



# Bankruptcy Bits & Pieces

September/October 2015

Bankruptcy Bits & Pieces is published by the U.S. Bankruptcy Court for the Central District of Illinois as an information service for the practitioners of our court. Suggestions and comments are always welcome. Please email us at: [attorney\\_newsletter@ilcb.uscourts.gov](mailto:attorney_newsletter@ilcb.uscourts.gov)

## Update Your Email Address

CM/ECF Users are required to maintain and update their personal information, including email addresses. See [Maintain User Information](#) for instructions. Failure to maintain a current email address may result in the lockout of your CM/ECF filing account.

## Updated Entry Procedures for Kankakee 341 Location

**Parties will no longer enter at the Administrative/ Environmental Entrance. Debtors and Attorneys will now have to enter in the main entrance under the canopy and use a visitor's badge. The new entrance is effective immediately.**

## CourtSpeak

All Divisions in the U.S. Bankruptcy Court for the Central District of Illinois are now using CourtSpeak to add audio files of court proceedings to the docket. Selected matters heard by Judge Perkins and Judge Altenberger and all matters heard by Judge Gorman will be uploaded to CM/ECF, unless a hearing is specifically ordered to be sealed or restricted.

The audio files are available through PACER. A PACER user is charged \$2.40 for each access, however, attorneys who receive the PDF with the embedded audio with their NEFs are entitled to one free listen.

Please Note: If information subject to the judiciary's privacy policy is stated on the record, it will be available in the audio file. Parties are advised to avoid introducing personal data identifiers and other sensitive information into the record in the first place, unless absolutely necessary to prove an element of the case. Electronic Court Recording Operators (ECROs) cannot redact audio files before they are uploaded to CM/ECF.

## Motions to Extend Stay and Motions to Impose Stay

The docket event previously used to file a motion to extend/impose the stay has been changed. Two docket events are now available. One is for motions to extend the stay and the other is for motions to impose the stay. Please make sure that you select the correct docket event when filing a motion either to extend or to impose the stay.

Motions to extend the stay are filed pursuant to §362(c)(3). Generally when a debtor has had one prior case dismissed within the one year period before the filing of the current case, the automatic stay terminates thirty days after the case filing. The stay may be extended by the filing of a motion by a party in interest and upon a demonstration that the current case was filed in good faith. See 11 U.S.C. §362(c)(3).

Motions to impose the stay are filed pursuant to §362(c)(4). Generally when a debtor has had two or more cases dismissed within one year before the filing of the current case, the automatic stay does not come into effect upon the case filing. The stay may be imposed by the filing of a motion by a party in interest and upon a demonstration that the current case was filed in good faith. See 11 U.S.C. §362(c)(4).

Judge Gorman has added a section to her Procedures regarding the filing of motions to extend or to impose the stay. Practitioners in the Springfield and Urbana divisions should consult her Procedures for further guidance on the filing of these motions. [Click here](#) to access her Procedures.

## ECF Filing Tips of The Day...

### Captions

Rule 9004(b) of the Federal Rules of Bankruptcy Procedure requires that every paper filed in a bankruptcy case contain a caption. The caption must state the name of the court, the title of the case, the bankruptcy case number, and a brief description of the paper being filed. The title of the case includes the debtor's name, the debtor's employer-identification number, if any, the last 4 digits of the debtor's social security number or individual tax ID number.

In addition, the case caption in a bankruptcy case should not contain an adversary-type caption. The creditor's name should not appear in the case caption on motions for relief from stay, motions to avoid liens, etc.

### Adversary Party Information

**Reminder:** When opening a new adversary complaint in ECF – make sure the names entered into ECF exactly match the names as they appear on the caption of the complaint.

When searching for the party, only select the party if the name exactly matches the complaint. If the name does not match, then you should create a new party. If a party exists with the same name but a different address, you can select the party and edit the address on the next screen.

Incorrect names entered into ECF may result in a deficiency notice and a delay in the processing of the case.

### PDF size restrictions increased:

**Recently, the Clerk's Office increased its file size limit of pdf documents from 2 MB to 10 MB. If your scanned document is larger than 10MB, you can separate it into multiple smaller files. To check the size of the file, right click on the file and select properties.**

**1 MB = 1000KB.**

**Past Issues ...** Past issues of the Attorney Newsletter make excellent reference materials for docketing tips and procedures. To access past issues, click the link below:

[Newsletter](#)

### Court Training Videos

There are a number of e-filing tutorials available on the court's website that provide additional training to e-filers specific to the Bankruptcy Court, Central District of Illinois. Please click on the following link to access demos on filing:

<http://www.ilcb.uscourts.gov/electronic-filing-demonstrations>



### Court Locations

Springfield  
2nd Floor Room 226  
600 E. Monroe Street  
Springfield, IL 62701  
(217) 492-4551  
Office Hours: 8 am–5pm

Peoria  
2nd Floor Room 216  
100 N.E. Monroe Street  
Peoria, IL 61602  
(309) 671-7035  
Office Hours: 8 am–5 pm

Urbana  
Room 203  
201 S. Vine Street  
Urbana, IL 61802  
(217) 974-7330  
Office Hours: 8 am–5 pm

### Court Closures

The Clerk's Office will be closed:

**Monday, September 7, 2015  
(Labor Day)**

**Monday, October 12, 2015  
(Columbus Day)**