ [28 U.S.C. § 2041](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Directing Payment Of Funds** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachment to Documents \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which the event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Disallow Claims

Overview

A Motion to disallow claims is filed when a claim can be recovered by other means: turnover of property to the estate, turnover of property by the custodian, liability of transferee of avoided transfer or a setoff between the debtor and the creditor.

Filing Requirements

≠ Motion to Disallow Claims on Claim Number

≠ No filing fee required

Sources

≠ [11 U.S.C. § 502\(d\)](#)

Procedure

1) **Bankruptcy**> **Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Disallow Claims** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the part and attorney by clicking the checkbox next to the party name

a) **Next**

- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachment to Documents \(N/Y\)](#)
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Select creditor name/number from list
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Dismiss Case

Overview

If a debtor is not complying with bankruptcy requirements, a party in interest may file a motion to dismiss case.

Filing Requirements

≠ Motion to Dismiss Case

≠ No filing fee required

Sources

≠ [Fed. R. Bankr. P. 1014](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Dismiss CASE** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing Check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the check box next to the party name

- a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Select the type of Dismissal
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Dismiss Party

Filing Requirements

- ≠ Motion to Dismiss Party
- ≠ No filing fee required

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Dismiss Party** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Employ Professional Person

Overview

Fed. R. Bank. P. 2014 provides the procedure for a debtor in possession, trustee, or committee to obtain an order approving the employment of attorneys and other professionals. Fed. R. Bank. P. 2014 subdivision (a) states an order approving the employment of attorneys, accountants, appraisers, auctioneers, agents, or other professionals pursuant to 11 U.S.C. Sections 327, 1103 or 1114 of the Code shall be made only on application of the trustee or committee.

Motion to employ may be considered by the Court without an actual hearing under the negative notice procedure. If no party in interest files a written objection stating specific grounds on which the objection is based, then the motion may be taken under advisement by the Court and may be granted without further notice or hearing.

- (a) Motions filed under this rule shall contain a negative notice legend in substantially the following form prominently displayed on the face of the first page of the motion:

PURSUANT TO LBR 9007-1, THIS MOTION WILL BE TAKEN UNDER ADVISEMENT BY THE COURT AND MAY BE GRANTED UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN 21 DAYS OF THE DATE OF SERVICE. RESPONSES MUST BE FILED WITH THE CLERK AND SERVED UPON THE MOVING PARTY. RESPONSES MUST BE FILED ELECTRONICALLY WITH THE CLERK OR BY U.S. MAIL ADDRESSED TO THE CLERK, U.S. BANKRUPTCY COURT, ONE CHURCH STREET, MONTGOMERY ALABAMA 36104.

Filing Requirements

- ≠ Application to Employ Professional Person(s)
- ≠ No filing fee required

Sources

- ≠ [Fed. R. Bank. P. 2014](#)
- ≠ [11 U.S.C. Sections 327](#)
- ≠ [11 U.S.C. Sections 1103](#)
- ≠ [11 U.S.C. Sections 1114](#)
- ≠ [Local Rule 9007-1\(14\)](#)

Procedure

1) Bankruptcy>Motions/Applications

- a) Enter **Case Number**
- b) **Next**

2) Select **Employ Professional Person from the events list**

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the check box next to the party name

- a) **Next**
- b) Note use this event only if you are filing an Application to Employ pursuant to 11 USC 327 and you want the matter set for hearing. Otherwise use the Rule 9007-1 Motion as required by LBR 9007-1(14).

6) Click **Browse to retrieve your PDF document**

- a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
- b) **Next**
- c) Enter name of person to be employed
- d) Enter type of position
- e) **Next**

7) Refer to existing event(s)?

- a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Enforce

Overview

A party files a motion to enforce in a bankruptcy case requesting the court to impose a course of action previously ruled upon or previously agreed to by stipulation on which one or more parties failed to abide.

The court may issue any order, process, or judgment that is necessary or appropriate to carry out the provisions of 11 U.S.C. 105. No provision of this title providing for the raising of an issue by a party in interest shall be construed to preclude the court from, sua sponte, taking any action or making any determination necessary or appropriate to enforce or implement court orders or rules, or to prevent an abuse of process.

Filing Requirements

- ≠ Motion to Enforce
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. 105](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Enforce** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Excuse

Filing Requirements

≠ Motion to Excuse

≠ No filing fee required

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Excuse** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Enter What Is Being Excused

a) **Next**

9) Review the docket text and modify as appropriate

a) **Next**

10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Exemption from Credit Counseling

Overview

To qualify for a permanent exemption from the credit counseling requirement due to mental incapacitation, physical disability, or active military duty in a combat zone, the debtor will need to submit a request for exemption from credit counseling. If the exemption is based on “incapacity” or “disability” defined by [11 U.S.C. 109\(h\)\(4\)](#), medical records and/or appropriate records for court review must be filed with the request or within 7 days of the request. A hearing will be set according to judicial preferences.

Filing Requirements

- ≠ Motion for Exemption from Credit Counseling
- ≠ No filling fee required

Sources

- ≠ [11 U.S.C. § 109\(h\)\(4\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Exemption From Credit Counseling** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the check box next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
 - c) Exemption Due to:
 - d) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Exemption Due To:
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Exemption from Financial Management Course

Overview

Under § 109(h)(4), the debtor may request an exemption from the required Financial Management Course. The debtor is unable to complete the financial management requirement as a result of incapacity or disability or if the debtor is on active military duty in an active combat zone.

Filing Requirements

≠ Motion for Exemption from Financial Management Course

≠ No filing fee required

Sources

≠ [11 U.S.C. §109\(h\)\(4\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
- 2) Enter **Case Number**
 - a) **Next**
- 3) Select **Exemption From Financial Management Course** from the events list
 - a) **Next**
- 4) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - c) Click the joint filing check box and click **Next**
 - d) Select the additional attorney and click **Next**
- 5) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 6) If applicable, link the party and attorney by clicking the check box next to the party name
 - a) **Next**
- 7) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) Refer to existing event(s)?
- a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 9) Exemption Due To:
- a) **Next**
- 10) Review the docket text and modify as appropriate
- a) **Next**
- 11) Review the final docket text
- a) Click **Next** to complete the filing
- 12) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Exemption from Means Test

Overview

To qualify for a permanent exemption from the means test requirement due to debtor being a disabled veteran or on active duty, the debtor will need to submit a request for exemption from means test.

Filing Requirements

- ≠ Motion for Exemption from Means Test
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. § 707\(b\)\(D\)](#)
- ≠ [11 U.S.C. § 521\(a\)\(1\)\(v\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Exemption From Means Test** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the check box next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Expedite Hearing

Overview

A motion for expedited hearing is filed whenever the movants, in order to avoid irreparable harm, need the requested relief in less time than is normally required by the Court to receive and consider a response.

Filing Requirements

- ≠ Motion to Expedite Hearing
- ≠ No filing fee required

Sources

- ≠ [29 C.F.R. § 2700.52](#)
- ≠ [29 C.F.R. § 2700.10](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) **Enter Case Number**
 - b) **Next**
- 2) Select **Expedite Hearing** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the check box next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If **Yes**, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

vi) Please contact chambers or the appropriate Courtroom Deputy after filing a motion for expedited hearing.

vii) **Next**

b) If **No** click **Next**

8) Please Contact Chambers or the appropriate Courtroom Deputy after filing a motion for expedited hearing

a) **Next**

9) Review the docket text and modify as appropriate

a) **Next**

10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Expunge

Overview

A motion to expunge is filed in a case when a party wants to destroy or strike documents in that case. It can also be filed when a case has been filed in error, a debtor may request the case be expunged or voided.

A motion to expunge a case may be filed when a creditor files an involuntary case on a debtor. After reviewing the case the Judge may decide that a motion to expunge the case is filed and an order entered.

Filing Requirements

- ≠ Motion to Expunge
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. § 303](#)
- ≠ [Fed R. Bankr. P. 7052](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Expunge** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Select the Document(s) Which Will be Expunged on the Next Screen
 - a) **Next**
- 8) Refer to existing events(s)?
 - a) If **Yes**, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If **No**, click **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Extend Automatic Stay (NOT RELIEF FROM STAY)

Overview

A party in interest may file a motion to extend the automatic stay in Ch. 7, 11 and 13 cases in which that debtor has had a prior bankruptcy case dismissed within the last 12 months and for which the stay will expire in 30 days*.

* If a single or joint case is filed by or against a debtor who is an individual in a case under chapter 7, 11, or 13, and if a single or joint case of the debtor was pending within the preceding 1-year period but was dismissed, other than a case refiled under a chapter other than chapter 7 after dismissal under section 707 (b), the stay with respect to any action taken with respect to a debt or property securing such debt or with respect to any lease shall terminate with respect to the debtor on the 30th day after the filing of the later case.

Filing Requirements

~~###~~ Motion to Extend Automatic Stay (NOT RELIEF FROM STAY)

≠ No filing fee required

Sources

≠ [11 U.S.C. § 362\(c\)\(3\)](#)

Procedure

1) Bankruptcy>Motions/Applications

a) Enter **Case Number**

b) **Next**

2) Select **Motion to Extend Automatic Stay (NOT RELIEF FROM STAY) from the events list**

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing Check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the check box next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click Yes and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Extend or Limit Exclusivity Period for Filing a Chapter 11 Plan and Disclosure Statement

Overview

A debtor seeking an extension of the exclusive period for filing a plan of reorganization shall file a report, within 120 days of the entry of the order for relief, stating the reasons that a plan has not been filed and containing a detailed timetable of the steps to be taken preliminary to the filing of a plan. Copies of the report shall be served on the United States trustee, the committee of creditors, and all secured creditors.

Filing Requirements

- ≠ Motion to Exclusivity Period for Filing a Chapter 11 Plan and Disclosure Statement
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. § 1121](#)

Procedure

1) Bankruptcy>Motions/Applications

- a) Enter **Case Number**
- b) **Next**

2) Select **Extend or Limit Exclusivity Period for Filing a Chapter 11 Plan and Disclosure Statement from the events list**

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney

- i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Extend or Limit? (type word in white box)
- 9) Is this an AMENDED Motion?
 - a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - ii) Response due date – 21 days: (date will automatically populate)
 - iii) **Next**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**

ii) Click the checkbox next to the motion being amended

iii) **Next**

9) Review the final docket text

a) **Next**

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Extend Time

Filing Requirements

- ≠ Motion to Extend Time
- ≠ No filing fee required

Procedure

1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Extend Time** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**

6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
- b) **Next**

- 7) Refer to existing events(s)?
 - a) If **Yes**, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If **No**, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Extend Time for Credit Counseling

Overview

Motion to Extend Time for Credit Counseling is filed to request additional days to have the credit counseling certificate filed with the court.

Filing Requirements

≠ Motion to Extend Time for Credit Counseling

≠ No filing fee required

Sources

≠ [11 U.S.C.109\(h\)\(3\)\(B\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Extend Time for Credit Counseling** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Review the docket text and modify as appropriate

a) **Next**

8) Review the final docket text

a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Extend Time to Appeal Under Rule 8002(c)

Overview

A request to extend the time for filing a notice of appeal must be made by written motion filed before the time for filing a notice of appeal has expired, except that such a motion filed not later than 21 days after the expiration of the time for filing a notice of appeal may be granted upon a showing of excusable neglect. An extension of time for filing a notice of appeal may not exceed 21 days from the expiration of the time for filing a notice of appeal otherwise prescribed by this rule or 14 days from the date of entry of the order granting the motion, whichever is later.

Filing Requirements

- ≠ Motion to Extend Time to Appeal
- ≠ No filing fee required

Sources

- ≠ [FRBP 8002\(c\)](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Extend Time to Appeal Under Rule 8002(c)** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney

- i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Is this an AMENDED Motion?
 - a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
 - ii) Click the checkbox next to the motion being amended
 - iii) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Extend Time to Make Installment Payments

Overview

For cause shown, the court may extend the time for paying the final installment, provided the last installment is paid not later than 180 days after filing the petition.

Filing Requirements

- ≠ Motion to Extend Time to Make Installment Payments
- ≠ No filing fee required

Sources

- ≠ [Rule 1006\(b\)\(2\)](#)
- ≠ [11 U.S.C. § 1325\(a\)](#)
- ≠ [LBR 1006-1\(d\)](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Extend Time to Make Installment Payments** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**

- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If **Yes**, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If **No**, click **Next**
- 8)) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Extend Time to Submit Tax Return to Trustee

Overview

At least 7 days before the first date set for the meeting of creditors, the debtor shall provide to the trustee a copy of the debtor's federal income tax return for the most recent tax year ending immediately before the commencement of the case and for which a return was filed. This motion will be filed if an extension is needed to file the tax return to the trustee.

Filing Requirements

≠ Motion to Extend Time to Submit Tax Return to Trustee

≠ No filing fee required

Sources

≠ [FRBP 4002\(b\)\(3\)](#)

Procedure

1) Bankruptcy > Motions/Applications

a) Enter **Case Number**

b) **Next**

2) Select **Extend Time to Submit Tax Return to Trustee from the events list**

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
 - c) **Next**
- 7) Review the final docket text
 - a) Click **Next** to complete the filing
- 8) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Final Decree

Overview

After an estate is fully administered in a chapter 11 reorganization case, the court, on its own motion or on motion of a party in interest, shall enter a final decree closing the case.

Filing Requirements

- ≠ Motion for Final Decree
- ≠ No filing fee required

Sources

- ≠ [11a U.S.C. Rule](#)
- ≠ [FRBP Rule 3022](#)

Procedure

1) **Bankruptcy>Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Final Decree** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Do not use this event if this is an individual case, plan payments have not been completed, and the debtor intends to seek a discharge at a later date. Such cases should be administratively closed using ECF event Bankruptcy-Motions-Close Individual Ch. 11 Case/Substantial Consummation;.
 - a) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) **Next**
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

generic Application

Overview

Please contact the Bankruptcy Court before using this event to assure the correct filing of your document. Do not use this event to file a motion requesting approval of fees or requesting employment of professional person.

Filing Requirements

- ≠ Application
- ≠ No filing fee required

Sources

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **generic Application** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Please contact the Bankruptcy Court before using this event to assure the correct filing of this document.
 - a) **Next**
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

generic Motion

Overview

Do not use this event to file a motion requesting approval of fees or requesting employment of professional person. Please contact the Bankruptcy Court before using this event to ensure the correct filing of this document.

Filing Requirements

≠ Motion

≠ No filing fee required

Sources

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **generic Motion** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Please contact the Bankruptcy Court before using this event to assure the correct filing of this document.
 - a) **Next**
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Hardship Discharge

Filing Requirements

- ≠ Motion for Hardship Discharge
- ≠ No filing fee required

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Hardship Discharge** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Impose Automatic Stay

Overview

On the motion of a party in interest for continuation of the automatic stay and upon notice and a hearing, the court may extend the stay in particular cases as to any or all creditors (subject to such conditions or limitations as the court may then impose) after notice and a hearing completed before the expiration of the 30-day period only if the party in interest demonstrates that the filing of the later case is in good faith as to the creditors to be stayed.

Filing Requirements

- ≠ Motion to Impose Automatic Stay
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. § 362\(c\)\(3\)\(b\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Impose Automatic Stay** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) **Next**
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Income Withholding

Filing Requirements

≠ Motion for Income Withholding Order

≠ No filing fee required

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Income Withholding** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) **Next**

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Increase Assurance Payment

Overview

A utility may alter, refuse, or discontinue utility service, if during the 30 day period beginning on the date of the filing of the petition, the utility does not receive from the debtor or the trustee adequate assurance of payment for utility service that is satisfactory to the utility. On request of a party in interest and after notice and a hearing the court may order modification of the amount of an assurance of payment.

Filing Requirements

Motion to Increase Assurance Payment

No filing fee due

Sources

[11 U.S.C. 366](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Increase Assurance Payment** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney

- i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Incur Debt

Filing Requirements

Motion to Incur Debt

No filing fee due

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Incur Debt** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**

- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) If this is a Ch. 13 case, use this event only if you want the matter set for hearing. Otherwise, use the Rule 9007-1 motion event as required by LBR 9007-1.
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Injunctive Relief

Overview

Rule 65 F.R.Civ.P. applies in adversary proceedings, except that a temporary restraining order or preliminary injunction may be issued on application of a debtor, trustee, or debtor in possession without compliance with Rule 65(c).

Sources

[F.R.B.P. 7065](#)

[F.R.Civ.P. 65](#)

Procedure

1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Injunctive Relief** from the available events list

- a) **Next**

3) Joint Filing With Attorney

- a) If motion is not being filed with another attorney. Click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**

6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
- b) **Next**

7) Refer to existing event(s)?

- a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) Next

9) Review the final docket text

a) Next

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Instructions

Overview

Sources

Filing Requirements

≠ Motion for Instructions

≠ No filing fee due

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Instructions** from the available events list

a) **Next**

3) Joint Filing With Attorney

a) If motion is not being filed with another attorney. Click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing events(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) Next

9) Review the final docket text

a) Next

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Interim Distribution

Filing Requirements

Motion for Interim Distribution

No Filing Fee Required

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Interim Distribution** from the available events list

a) **Next**

3) Joint Filing With Attorney

a) If motion is not being filed with another attorney. Click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing events(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) Next

9) Review the final docket text

a) Next

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Judgment

Overview

A motion which requests the written determination of a lawsuit by the judge who presided at trial (or heard a successful motion to dismiss or a stipulation for judgment), which renders rulings on all issues and completes the case unless it is appealed to a higher court. It is also called a final decree or final decision.

Filing Requirements

≠ **No filing fee required**

≠ **Motion for Judgment**

Procedure

- 1) **Bankruptcy>Motions/Applications** or **Adversary>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Judgment** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate.

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing.

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Leave

Filing Requirements

Motion to Leave

No filing fee required

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Leave** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

LEAVE TO APPEAL

Overview

A party seeking the consent of the district court or BAP to appeal an interlocutory order (i.e., not final, of a bankruptcy judge, other than those issued under 11 U.S.C §1121(d)) or decree, must file a "motion for leave to appeal" with the bankruptcy clerk at the time of the filing of the notice of appeal. Fed. R. Bankr. P. 8003

The consent of the district court or BAP must be obtained before the appeal can go forward .

Filing Requirements

≠ If the notice of appeal is accompanied by a motion for leave to appeal, only the \$5 fee is required at the time of filing. If the motion for leave to appeal is granted, the appropriate docketing fee for the notice of appeal will then be collected.

Pursuant to FRBP 8003(a) a motion for leave to appeal under 28 U.S.C. §158 must contain a:

- ≠ statement of the facts necessary to an understanding of the questions to be presented by the appeal
- ≠ statement of those questions and of the relief sought
- ≠ statement of the reasons why an appeal should be granted, and
- ≠ copy of the judgment, order, or decree complained of, and of any opinion or memorandum relating thereto.

Sources

≠ [Fed. R. Bankr. P. 8003 and 8003\(a\)](#)

≠ [28 U.S.C. § 158\(a\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications or Adversary>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Leave to Appeal** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If **Yes**, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If **No**, click **Next**
- 8) The payment entered will be charged to your credit card.
 - a) **Next**

Review the docket text and modify as appropriate.

- a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing.
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Limit Notice

Overview

A motion to limit notice is typically filed in cases that have a large number of creditors that would normally require service. A party will request limited notice to a predetermined number of parties, for example, to avoid major costs to the estate or expedite the noticing process.

Filing Requirements

≠ **Motion to Limit Notice**

≠ **No fee required**

Sources

≠ [FRBP 2002\(m\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Limit Notice** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

MEETING OF CREDITORS BY INTERROGATORIES

Overview

In cases of dire necessity, a personal appearance of a debtor may be excused at a Section 341 meeting, upon the filing of a properly supported motion. Interrogatories are a standard set of written questions to a debtor that may be answered and filed in lieu of appearing at the 341 Meeting of Creditors.

Filing Requirements

≠ **Motion**

≠ **No filing fee**

Sources

≠ [LBR 2003-1 \(e\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Meeting of Creditors by Interrogatories** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate.

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing.

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

MORE DEFINITE STATEMENT

Overview

A Motion for More Definite Statement asks the Court to order another party to clarify its statements or allegations because their claims are so vague or ambiguous that the party making the Motion cannot reasonably frame a response.

Filing Requirements

- ≠ Motion for More Definite Statement
- ≠ No filing fee required.

Sources

- ≠ [F.R.Civ.P.Rule 12\(e\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications** or **Adversary>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **More Definite Statement** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate.

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing.

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Objection to Discharge

Overview

Amendments to Fed. R. Bankr. Proc. 4004 which became effective December 1, 2010 permit dismissal by motion, rather than adversary proceeding, in connection with 11 U.S.C. §727(a)(8).

Subdivisions (a) and (c)(1) are amended to allow objections to discharge pursuant to 727(a)(8), (a)(9) and 1328(f) to be filed by motion (rather than complaint) in chapter 7 and 13 cases against debtors who have been granted a discharge in a previously filed case. Subdivision (d) is amended to provide that such objections are commenced by motion and treated as contested matters under Rule 9014.

The time parameters are measured from case commencement (case filing date) to the new filing date of the subsequent case (It is not measured from the discharge date of the previous case).

2. Adds Subdivision c(4) directing the court in chapter 11 and 13 cases to withhold the entry of discharge if the debtor has not filed a statement of completion of a course concerning personal financial management as required by Rule 1007(b)(7).

11 U.S.C. §727 (a)(8) precludes the granting of a discharge to the debtors in the instant case as a result of the discharge under §727 in a case commenced within eight years of the instant proceeding.

Filing Requirements

≠ Motion Objecting to Discharge

≠ No Fee Required

≠ The deadline for filing a motion/objection is no later than 60 days after the first date set for the §341 meeting.

Sources

≠ [Fed. R. Bankr. Proc. 4004](#)

≠ [11 U.S.C. §727\(a\)\(8\)](#)

≠ [11 U.S.C. §1328\(f\)](#)

≠ [Fed. R. Bankr. Proc. 9014](#)

≠ [28 U.S.C. §1334](#)

≠ [28 U.S.C. §157\(b\)\(2\)\(J\)](#)

Procedure

1) **Bankruptcy> Motions/Applications**

- a) Enter **Case Number**
- b) **Next**
- 2) Select **Objection to Discharge** from the event list
 - a) **Next**
- 3) Joint filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to Step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the party is not listed, click on [Add/Create New Party](#).
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the check box next to the party name
 - a) **Next**
- 6) Do not use this event unless your motion is pursuant to 727(a)(8), (a)(9) or 1328(f)
 - a) **Next**
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(Y/N\)](#).
 - b) **Next**
- 8) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Pay

Overview

Use the Motion to pay event to request permission from the court to use funds. This is a broad event that can be used for many different types of payment requests such as: remittance of attorney fees, funding of post-petition retainer, or other services performed.

Filing Requirements

- ≠ Motion to Pay
- ≠ No Fee Required

Sources

Procedure

- 1) **Bankruptcy >Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Pay** from the event list
 - a) **Next**
- 3) Joint filing with Attorney
 - a) If motion is not being filed with a another attorney, click **Next** (Go to Step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the party is not listed, click on [Add/Create New Party](#).
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the check box next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#).
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) To request direct payments to trustee, use Bankruptcy-Motion-Pay Direct to Trustee.

a) **Next**

9) Review the docket text and modify as appropriate

a) **Next**

10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Pay Direct to Trustee

Overview

Motion to pay direct is filed when a debtor is wishing to make his/her Chapter 13 payments directly to the trustee rather than having an income withholding order issued.

Filing Requirements

- ≠ Motion to Pay Direct
- ≠ No Fee Required

Sources

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Pay Direct to Trustee** from the event list
 - a) **Next**
- 3) Joint filing with Attorney
 - a) If motion is not being filed with another attorney, Click **Next** (Go to Step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the Party is not listed, click on [Add/Create New Party](#).
 - a) **Next**
- 5) If applicable, link the party and the attorney by clicking the check box next to the party name
 - a) **Next**
 - 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow the instructions for [Attachments to Document \(Y/N\)](#).
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Pay Filing Fee in Installments

Overview

Application to pay filing fee in installments allows for filing fees to be paid in installments. The number of proposed installments shall not exceed four (4), and the final installment shall be payable not later than 120 days after filing the petition.

****The number of installments shall not exceed four and the final installment is due not later than 120 days from the date the petition is filed. Installments are due not less often than every 30 days.****

Filing Requirements

- ≠ Official Form 3, Application to Pay Filing Fee in Installments
- ≠ No installment shall be less than \$50.00, unless a lesser amount will pay the filing fee in full.

Sources

- ≠ [Fed. R. Bankr. P. 1006](#)
- ≠ [Local Rule 1006-1](#)

Procedure

- 1) **Bankruptcy> Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Pay Filing Fee in Installments** from the event list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to Step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the party is not listed, click on [Add/Create New Party](#).
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the check box next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Documents \(Y/N\)](#).
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box

- i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
- a) **Next**
- 9) Review the final docket text
- a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Professional Fees and Expenses

Overview

An application for professional fees/compensation is a detailed statement of services rendered, time expended and expenses incurred, and the amounts requested for services in a case.

Filing Requirements

- ≠ Motion for Professional Fees and Expenses
- ≠ No filing fee required

Sources

- ≠ [Fed. R. Bankr. P. 2016](#)
- ≠ [Local Bankr. R. 2016-1](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Professional Fees and Expenses** from the events list
 - a) **Next**
- 3) Joint Filing With Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Is this an AMENDED motion?

- a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
 - ii) ENTER WHAT IS TO BE CORRECTED
- 7) Click **Browse** to find and select the PDF document being filed
- a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) IMPORTANT:
- PLEASE BE SURE TO PROVIDE BELOW: the type of service provided, service date range from and to, fee and expense amounts. This is crucial for an adequate filing entry on the docket sheet.
- a) **Next**
- 9) Select the appropriate applicant by checking the filer box
- a) Using the drop-down box, select the **TYPE** of applicant
 - b) Enter From and To date (Service date)
 - c) Enter fee request amount and expense request amount
 - d) **Next**
- 10) Review the docket text and modify as appropriate
- a) **Next**
- 11) Review the final docket text
- a) Click **Next** to complete the filing
- 12) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Prohibit Use of Cash Collateral

Overview

A motion filed by a creditor asking the court to enter an order prohibiting the debtor's use of cash collateral in which the creditor holds a security interest.

Filing Requirements

- ≠ Motion Prohibiting Use of Cash Collateral
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. § 363\(c\)\(2\)\(A\)](#)
- ≠ [Fed. R. Bankr. P. 9014](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Prohibit Use Cash Collateral** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click Yes and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the final docket text

a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Protective Order

Overview

A motion for Protective Order is made pursuant to Rule 26(c) of the Federal Rules of Civil Procedure. Rule 26(c) permits the court to issue protective orders precluding or limiting discovery in order to protect any person subject from abusive practices. It requires a showing of good cause to justify the issuance of a protective order. A protective order may also be issued to protect a litigant from harassment or oppression that may result from public dissemination of information obtained through the discovery process.

Filing Requirements

- ≠ Motion for Protective Order
- ≠ No filing fee required

Sources

- ≠ [Fed. R. Bankr. P. 9018](#)
- ≠ [11 U.S.C. 107\(b\)](#)
- ≠ [Fed. R. Civ. P. 26\(c\)](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Protective Order** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click Yes and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) If you are requesting restriction of documents filed in this case, use **Bankruptcy-Motions-Restrict Public Access**.
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Pro Hac Vice

Overview

An attorney not admitted to practice in the Middle District may represent a party in proceedings in the Middle District only by permission of the presiding judge. This is known as admission pro hac vice. The motion requires a \$50.00 fee and a certificate of good standing from the court in which you are licensed to practice is required.

Filing Requirements

- ≠ Motion to Appear Pro Hac Vice
- ≠ Certificate of good standing from US District Court (Federal Court) in which admitted to practice.
- ≠ \$50 Fee

Sources

- ≠ [Local Bankruptcy Rule 2090-1, Bankr. MD Ala](#)

Procedure

1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Pro Hac Vice** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Please be sure to attach the Certificate of Good Standing from the U.S. District Court in which you are admitted to practice.
 - a) **Next**
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) Is this an AMENDED motion for pro hac vice?
 - a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - ii) The payment entered will be charged to your credit card
 - iii) **Next**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
 - ii) Click the checkbox next to the motion being amended
 - iii) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Quash

Overview

Fed. R. Bankr. P. 9016 incorporates the provisions of Fed. R. Civ. P. 45 which provides for the issuance of subpoenas commanding attendance of a person, documents or inspection of property. Rule 9016 governs the service of the subpoena, contempt for failure to comply and the procedure for quashing or modifying the subpoena, and requires that the issuing party avoid burdening the witness who is the subject of the subpoena.

Filing Requirements

- ≠ Motion to Quash
- ≠ No filing fee required

Sources

- ≠ [Fed. R. Bankr. P. 9016](#)
- ≠ [Fed. R. Civ. P. 45](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Quash** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click Yes and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Reaffirmation- (Pro-Se Use Only)

Overview

Motion for Approval of Reaffirmation Agreement is an agreement made between the debtor and a creditor to reaffirm a debt.

Filing Requirements

- ≠ Motion for Approval of Reaffirmation Agreement
- ≠ Reaffirmation Agreement Cover Sheet
- ≠ No Fee Required

Sources

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select Reaffirmation Agreement (Pro-Se Use Only) from the event list
 - a) **Next**
- 3) Joint filing with Attorney
 - a) If motion is not being filed with another attorney, Click **Next** (Go to Step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the Party is not listed, click on [Add/Create New Party](#).
 - a) **Next**
- 5) If applicable, link the party and the attorney by clicking the check box next to the party name
 - a) **Next**
 - 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow the instructions for [Attachments to Document \(Y/N\)](#).
 - b) **Next**
- 7) Enter Creditor name in this Reaffirmation Agreement
 - a) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the

case.

Reconsider/Set Aside

Overview

Federal and state laws, which vary by jurisdiction, govern a Motion to reconsider. A party must file a Motion to reconsider within 14 days after entry of the decision (judge's ruling) the party wants reconsidered. The motion should state with particularity the points of law or fact that the moving party contends the court overlooked or misapprehended, together with a brief argument on the points raised.

Filing Requirements

- ≠ Motion to Reconsider/Set Aside
- ≠ No filing fee required

Sources

- ≠ [Fed. R. Bank. P. 9023](#)
- ≠ [Fed. R. Civ. P. 59](#)
- ≠ [ERBP: 9014](#)

Procedure

- 1) Bankruptcy>Motions/Applications
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Reconsider/Set Aside** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Is this a Motion to Reconsider a DISMISSAL of the CASE?
 - a) Select **Yes** or **No**
 - b) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Recover Property

Filing requirements

- ≠ Motion to Recover Property
- ≠ No filing fee required

Procedure

1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Recover Property** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**

6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
- b) **Next**

7) Refer to existing event(s)?

- a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Recusal

Overview

In a bankruptcy case, a party files a Motion for recusal when it is believed that the presiding judge appears biased or appears to show partiality. Pursuant to 11 U.S.C. 5004(a), a bankruptcy judge shall be governed by 28 U.S.C. 455, and disqualified from presiding over the proceeding or contested matter in which the disqualifying circumstances arises or, if appropriate, shall be disqualified from presiding over the case.

Filing Requirements

- ≠ Motion to Recuse Judge
- ≠ No filing fee required

Sources

- ≠ [28 U.S.C. 455](#)
- ≠ [11 U.S.C. 5004\(a\)](#)

Procedure

1) Bankruptcy > Motions/Applications

- a) Enter **Case Number**
- b) **Next**

2) Select **Recusal** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Click Browse to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Reduce Claims

Filing Requirements

- ≠ Motion to Reduce Claims
- ≠ No filing fee required

Procedure

1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Reduce Claims** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**

6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
- b) **Next**

7) Review the docket text and modify as appropriate

- a) **Next**

8) Review the final docket text

- a) Click **Next** to complete the filing

9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

10)

Refund Filing Fee

Overview

Filers may use the Motion to Refund Filing Fee event to ask for a refund of a payment made to a case in error.

Filing Requirements

- ≠ Motion to Refund Filing Fee
- ≠ No filing fee required

Sources

- ≠ [19 U.S.C. § 1520\(a\)\(2\)](#)

Procedure

1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Refund Filing Fee** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**

6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow

instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Reinstate Case

Overview

If a case is closed, not dismissed, and the 14 day appeal period has not expired, the court can reinstate the case upon motion.

Filing Requirements

≠ Motion to Reinstate Case

≠ No filing fee required

Sources

≠ [FRBP: 9014](#)

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Reinstate Case** from the events list

a) **Next**

3) Joint Filing With Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

- b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Is this Motion to Reinstate Case Related to a Case Dismissal?
 - a) Select **Yes** or **No**
 - b) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Release Funds from Court Registry

Overview

A motion to release funds from the registry can be filed by the party seeking the funds that they can lawfully claim. However, only upon approval by the Court, may the Clerk of Court properly disburse the funds. Registry funds are funds deposited with the Court as interpleader funds, cash bonds, and other monies to be held in trust. Funds are placed and withdrawn from the Registry by Court Order only.

Filing Requirements

- ≠ Motion to Release Funds from Court Registry
- ≠ No filing fee required

Sources

- ≠ [F.B.R. 7067](#)
- ≠ [Fed. R. Civ. P. 67](#)
- ≠ [28 U.S.C. §2042](#)

Procedure

- 1) Click **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Release Funds from Court Registry** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Release Garnishment

Overview

Motion to Release Garnishment is filed to stop the means of deducting money from debtor's wages.

Filing Requirements

≠ Motion to Release Garnishment

≠ No filing fee required

Sources

≠ [11 U.S.C. § 362](#)

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Release Garnishment** from the events list

a) **Next**

3) Joint Filing With Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow

instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Release Levy

Overview

Motion to Release Levy is filed to release property that has been seized to satisfy a tax debt.

Filing Requirements

≠ Motion to Release Levy

≠ No filing fee required

Sources

≠ [26 U.S.C. § 6343](#)

≠ [11 U.S.C. § 362](#)

Procedures

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Release Levy** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
 - 8) Review the final docket text
 - a) Click **Next** to complete the filing
 - 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Relief from Co-Debtor Stay (Ch. 12 or 13 only)

Overview

A motion for relief from co-debtor stay is filed when a secured creditor files a stay of action against co-debtor to collect all or any part of a debt that is liable on such debt with the debtor.

Filing Requirements

- ≠ Motion for Relief from Co-Debtor Stay
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. §1301](#)

Procedure

- 1) Click **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Relief from Co-Debtor Stay (Ch 12 or 13 only)** from the events list
 - a) **Next**
- 3) Joint Filing With Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow

instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Use this event only to ask for a CO DEBTOR stay

a) **Next**

9) Review the docket text and modify as appropriate

a) **Next**

10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Relief From Stay

Overview

A motion for relief from an automatic stay provided by the Code or a motion to prohibit or condition the use, sale, or lease of property pursuant to 11 U.S.C. § 363(e) shall be made in accordance with Fed. R. Bankr. P. 9014 and shall be served on any committee elected pursuant to 11 U.S.C. § 705 or appointed pursuant to 11 U.S.C. § 1102 of the Code or its authorized agent, or, if the case is a chapter 9 municipality case or a chapter 11 reorganization case and no committee of unsecured creditors has been appointed pursuant to 11 U.S.C. § 1102, on the creditors included on the list filed pursuant to Fed. R. Bankr. P. 1007(d), and on such other entities as the court may direct.

(a) All motions for relief from the automatic stay shall state with particularity the basis for relief or offset. The moving party shall attach legible copies of any documents in support of its claim that it has an interest in the debtor's property. Mortgages on real property shall show the recording information. If the documents are voluminous, the first and last page only should be attached to the motions and filed with the Court. A full copy shall be served, upon any party in interest who makes a request.

(b) Chapter 7 Motion for Relief shall contain the following legend featured prominently on the first page of the motion:

PURSUANT TO LBR 4001-1, THE MOVING PARTY SEEKS RELIEF FROM THE AUTOMATIC STAY. UNLESS A RESPONSE IS FILED WITH THE COURT, AND SERVED UPON THE MOVING PARTY 21 DAYS FROM THE DATE OF SERVICE OF THIS MOTION, THE MOTION MAY BE GRANTED BY THE COURT WITHOUT FURTHER NOTICE OR HEARING.

(c) Chapter 13 Motion for Relief shall not be subject to the negative notice. Each motion shall be set for hearing.

Filing Requirements

Motion for Relief from Stay

\$176 Fee

Negative Notice Language Required on Chapter 7 Motions

Sources

[11 U.S.C. §362\(d\)](#)

[ERBP: 4001\(a\)](#)

[Fed Bankr R. 9014](#)

[LBR4001-1](#)

[11 U.S.C. § 363\(e\)](#)

[Fed. R. Bankr. P. 1007\(d\)](#),

[11 U.S.C. § 705](#)

[11 U.S.C. § 1102](#)

[Ch. 7 MFRS Flowchart](#)

[Ch. 13 MFRS Flowchart](#)

Procedure

- 1) Click **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Relief from Stay** from the events list
 - a) **Next**
- 3) Joint Filing With Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Is the Filer a U.S. Government Agency?
Is the Filer a Child Support Creditor or Representative of a Child Support Creditor and is Form B281 Included?

Is the Filer a Trustee Seeking a Comfort Order?

Is this an Approval of a Stipulation?

Answer YES if any of these questions are true. Otherwise, answer NO from the list shown.

- a) If **Yes**, there will be no fee required
 - i) **Next**
 - b) If **No**, a fee is required
- 8) Is this an AMENDED motion for relief from stay?
- a) Select **No** if the filing is not an amended motion
 - i) The payment entered will be charged to your credit card
 - ii) **Next**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
 - ii) Click the checkbox next to the motion being amended
 - iii) **Next**
- 9) Review the docket text and modify as appropriate
- a) **Next**
- 10) Review the final docket text
- a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Remand

Overview

A motion to remand is filed to request that an adversary complaint filed in the bankruptcy court be sent back to the court of origin.

Filing Requirements

- ≠ Motion to Remand
- ≠ No filing fee required

Sources

- ≠ [28 U.S.C. 1452\(b\)](#)
- ≠ [Fed. R. Bankr. P. 9027\(d\)](#)
- ≠ [Rule 9014](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Remand** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Remove Professional

Filing requirements

- ≠ Motion to Remove Professional
- ≠ No filing fee required

Procedure

1) **Bankruptcy > Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

2) Select **Remove Professional** from the events list

- a) **Next**

3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**

6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
- b) **Next**

7) Refer to existing event(s)?

- a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Remove Trustee

Overview

The court, after notice and a hearing, may remove a trustee, other than the United States trustee, or an examiner, for cause.

Filing Requirements

≠ Motion to Remove Trustee

≠ No filing fee required

Sources

≠ [11 U.S.C. § 324](#)

Procedure

1) **Bankruptcy >Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Remove Trustee** from the events list

a) **Next**

3) Jointly Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing Check box and click **Next**

ii) Select the additional attorney and Click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Admission

Overview

A motion filed to deem certain facts admitted and to be accepted as genuine fact, to take judicial notice thereof, and for all other relief.

Filing Requirements

- ≠ Motion for Request for Admission
- ≠ No filing fee required

Sources

- ≠ [Fed Bankr. R.7036](#)
- ≠ [F. R. Civ. P. Rule 36](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Admission** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**

- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click Yes and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Certification of Direct Appeal

Overview

A request for certification shall be filed, within the time specified by 28 U.S.C. §158(d)(2), with the clerk of the court in which the matter is pending.

Filing Requirements

- ≠ Motion to Request for Certification of Direct Appeal to Circuit Court
- ≠ No filing fee required

Sources

- ≠ [FRBP 8001\(f\)\(3\)](#)
- ≠ [28 U.S.C. §158\(d\)\(2\)](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Certification of Direct Appeal** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Restrict Public Access

Overview

In order to comply with the policy of the E-Government Act of 2002, and to promote electronic access to case files while also protecting personal privacy and other legitimate interests, a motion to restrict public access is used to ask the court that electronic access to documents be restricted to certain parties such as court personnel or particular participants in the case.

Filing Requirements

- ≠ Motion to Restrict Public Access
- ≠ No filing fee required

Sources

- ≠ [Rule 9037](#)
- ≠ [LBR 5005-2](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Restrict Public Access** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**

- ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Unless you are asking restriction of access to a claim, be sure to select the documents you wish to be restricted.
 - a) **Next**
- 8) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the Category to which your events relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, Click **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Return Funds

Overview

Motion to Return Funds is filed when money is paid in error and the filer is requesting the money be returned from the court.

Filing Requirements

≠ Motion to Return Funds

≠ No filing fee required

Sources

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Return Funds** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Rule 9007-1 Motion

Overview

Certain motions may be considered by the Court without an actual hearing under the negative notice procedure described in Local Rule 9007-1. If no party in interest files a written objection stating specific grounds on which the objection is based, then the motion may be taken under advisement by the Court and may be granted without further notice or hearing.

Motions filed under LBR 9007-1 shall contain a negative notice legend in substantially the following form prominently displayed on the face of the first page of the motion:

PURUANT TO LBR 9007-1, THIS MOTION WILL BE TAKEN UNDER ADVISEMENT BY THE COURT AND MAY BE GRANTED UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN 21 DAYS OF THE DATE OF SERVICE. RESPONSES MUST BE FILED WITH THE CLERK AND SERVED UPON THE MOVING PARTY. RESPONSES MUST BE FILED ELECTRONICALLY WITH THE CLERK OR BY U.S. MAIL ADDRESSED TO THE CLERK, U.S. BANKRUPTCY COURT, ONE CHURCH STREET, MONTGOMERY, AL 36104.

Filing Requirements

- ≠ Rule 9007-1 Motion with Negative Notice Language
 - [Word or WordPerfect templates](#) available from ALMB website.
- ≠ No filing fee required

Sources

- ≠ [LBR 9007-1](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Rule 9007-1 Motion** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) If you are filing a motion to modify plan, please include the amended plan as an attachment instead of docketing separately.
- 7) Is this an amended motion/notice/objection you are filing? Answer yes or no from the list shown
 - a) Select **No** if the filing is not an amended motion
 - i) **Next**
 - ii) Response due date - 21 days (date will automatically populate)
 - iii) **Next**
 - iv) L.B.R. 9007-1 requires the following negative notice language:

PURSUANT TO LBR 9007-1, THIS MOTION WILL BE TAKEN UNDER ADVISEMENT BY THE COURT AND MAY BE GRANTED UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN 21 DAYS OF THE DATE OF SERVICE. RESPONSES MUST BE FILED ELECTRONICALLY WITH THE CLERK OR BY U.S. MAIL ADDRESSED TO: CLERK OF THE BANKRUPTCY COURT, ONE CHURCH STREET, MONTGOMERY, AL 36104
 - v) **Next**
 - vi) Do you have the required language in your motion/notice/objection?
 - 1) If no, you must submit your motion with correct language - please make changes to your pleading and re-file - transaction ended
 - 2) If Yes, click **Next** (Go to Step 8)
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
 - ii) Please insure your amended motion does not contain negative notice language

iii) **Next**

iv) Refer to existing event(s)?

- 1) Click on box
- 2) **Next**
- 3) Click the checkbox next to the appropriate event(s)
- 4) **Next** (Go to Step 8)

8) Please choose the correct motion/notice/objection from the list shown

a) **NEXT**

9) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

b) **Next**

10) Review the docket text and modify as appropriate

a) **Next**

11) Review the final docket text

a) Click **Next** to complete the filing

12) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Sanctions

Overview

Sanctions are usually monetary fines, levied against a party to a legal action or his/her attorney, for violating rules of procedure, failing to comply with a Court order or for abusing the judicial process.

Filing Requirements

- ≠ Motion for Sanctions
- ≠ No filing fee required

Sources

- ≠ [FRBP 9011\(c\)](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Sanctions** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) What type of sanction does this concern?
 - a) Click on the drop down box and select the appropriate type of sanction
 - b) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Seal Case

Overview

Motion to seal case allows the court to seal a case for secret, confidential, scandalous, or defamatory matters. Records can be sealed only by order of the court. When the court enters an order sealing, court staff must maintain the sealed document separate from the case file.

After an order has been entered approving a Motion to Seal, a copy of the order approving the motion to file the documents under seal shall also be affixed. The summary sheet shall be imaged and docketed.

If the motion is denied, the sealed records should be returned to the filer.

Storage - Sealed documents should be maintained separately from the case file. Neither the public nor the clerk is to have access to documents that have been sealed, except insofar as orders of the court may permit.

****SEALED RECORDS MUST BE HELD IN A FILE DRAWER WITHIN THE VAULT****

Disposition - Upon the entry of an order vacating the sealing of a document, the clerk shall image and docket the document(s).

Filing Requirements

- ≠ Motion to Seal
- ≠ No Fee Required

Sources

- ≠ [Fed. R. Bank. P. 9018](#)

Procedures

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Seal Case** from the event list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the party is not listed, click on [Add/Create New Party](#).
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Use this event only if you are requesting an entire case be sealed.
To request sealing/restriction of a particular document(s), use Bankruptcy-Motions-Restrict Public Access.
 - a) **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Sell Free and Clear of Liens

Overview

A party files a Motion to Sell Free and Clear of Liens to request permission from the court to sell property of the estate.

Filing Requirements

- ≠ Motion to Sell Free and Clear of Liens
- ≠ No filing fee required

Sources

- ≠ [Rule 6004\(c\)](#)
- ≠ [11 U.S.C § 363\(f\)\(g\)](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Sell Free and Clear of Liens** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

- a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Hearing

Overview

The set hearing event is used to request a hearing on a previously filed document.

Filing Requirements

≠ Motion to Set Hearing

≠ No filing fee required

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Hearing** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)

- b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Sever Chapter 11 Case

Overview

One of two joint debtors may move to sever a case. The court may grant the motion by severing the moving debtor, with directions to open a new case for the severed debtor. The severed debtor may wish to convert to a different chapter.

Filing Requirements

≠ Motion to Sever Chapter 11 Case

≠ \$1046 Fee

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Sever Chapter 11 Case** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) If the only reason for severing this case is to dismiss who does not want to remain in bankruptcy, please file a motion to dismiss party.

a) **Next**

- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) The payment entered will be charged to your credit card
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Sever Chapter 12 Case

Overview

One of two joint debtors may move to sever a case. The court may grant the motion by severing the moving debtor, with directions to open a new case for the severed debtor. The severed debtor may wish to convert to a different chapter.

Filing Requirements

≠ Motion to Sever Chapter 12 Case

≠ \$246 Fee

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Sever Chapter 12 Case** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) If the only reason for severing this case is to dismiss a party who does not want to remain in bankruptcy, please file a motion to dismiss party.

- a) **Next**
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) The payment entered will be charged to your credit card
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Sever Chapter 13 Case

Overview

One of two joint debtors may move to sever a case. The court may grant the motion by severing the moving debtor, with directions to open a new case for the severed debtor. The severed debtor may wish to convert to a different chapter.

Filing Requirements

≠ Motion to Sever Chapter 13 Case

≠ \$281 Fee

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Sever Chapter 13 Case** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) If the only reason for severing this case is to dismiss a party who does not want to remain in bankruptcy, please file a motion to dismiss party.

- a) **Next**
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) The payment entered will be charged to your credit card
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Sever Chapter 7 Case

Overview

One of two joint debtors may move to sever a case. The court may grant the motion by severing the moving debtor, with directions to open a new case for the severed debtor. The severed debtor may wish to convert to a different chapter.

Filing Requirements

≠ Motion to Sever Chapter 7 Case

≠ \$306 Fee

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Sever Chapter 7 Case** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) If the only reason for severing this case is to dismiss a party who does not want to remain in bankruptcy, please file a motion to dismiss party.

- a) **Next**
- 7) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 8) The payment entered will be charged to your credit card
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Stay

Filing Requirements

- ≠ Motion to Stay
- ≠ No filing fee required

Sources

- ≠ [Fed. R. Bkt. P. 7062](#)

Procedure

- 1) **Adversary > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Stay** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed

- a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
- a) **Next**
- 8) Review the final docket text
- a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Stay Pending Appeal

Overview

A party files a Motion to Stay Pending Appeal to prevent execution of the appealed order until the district court judge rules on the appeal. The filing of this motion does not affect the appeal process itself.

Filing Requirements

- ≠ Motion to Stay Pending Appeal
- ≠ No filing fee required

Sources

- ≠ [FRBP 8005](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Stay Pending Appeal** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Strike

Overview

A party may claim error in a ruling to admit or exclude evidence only if the error affects a substantial right of the party.

Filing Requirements

- ≠ Motion to Strike
- ≠ No filing fee required

Sources

- ≠ [Federal Rules of Evidence Rule 103](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Strike** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Substitute Attorney

Overview

The debtor or any other party who is represented by counsel may seek court approval to change attorneys. There should be a statement pursuant to Fed. R. Bankr. P. 2014(a), by the proposed “new” attorney contained in the motion or by separate document.

Filing Requirements

- ≠ Motion to Substitute Attorney
- ≠ No filing fee required

Sources

- ≠ [FRBP 2014\(a\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Substitute Attorney** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and Click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Substitute Collateral

Filing Requirements

≠ Motion to Substitute Collateral

≠ No filing fee required

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Substitute Collateral** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, Click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing Check box and click **Next**

ii) Select the additional attorney and Click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If Yes, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If No, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Suggestion of Death or Incompetency of Debtor

Overview

Death or incompetency of the debtor shall not abate a liquidation case under chapter 7 of the Code. In such event the estate shall be administered and the case concluded in the same manner, so far as possible, as though the death or incompetency had not occurred. If a reorganization, family farmer's debt adjustment, or individual's debt adjustment case is pending under chapter 11, chapter 12, or chapter 13, the case may be dismissed; or if further administration is possible and in the best interest of the parties, the case may proceed and be concluded in the same manner, so far as possible, as though the death or incompetency had not occurred.

Filing Requirements

≠ Motion Suggestion of Death or Incompetency of Debtor

≠ No filing fee required

Sources

≠ [FRBP 1016](#)

Procedure

1) **Bankruptcy > Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Suggestion of Death or Incompetency of Debtor** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

- i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click Browse to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Surrender/Turnover

Overview

Motion to Surrender/Turnover is filed by a party in interest to obtain a court order that directs a party to do something.

Filing Requirements

≠ Motion to Surrender/Turnover

≠ No filing fee

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Surrender/Turnover** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing check box and click **Next**

ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

7) Refer to existing event(s)?

a) If **Yes**, click on box

i) **Next**

ii) Select the category to which your event relates

iii) **Next**

iv) Click the checkbox next to the appropriate event(s)

v) **Next**

b) If **No**, click **Next**

8) Review the docket text and modify as appropriate

a) **Next**

9) Review the final docket text

a) Click **Next** to complete the filing

10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Tax Return

Overview

The court, trustee, or a party in interest may file a motion for a debtor to file tax returns with the court.

Filing Requirements

- ≠ Motion for Tax Returns
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. §521\(e\)\(2\)](#)
- ≠ [11 U.S.C. §521\(f\)](#)
- ≠ [Fed.R.Bankr.P. 4002\(b\)\(3\) and \(b\)\(4\)](#)

Procedure

- 1) **Bankruptcy>Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Tax Return** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name

- a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Temporary Restraining Order

Overview

A Temporary Restraining Order (TRO) is an order of limited duration that commands the parties in the case to maintain a certain status until the court can hear further evidence and decide whether to issue a preliminary injunction. A Motion for a Temporary Restraining Order must be filed in an adversary proceeding.

Temporary restraining orders may be granted without written or oral notice to the adverse party or that party's attorney only if:

- ≠ it clearly appears from specific facts shown by affidavit or by the verified complaint that immediate and irreparable injury, loss, or damage will result to the applicant before the adverse party or that party's attorney can be heard in opposition, and
- ≠ the applicant's attorney certifies to the court in writing the efforts, if any, which have been made to give the notice and the reasons supporting the claim that notice should not be required.

Filing Requirements

- ≠ Motion for Temporary Restraining Order
- ≠ No filing fee required

Sources

- ≠ [FRCP 65\(b\)](#)
- ≠ [FRBP 7065](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**

- 2) Select **Temporary Restraining Order** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Please contact Chambers or the appropriate CRD if this motion needs an expedited hearing.
 - a) **Next**
- 8) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**

- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Transfer Case (Out of Alabama Middle District)

Overview

A motion to transfer case out of district (inter-district) is filed when transferring a case from one district to another district whether within the state or out of state.

Filing Requirements

- ≠ Motion to Transfer Case to Another District
- ≠ No filing fee required

Sources

- ≠ [Rule 1014](#)
- ≠ [28 U.S.C. §1404](#)
- ≠ [28 U.S.C. §1408](#)
- ≠ [28 U.S.C. §1410](#)
- ≠ [28 U.S.C. §1412](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Transfer Case (Out of Alabama Middle District)** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney

- i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and Click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Transfer Case (Within Alabama Middle District)

Overview

A motion to transfer case within district (intra-district) is filed when transferring a case from one divisional office to another divisional office within the same district.

Filing Requirements

- ≠ Motion to Transfer Case to Another Division
- ≠ No filing fee required

Sources

- ≠ [Rule 1014](#)
- ≠ [28 U.S.C. §1404](#)
- ≠ [28 U.S.C. §1408](#)
- ≠ [28 U.S.C. §1410](#)
- ≠ [28 U.S.C. §1412](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) **Select Transfer Case (Within Alabama Middle District) – For Creditors Only – Debtor use Misc. event Venue Change** from the events list
 - a) **Next**
- 3) **Joint Filing with Attorney**
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and Click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Use this event only if you are not the debtor OR you are the debtor and the 341 Meeting of Creditors has been scheduled and noticed.
 - a) **Next**
- 9) Review the docket text and modify as appropriate
 - a) **Next**
- 10) Review the final docket text
 - a) Click **Next** to complete the filing
- 11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Turnover of Property Section 521(a) (4)

Overview

Pursuant to § 521(a)(4) the debtor is required to surrender to the trustee all property of the estate and any recorded information, including books, documents, records, and papers, relating to property of the estate. A motion for turnover of property is filed in order to compel the debtor to comply with section.

* Pursuant to FRBP 7001 a proceeding to recover money or property, other than a proceeding to compel the debtor to deliver property to the trustee, or a proceeding under §554(b) or §725 of the Code, Rule 2017, or Rule 6002 should be filed as an adversary proceeding.

Filing Requirements

- ≠ Motion for Turnover of Property Section 521(a)(4)
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. §521\(a\)\(4\)](#)
- ≠ [FRBP 7001](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Turnover of Property Section 521(a)(4)** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing Check box and click **Next**
 - ii) Select the additional attorney and Click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Vacate

Overview

Motion to Vacate is filed to request a judge to set aside or nullify an order that the party in interest finds was improper.

Filing Requirements

- ≠ Motion to Vacate
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. § 105](#)
- ≠ [FRBP 9020](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Vacate** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Is this an AMENDED Motion?
 - a) Select **No** if the filing is not an amended motion
 - i) **Next (Go to Step 8)**
 - b) Select **Yes** if the filing is an amended motion
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the motion being amended
 - v) **Next**
- 8) Select the category to which your event relates
 - a) **Next**
- 9) Is this a Motion to Vacate a DISMISSAL of the CASE?
 - a) Select **Yes** or **No** from the drop down box
 - b) **Next**
- 10) Review the docket text and modify as appropriate
 - a) **Next**
- 11) Review the final docket text

- a) Click **Next** to complete the filing
- 12) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Vacate Discharge

Overview

Motion to Vacate Discharge is filed when the discharge has entered in error.

Filing Requirements

≠ Motion to Vacate Discharge

≠ No filing fee required

Sources

≠ [11 U.S.C. § 105](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Vacate Discharge** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing Check box and click **Next**

ii) Select the additional attorney and Click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Venue Change (Use Only If Changing Divisions)

Overview

The court may transfer a case to other divisions if the court determines that the venue change is in the interest of justice or for the convenience of the parties.

Filing Requirements

≠ Motion to Change Venue

≠ No filing fee required

Sources

≠ [11 U.S.C. § 1014](#)

≠ [FRBP 1014](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Venue Change (Use Only If Changing Divisions)** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

i) Click the joint filing Check box and click **Next**

ii) Select the additional attorney and Click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7)
Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Waiver of Ch 7 Filing Fee (Form 3B)

Overview

In lieu of paying the filing fee or filing an installment application, an individual chapter 7 debtor may file an application for waiver of the filing fee with the bankruptcy petition. The application must conform substantially to Official Form B3B. The court may grant the application if it determines that the debtor has income less than 150 percent of the income official poverty line (as defined by the Office of Management and Budget, and revised annually in accordance with section 673(2) of the Omnibus Budget Reconciliation Act of 1981) applicable to a family of the size involved and is unable to pay that fee in installments.

Filing Requirements

Application for Waiver of Chapter 7 Filing Fee ([Official Form 3B](#))

\$150 Fee

Sources

[28 U.S.C. § 1930\(f\)](#)

[FRBP 1006\(c\)](#)

[Poverty Guidelines](#)

[Flowchart](#)

Procedure

1) **Bankruptcy>Motions/Applications**

a) Enter **Case Number**

b) **Next**

2) Select **Waiver of Ch 7 Filing Fee (Form 3B)** from the events list

a) **Next**

3) Joint Filing with Attorney

a) If motion is not being filed with another attorney, click **Next** (Go to step 4)

b) If motion is being filed with another attorney

- i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate.
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing.
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Waiver of Discharge Pursuant 11 U.S.C. 727(a)(10)

Filing Requirements

≠ Application for Waiver of Discharge Pursuant 11 U.S.C. 727(a)(10)

≠ No filing fee required

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Waiver of Discharge Pursuant 11 U.S.C. 727(a)(10)** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Review the docket text and modify as appropriate
 - a) **Next**
- 8) Review the final docket text
 - a) Click **Next** to complete the filing
- 9) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Waive Appearance

Overview

A debtor may file a motion to waive appearance in order to request to be excused from attending the 341 meeting of creditors due to circumstances preventing their attendance. Fed. R. Bankr. P. 4002 outlines the duties of a debtor and states that the debtor shall attend and submit to an examination at the times ordered by the Court. The Court may approve this request by the debtor if the debtor is medically or mentally incapacitated, incarcerated, hospitalized, or serving in the military overseas.

Filing Requirements

- ≠ Motion to Waive Appearance at 341 Meeting
- ≠ No filing fee required

Sources

- ≠ [11 U.S.C. 105](#)
- ≠ [11 U.S.C. 1016](#)
- ≠ [FRBP 4002](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Waive Appearance** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing box and click **Next**

- ii) Select the additional attorney and click **Next**
- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing event(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Withdrawal of Reference

Overview

A withdrawal of reference is when a district court judge withdraws the reference and resolves one or more claims of one or more parties in a bankruptcy matter, especially when a party's demand for jury trial is warranted.

Filing Requirements

- ≠ Motion of Withdrawal of Reference
- ≠ \$176 Fee

Sources

- ≠ [Rule 5011](#)
- ≠ [28 U.S.C. § 157\(d\)](#)
- ≠ [Rule 5005\(a\)\(c\)](#)

Procedure

1) **Bankruptcy>Motions/Applications**

- a) Enter **Case Number**
- b) **Next**

1) Select **Withdrawal of Reference** from the events list

- a) **Next**

2) Joint Filing with Attorney

- a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
- b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)

a) **Next**

5) If applicable, link the party and attorney by clicking the checkbox next to the party name

a) **Next**

6) Is the Filer a U.S. Government Agency?

Is the Filer a Child Support Creditor or Representative of a Child Support Creditor and is

Form B281 Included?

Answer YES if any of the questions are true. Otherwise, answer NO from the list shown

a) If **Yes**, there will be no fee required

i) **Next**

b) If **No**, a fee is required

i) **Next**

8) Click **Browse** to find and select the PDF document being filed

a) If you are filing additional attachments to the motion, click **Yes** and follow instructions for [Attachments to Document \(N/Y\)](#)

b) **Next**

9) The payment entered will be charged to your credit card

a) **Next**

9) Review the docket text and modify as appropriate

a) **Next**

10) Review the final docket text

a) Click **Next** to complete the filing

11) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.

Withdraw as Attorney

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Withdraw as Attorney** from the event list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**
- 4) Select the filing **Party**. If the party is not listed, click on [Add/Create New Party](#).
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate.
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case

Writ

Overview

Application for Writ is filed when a party in interest wants the judge to issue an order. A writ is a written order from a judge requiring specific action by the person or entity to whom the writ is directed.

Filing Requirements

- ≠ Application for Writ
- ≠ No filing fee required

Sources

- ≠ [28 U.S.C. § 1651\(a\)](#)
- ≠ [28 U.S.C. § 1691](#)

Procedure

- 1) **Bankruptcy > Motions/Applications**
 - a) Enter **Case Number**
 - b) **Next**
- 2) Select **Writ** from the events list
 - a) **Next**
- 3) Joint Filing with Attorney
 - a) If motion is not being filed with another attorney, click **Next** (Go to step 4)
 - b) If motion is being filed with another attorney
 - i) Click the joint filing check box and click **Next**
 - ii) Select the additional attorney and click **Next**

- 4) Select the filing Party. If the party is not listed, click on [Add/Create New Party](#)
 - a) **Next**
- 5) If applicable, link the party and attorney by clicking the checkbox next to the party name
 - a) **Next**
- 6) Click **Browse** to find and select the PDF document being filed
 - a) If you are filing additional attachments to the motion, click **Yes** and follow instruction for [Attachments to Document \(N/Y\)](#)
 - b) **Next**
- 7) Refer to existing events(s)?
 - a) If Yes, click on box
 - i) **Next**
 - ii) Select the category to which your event relates
 - iii) **Next**
 - iv) Click the checkbox next to the appropriate event(s)
 - v) **Next**
 - b) If No, click **Next**
- 8) Review the docket text and modify as appropriate
 - a) **Next**
- 9) Review the final docket text
 - a) Click **Next** to complete the filing
- 10) The Notice of Electronic Filing will display giving you the document number. Copies of the motion will be emailed to all participants who receive electronic notification in the case.