

How does CM / ECF differ from the previous electronic docketing system ?

CM/ECF is a Web-based docket system that may be accessed by attorneys 24 hours a day, seven days a week. Attorneys and trustees may file and docket pleadings and file cases in CM/ECF at their own convenience. In contrast, the previous electronic system only allowed court personnel to open cases and docket pleadings. In essence, CM/ECF is much more flexible and cost effective, and provides benefits to both the court and the legal community.

If I don't have the required equipment, how will I file a case and file pleadings ?

Presently, the court will continue to accept paper filings as in the past. At some point, electronic filing by lawyers may be required.

What kind of training will be offered ?

Court staff have undergone training on a variety of aspects of CM/ECF. The system has been tested and is up and running. Bankruptcy trustees and numerous attorneys have been trained in the use of the system. Contact the Clerk's Office to sign up for training.

What are the costs associated with electronic filing ?

At this time there are no additional costs associated with the electronic filing. As with the current PACER system, there will be fees associated with running and printing reports. PACER accounts may be obtained at: <http://pacer.psc.uscourts.gov> or by calling 1-800-676-6856.

How will lawyers get help in installing and using the new Electronic Filing System ?

To the greatest extent possible, the bankruptcy courts' staffs will help you with your transition to electronic filing. We offer basic classes for small groups, and will assist you on an on-going basis although we have limited staff for this purpose. Key personnel in each of the bankruptcy courts include:

NORTHERN DISTRICT www.wvnb.uscourts.gov

Marcie Kacsmar, Chris Warsinsky,
and Chris Daniel, who can be reached at:
304-233-1655

SOUTHERN DISTRICT www.wvsb.uscourts.gov

Sheila Huffman, Kristi Kessler and
Rudy O'Dell, who can be reached at:
304-347-3003

Log onto the individual court sites for important updates in CM/ECF.

ELECTRONIC FILING

United States Bankruptcy Court for the Northern District of West Virginia

www.wvnb.uscourts.gov

Patrick M. Flatley, Judge

Michael D. Sturm, Clerk

12th & Chapline Streets

P.O. Box 70

Wheeling, WV 26003

or

324 West Main Street

P.O. Box 2506

Clarksburg, WV 26302-2506

AND

United States Bankruptcy Court for the Southern District of West Virginia

www.wvsb.uscourts.gov

Ronald G. Pearson, Judge

M. Jo Proops, Clerk

Robert C. Byrd United States Courthouse

300 Virginia Street East

Room 3200

Charleston, WV 25301

What is electronic case filing ?

The U.S. Bankruptcy Courts in both federal judicial districts in West Virginia have installed a new electronic case management and case filing system which typifies the way business will soon be done in all state and federal courts. Our system, dubbed "CM/ECF" (Case Management / Electronic Case Filing), is within months of being fully implemented.

Electronic Case Filing is a means for lawyers to create legal documents on their office computers, convert those documents from ordinary word processing text to an image or digital text, and finally submit the document to the clerk's office for filing over the Internet.

The ECF portion of the system is easy to use and allows a lawyer to send, and a court to store, retrieve and review case documents in a reliable and secure electronic format. The overall system can also offer the following benefits:

- ◆ Twenty-four hour access to case files from any location (bench, chambers, home, divisional offices, etc.) over the DCN (Data Communications Network of the federal courts) or Internet
- ◆ Remote document filing
- ◆ Docketing as a by-product of electronic filing
- ◆ Concurrent access to files
- ◆ Immediate e-mail notification of case activity to parties and court staff
- ◆ Reduced need for physical file space
- ◆ Easy public access
- ◆ Secure storage of documents (so files are not misplaced)
- ◆ Court flexibility to choose when and how to use the ECF capabilities
- ◆ Continued use of paper if desired
- ◆ Reduced paper, postage, and courier costs
- ◆ Printing copies of pleadings at your office
- ◆ Ability to generate reports
- ◆ Future ability to view archived files without waiting for retrieval from the FRC

What are electronic files ?

Quite simply, electronic files are collections of legal documents which are stored in an electronic format rather than on paper. These documents can be created electronically in the law office by use of your word processor, or paper documents can be converted to electronic documents by scanning. No matter how the document is turned into an electronic record, at some point before "filing", the document must be converted to a format called "Portable Document Format" or "PDF". When converted to PDF format, it cannot be changed or manipulated by anyone - not the clerk's office, a judge, or your opponent.

Hardware Requirements

In order to be able to participate in electronic filing with this court, you must have Internet access and a computer and peripherals as follows:

- ◆ a personal computer running a standard platform such as Windows 95 or higher.
- ◆ Internet browser configured with 128 bit encryption, Java Script enabled, and session cookies enabled and a minimum of 32 MB of memory.
- ◆ Internet provider (other than AOL) capable of giving a connection speed of 56kps minimum. High speed connections such as DSL or a cable modem will improve performance. Connection can be made at speeds less than the recommended 56kps, however system performance will be less than optimal i.e. slow response time and access.
- ◆ Netscape Navigator software version 4.7 or higher and Microsoft Internet Explorer 5.0 or higher. Due to security, a session can only be established using lower versions.
- ◆ a scanner to transmit documents that are not in your word processing system.

- ◆ an email account or multiple accounts to handle a large volume of email transmissions from the court and the Bankruptcy Noticing Center. Cannot be Hotmail or AOL and cannot have a size limitation.
- ◆ Windows 95 or higher or a MAC.
- ◆ Adobe Acrobat Writer/Distiller; Adobe Acrobat Reader.

Software Vendors

The following bankruptcy software vendors have designed systems for electronic filing of your petition and schedules, including conversion to pdf formats and submission of the petition and schedules electronically:

- * New Hope Software - Bankruptcy 2001
- * SeaView Software - FreshStart
- * Puritas Springs - WBANK3
- * BestCase Solutions - BestCase
- * Matthew Bender - Collier TopForm
- * Zimmerman & Mohr-EZ Filing
- * BK Tools

You may also want to check with:

- * Cornerstone-Computing - Bankruptcy Plus
- * West - Chap 7 ...13
- * MultiMedia Abacus - Bankruptcy Esq.

When will CM/ECF be available?

This system is in full use by the U. S. Bankruptcy Courts in the Northern and Southern Districts of West Virginia.