

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF TENNESSEE**

THE ABC'S OF ECF

WHAT IS ECF?

Electronic Case Files (ECF) is the new case management and electronic case file system for the federal courts. It is also sometimes referred to as CM/ECF. The ECF system will allow the court to maintain case documents in electronic form (e.g., by scanning the paper documents), where they may be viewed on the Public Access to Court Electronic Records (PACER) system. It can also allow attorneys and some others to electronically file court documents via the Internet.

WHEN IS ECF COMING TO THE BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF TENNESSEE?

The court is preparing for a February 1, 2005, launch of the CM/ECF system, possibly with a small pilot group of registered users who will file documents electronically. On March 1, 2005, ECF will be made available to all attorneys. Prior to accessing ECF, all users will be required to attend training administered by the court or, if they are already using ECF in other districts, to demonstrate their knowledge of ECF and their familiarity with the ECF procedures adopted by the court.

WHAT DOES ECF OFFER?

- Ability to file documents with the court 24 hours per day, 7 days per week
- Automatic e-mail notification of case activity
- Reduced paper, photocopy, postage, courier, and document storage costs
- 24 hour Internet access (via PACER) to case information and documents primarily filed on and after the date of the court's initial conversion to the ECF system
- Ability to download and print documents from PACER
- Concurrent access to case files and documents by multiple parties
- No waiting in line or unavailable files at the clerk's office

- Payment of court fees via Internet credit card

WHAT DO I NEED TO USE ECF?

A personal computer (Pentium class recommended) running a standard platform such as Windows 95, 98, Me, 2000, XP with at least 128 MB of RAM. Macintosh equivalents are also acceptable.

Internet access via Cable modem, DSL (Digital Subscriber Line), ISDN (Integrated Services Digital Network) or T1 line. Standard Dial-up modem access (56 K speed) is not recommended because its connection speed from the Internet to the CM/ECF will be very slow when downloading/uploading files from the server.

An Internet Service Provider using point-to-point protocol (PPP). America On Line is not endorsed for use with ECF.

Internet Explorer (IE) 5.5 or newer (6.0) or Netscape Navigator version 4.6X , 4.7X, or 7.1.

Software to convert documents from word processor format to portable document format (PDF). Adobe Acrobat PDF Writer, as well as certain word processing programs, can perform this function. Adobe Acrobat Writer Version 4.0, 5.0, or 6.0, meets the CM/ECF filing requirements. Adobe can be contacted at 1-888-724-4508. For viewing documents, not authoring them, only Adobe Acrobat Reader is needed.

A PDF-compatible word processing program, such as WordPerfect or Microsoft Word. (Macintosh word processing software allowing PDF file conversion is also acceptable.)

A scanner to transmit documents that are not in your word processing system. A scanner equipped with an automatic document feeder is recommended for faster scanning of multiple page documents.

IS THERE SOFTWARE TO HELP ME PREPARE PETITIONS FOR ELECTRONIC FILING?

Yes, several bankruptcy software vendors have developed products that greatly simplify the process of filing bankruptcy petitions.

HOW DOES ECF WORK?

ECF accepts documents in portable document format (PDF). Documents, other than previously created exhibits that cannot be converted to text-based PDF, must be created in text-based PDF rather than imaged (i.e., scanned) because text documents are much smaller than imaged documents. For a typical document, its PDF text version would be only 20% of the size of its imaged version. Therefore, an imaged document can take five to ten times as long to transfer and uses five to ten times

more computer storage.

Text-based PDF is searchable and retains a document's original formatting, so the pages, fonts, etc. are preserved. Filing a document with the court's ECF system is quite easy:

- Create the document using word processing software.
- Save the document in text-based PDF format.
- Log onto the court's ECF system, using a court-issued login and password.
- Follow the set of simple prompts to provide information about the case, party and document to be filed.
- Attach the PDF document and submit it to the court for filing (by pressing a submit button).
- Save or print the ECF electronic receipt e-mailed from the court confirming that the document was filed.

ARE THERE FEES?

There are no added fees for filing documents over the Internet using ECF. Existing document filing fees do apply and will be paid by electronic filers using an Internet credit card payment program. This program allows an attorney to file several documents requiring fees and then pay in one transaction. Attorneys may use either a credit card or a debit card with a credit card logo on it. A receipt number is received for each payment transaction for use in reconciling the card statement. A report may also be run which displays the detail (i.e., date paid, case number and documents filed, receipt number, and amount) for all transactions over a specified period of time.

Electronic access to court data is available through PACER. Attorneys and litigants receive one free copy of documents filed electronically in their cases; additional copies are available for viewing or downloading at seven cents per page, with a maximum \$2.10 fee for documents of 30 pages or more.

Attorneys may wish to establish a business or personal credit card account specifically for filing fees. The following are suggestions for using credit cards for the payment of filing fees:

- Obtain a sufficient credit limit on the card. Communicate with the credit card company about how you will be using the credit card. Most credit card companies are willing to work with you to obtain a higher limit for this usage.
- Obtain a credit card for which you can track your balances/limit over the Internet.
- For bookkeeping purposes, use the card solely for court costs.
- Establish the credit card through a bank that you deal with regularly and that provides you with the most advantages.

WHAT ABOUT SERVICE?

The Court will be serving most notices, orders, judgments, etc. through the Bankruptcy Noticing Center (BNC). Documents mailed by the BNC generally take a minimum of 4 days from the date they are entered into the system to arrive at their destinations.

To obtain documents issued by the court moments after entry via e-mail or fax, you are encouraged to sign up for Electronic Bankruptcy Noticing (EBN). For further information, visit the EBN's website at www.EBNuscourts.com or call 1-877-837-3424. Electronic Bankruptcy Noticing is free, and technical support is provided.

Under ECF, whenever a document is filed electronically, the filing party is automatically sent a Notice of Electronic Filing (NEF) via electronic means at the time of filing. All other parties who are ECF participants also receive the NEF by e-mail for cases in which they are involved, and may additionally register to receive notice in other cases. The NEF contains a hyperlink which allows the recipient "one free look" at the document filed through PACER, including the ability to print and/or save it. ECF users may choose to receive individual notification of each filing or a daily summary report, and may register multiple e-mail addresses for this purpose.

WHAT KIND OF TRAINING WILL BE PROVIDED?

The Court will offer classes for attorneys and their staffs at the court's Chattanooga, Knoxville and Greeneville locations. Attorneys must complete the training or demonstrate their knowledge of the court's ECF procedures in order to become registered users of ECF. Prior to this training, attorneys and their staffs may want to familiarize themselves with ECF by going through computer-based training modules which are posted to this site.

WHEN WILL PROCEDURES BE AVAILABLE?

The Court's Project Committee has drafted an ECF General Order and Administrative Procedures, and these are currently being reviewed.

WHO TO CONTACT

For further information, you may contact one of the following:

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