

ECF NEWS

United States Bankruptcy Court District of Nebraska

Issue 1

August 2001

WELCOME

by

Judith Napier, Clerk of Court

Welcome to the first issue of ECF News. ECF News is intended to provide you with any news and information, including announcements of training schedules and events about Electronic Case Filing (ECF). To keep informed, watch for ECF News in the coming months. The staff and I are excited about the possibilities this venture offers to all of us.

THANKS

from the Training Team

We have formed our Attorney Advisory Committee (AAC) and want to thank the attorneys who have agreed to be part of this group. ECF is a major advancement in technology for the court and the participation of our AAC will be important to our success. We realize the training and newness of the system will take extra effort for the attorneys and their staff and do appreciate their time and patience. Members of the AAC are:

Richard P. Garden, Jr., Chairman
Donald Pavelka, Jr.
James R. Nisley
Joseph H. Badami
Philip M. Kelly
Rick D. Lange
W. Eric Wood
Douglas D. DeLair

Arend Baack
Douglas E. Quinn
Jerry L. Jensen
Kathleen A. Laughlin
Richard D. Myers
Ronald A. Hunter
Wayne E. Griffin
James J. Stumpf

Clay Rogers
Howard Duncan
John J. Jolley, Jr.
Lea Thomas
Richard E. Gee
Sandra A. DeLair
P. Stephen Potter

David Pederson
James M. Woodruff
John T. Turco
Michael R. Snyder
Richard K. Lydick
Thomas L. Saladino
John C. Hahn



FROM THE BENCH

by

Timothy J. Mahoney, Chief Judge



The federal judiciary's Case Management/Electronic Case Filing (CM/ECF) Project is designed to replace aging electronic docketing and case management systems. CM/ECF will also provide the court the capability to have case file documents in electronic format and to accept filings over the Internet.

The Bankruptcy Court for the District of Nebraska is in the process of implementing CM/ECF and the current plan is to "go live" with the project in early January 2002. In the meantime, the whole staff of the Clerk of the Bankruptcy Court is deeply involved in all of the planning and training necessary to accomplish the goal of implementing this major project. Members of the Clerk's Office staff, Chamber's staff, including this judge, and attorneys and their staffs will be trained to use the system before anyone actually submits motions or pleadings or has the opportunity to view actual files.

I look forward to the minimization of paper usage in the court. I anticipate being able to rely upon the electronic docket which will have a hypertext link to each document filed in the case or proceeding. In chambers, the goal is to be able to prepare various drafts of opinions on a shared drive, send the drafts to a law clerk, to me and to my secretary, LeAnn Jeanneret, for final cleanup, all without paper. When the final draft is completed, my electronic signature will be attached and the opinion will be filed electronically and sent to counsel electronically rather than being printed on paper at all.

In the courtroom, I should be able to have the calendar of matters scheduled with a "button" which launches the portion of the docket or documents relevant to the issues at hand. For example, in a Chapter 13 case hearing on a contested claim objection, I should be able to simply click on the objection button and those documents linked to the claims objection (i.e., the objection, the response, the reply and all supporting declarations) will be pulled up by their docket number and description. If I want to see the actual document in court, I will launch it by clicking on the docket number. The lawyers will be able to do the same in their offices, and, if they use laptops with their electronic case files downloaded, in the courtroom.

Lawyers will eventually be able to send in their orders electronically, e-mailing them to the calendar clerk who will review them for form and then e-mail them to me for review and affixing my electronic signature. I will then e-mail the "signed" order to docketing for entry and transmission back to the lawyer. This all can happen in a matter of a few minutes, (although practically speaking, we anticipate it will take at least one day). This ability to submit and receive orders electronically should be of benefit to members of the Bar.

We are involved in this project for at least several reasons. First, the new system will eventually allow the Clerk's Office to handle more cases, with more entries, in less time. Second, with regard to the Office of the Clerk, we will eliminate the required filing and storage of documents. Third, with regard to our relationship with the public, when the system is fully implemented, we should be able to provide better service to the lawyers, the debtors and the creditors.

With regard to service, whether it's in the nature of dealing with people and businesses in financial crisis, or merely bad planning, there are a lot of emergencies in bankruptcy practice. ECF will give us 24/7 capability in our Clerk's Office. We will now truly always be open. Those things which lawyers usually need in a hurry – such as petitions filed to stop a foreclosure and orders signed by a judge - no longer require the judge to be physically present or the courthouse itself to be open. I will be able to access remotely my orders and sign and file them by using my computer even while I am away from a court point or when the courthouse is closed. That, in itself, should be considered a service to the public.

I am looking forward to moving with the court into the electronic age and am also looking forward to working with members of the Bar on the implementation and perfection of CM/ECF in the District of Nebraska.

PROJECT PROGRESS

by

Alice Smith and Cheryl Oliver, Joint Project Managers

Implementing this new "way of life" in our court is exciting and challenging. We have mapped all of our current processes, from the way a piece of paper gets hand delivered to the court, to the way mail is sent and received by this court. Each one of these processes is being reviewed to determine how it can be done with less paper, how we will communicate the information to others without paper and how we can more efficiently do our work and serve the public.

We have been working with the Administrative Office of the U.S. Courts (AO) and our mentor court, Washington Western Bankruptcy Court, since March 2001 and have completed the first phase of this project. Our project is on schedule and we moved from the pre-implementation phase to the implementation phase of this project on July 1, 2001. During the pre-implementation phase we received our hardware, cleaned up our databases and sent numerous staff members to training. The implementation phase is when we start working on our new data dictionary, train our staff, the bar and public and begin the transition to this new system in anticipation of going "live" in early January 2002.

ATTORNEY TUTORIALS AVAILABLE ON INTERNET

The CM/ECF tutorials for electronic case filers are now available on our web page www.neb.uscourts.gov. Just click on the CM/ECF Attorney Tutorials on our home page. These tutorials will give you a preview of electronic case filing and how to file pleadings and query for various information. The tutorial consists of six modules. The first five modules guide you through specific CM/ECF functions such as How to File a Motion or How to Create a Docket Report. The sixth module contains a link to an Adobe Acrobat tutorial on working with PDF documents. Working through these tutorials, before formal ECF training later in the year, is recommended to help familiarize users with the new system.



CALENDAR OF UPCOMING ECF EVENTS



August 21- 23, 2001

Administrative Office Implementation Team site visit.

The AO Implementation Team, consisting of specialized personnel from Washington, DC, San Antonio, Texas and our mentor court in Seattle, WA, will be visiting our court August 21 through August 23. We look forward to this visit; it will help us prepare for the implementation of CM/ECF. The AO Implementation Team is very impressed with our progress and the enthusiasm of the court members as well as the attorneys.

BE SURE TO CHECK FUTURE ISSUES OF ECF NEWS FOR UPCOMING EVENTS!