

ECF Common Mistakes/Solutions

Mistake: Outdated version of LBF filed.

Solution: The event titles reference the required LBF# with its most current revision date. Immediately below the blue banner in ECF, click on "LBFs" to obtain the most current version of a necessary form.

Mistake: LBF not completely filled out.

Solution: Be sure to review document prior to filing to ensure that all required information has been entered.

Mistake: Documents filed in wrong case.

Solution: The case number and case name display on each screen during an event. After entering the case number, confirm the correct case has been selected.

Mistake: The incorrect event is selected to file a document.

Solution: If unsure which event to use, (1) click on "Search" on the blue banner while logged into ECF and enter a keyword and/or (2) review the ECF Online Manuals (while logged into ECF, click on "Info" immediately below the blue banner). If still unsure, call the ECF Help Desk.

Mistake: The debtor(s)' name(s) and case number do not match or are missing from a document; judge designation incorrect.

Solution: The debtor(s) name(s) and the case number are to be included in the caption of the first page of the document. Query the case number to ensure that the judge designation on the document is correct. Note that the Portland judges rotate Chapter 13 cases periodically.

Mistake: Incorrect document attached.

Solution: Before pasting the filename of the document into the ECF "Browse" window, right click on the filename and open the document in Adobe Acrobat. View all pages to ensure that the correct document is being filed.

Mistake: Affidavits/declarations filed in support of a motion filed separately.

Solution: If filing a motion and supporting affidavits/declarations at the same time, file the motion and any affidavits/declarations as a single PDF document. Do not file the affidavits/declarations separately using an affidavit/declaration event.

Mistake: Documents missing electronic signature.

Solution: Review documents before filing to ensure that the electronic signature ("/s/ Name of person signing document") is in all required places.

Mistake: Calling the ECF Help Desk with general case filing questions.

Solution: Direct all general case filing questions to the Clerk's Office main telephone number.

Mistake: All parties named in the document not added to case at time of filing of document.
Solution: Select and/or add all parties to the document before continuing through the event. Please refer to the *Style Guide for Electronically Filing Case Documents* pp. 3-5 (http://www.orb.uscourts.gov/Ecf/file_attachment/Style%20Guide_231008_075612.pdf) for instructions on how to add parties.

Mistake: Address on proof of claim for claimant differs from the address for the claimant entered on the claims register.

Solution: The address on the proof of claim and the address for the claimant on the claims register should be an exact match. When searching for a party, if an exact match for the name and address are not found, add the creditor using the name and address on the proof of claim form. Always use the address for "Notices to be Sent" and not for "Payments".

Mistake: LBF #302 (Notice of Amended Claim) not attached to amended proof of claim in Chapter 12 or 13 case when debtor not represented by an attorney.

Solution: Be sure to use LBF #302 when filing an amended claim in a Chapter 12 or 13 case when debtor is not represented by an attorney. File as one PDF the following documents in this order: LBF #302, amended proof of claim, supporting documentation.

Mistake: A mistake was made and the e-filer attempted to correct it without court assistance.

Solution: BEFORE attempting to correct a filing error, call the Help Desk to ensure that the best remedy is used, and so that the e-filer and the court are not working at cross purposes.

Mistake: Amended schedules are filed without all the necessary components.

Solution: When filing Schedules A, B, D, E, F, I, and/or J, include a *Summary of Schedules*. When filing Schedules A, B, C, I, and/or J, include a *Certificate of Service* and an *Unsworn Declaration*.

Note: When using LBF #728, no separate *Certificate of Service* is required as one is contained in the form. When amending schedules to add new creditors not previously scheduled, upload/add ONLY the new creditors. When amending ONLY the matrix to add creditors previously scheduled but not added to the database, upload/add ONLY the new creditors. The PDF will contain LBF #728 and a matrix listing of ONLY the new creditors (*i.e.*, no schedules).

Mistake: Motions combining relief from stay with relief from co-debtor stay are incorrectly filed.

Solution: If relief from stay and relief from co-debtor stay is sought, be sure that (1) both boxes in the caption and in Pt. I of the *Notice of Motion* (LBF #720) are checked, (2) the docket text reflects relief from stay and relief from co-debtor stay. In any resulting order, also be sure that it reflects relief from stay and relief from co-debtor stay if such relief is granted.

Mistake: Petition or conversion documents omit components, or include documents that should be filed separately (*e.g.*, means test).

Solution: Use LBF #100 as a guide to which documents should be included with the petition, docketed separately, or not filed at all. File all documents referenced on the conversion order.

Mistake: Judge/Trustee Assignment is not run timely or at all.

Solution: Prepare a batch of cases, file them, and immediately run Judge/Trustee Assignment.

Mistake: The *Certificate of Service*, or list of parties to be served with an order, is missing, or does not conform with the Local Bankruptcy Rules.

Solution: Per LBR 7005-1 and 9021-1, the *Certificate of Service* on an e-filed document (other than an LBF), and the list of parties to be served with an order, must list the names and addresses of parties who were/must be served conventionally, and separately list the name of the parties who have been/will be served via ECF.

Mistake: Proposed orders are filed with the underlying motion.

Solution: Unless the motion is of the type set forth in LBR 9021-1(a)(2)(B), do not submit a proposed order with a motion. When it is appropriate for the court to sign the order, upload the order using the correct Order Upload option.

Mistake: *Reaffirmation Agreements* are not filed using the correct event.

Solution: Review the *Agreement*, and be sure to use the appropriate event: Reaffirm Consumer Debt Secured by Real Prop, Reaffirmation Agreement for Debtor Attorney Fees in a Chapter 12/13 Case, Reaffirmation with Atty Cert, or Reaffirmation without Atty Cert.

Mistake: Stipulated order does not have all required signatures.

Solution: Review the order to ensure that the proper electronic signatures of all parties to the stipulation are included on the document.

Mistake: Document created and filed by e-filer is scanned.

Solution: Convert a word processing document to PDF to create a smaller file. Unless the document is an LBF, select "Print to PDF" as opposed to "Publish to PDF" to create a smaller file.

Mistake: Missing/incorrect designation of "Amended" on documents.

Solution: A document should include "Amended" in the caption only if the previously filed document was missing information or was stricken.

Mistake: Failure to timely complete the case opening process.

Solution: Be prepared to file all pertinent case opening documents and upload creditors. Once those steps are completed for all new cases, immediately run Judge/Trustee Assignment. Failure to timely complete the process affects the Court's ability to efficiently administer the case.

Mistake: Format/data errors on LBFs due to reuse of previously filed/saved LBF.

Solution: Always use a blank LBF from the Court's web site.

Mistake: Failure to correctly link to previously filed document or link to incorrect document.

Solution: When filing a document that relates to a previously filed document(s), always link to the document(s).

Mistake: Failure to include referenced exhibits/attachments in a document.
Solution: Unless the document will exceed 4 MB, if exhibits/attachments are referenced in a document, merge them with the main document as one PDF.