

**U.S. BANKRUPTCY COURT  
SOUTHERN DISTRICT OF ILLINOIS**



**Administrative Guide for  
Attorney's Staff**

**Revised December 1, 2013**

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## **ADVERSARIAL COMPLAINTS**

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**DOCUMENTS REQUIRED FOR FILING:** Adversarial complaint. The electronically filed document shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe. Note: Exhibits (e.g., leases, promissory notes, mortgages, titles) may be filed electronically in accordance with this Court's Electronic Filing Rules found at <http://www.ilsb.uscourts.gov>. A Summary of Exhibits may be filed electronically, in lieu of filing the actual exhibits, in accordance with this Court's Electronic Filing Rules found at <http://www.ilsb.uscourts.gov>. The Summary of Exhibits shall be filed electronically as the last page of the complaint, if applicable. If a Summary of Exhibits is filed, the exhibits shall be served on interested parties and a certificate of service reflecting service of the exhibits shall appear on the Summary of Exhibits. Any Exhibit that is filed with the Court shall comply with the privacy protection requirements set forth in Bankruptcy Rule 9037. The Summary of Exhibits is available from the Forms Library web page.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable.

**TYPE OF CERTIFICATION OF SERVICE:** Not Required.

**PROPOSED ORDER:** None.

**FILING FEE:** \$293.00. No fee is required if plaintiff is the chapter 7, 12 or 13 debtor. The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The adversarial complaint PDF document is filed under Adversary Event of Open an AP Case. When filing the adversary, the filer is prompted with the following question: "**Is plaintiff the Chapter 7, 12 or 13 debtor, Trustee, or U.S. Government?**" If applicable, enter a lowercase "y". If the plaintiff is not a Chapter 7, 12 or 13 debtor, Trustee or U.S. Government party enter a lower case "n".

Upon opening a new adversary case, the summons will automatically be docketed as document #2 and the deadline to file answer(s) will be set automatically. The electronic summons will be in PDF format and the user can click the link to save or print the summons. The filer of the adversary case will receive an e-mail notification of the filing. The e-mail notification contains the "one free look" to the summons.

**NOTE:** Bankruptcy Rule 7007.1 requires any corporation that is a party to an adversarial proceeding, other than a governmental unit, to file, with its first appearance, pleading, motion, response or other request addressed to the court, a corporate ownership statement. This

statement identifies those corporations that directly or indirectly own 10% or more of any class of the corporation's equity interests. If there are no such entities to report, the statement must so indicate. If the debtor is the corporation, the corporate ownership statement must be filed in the bankruptcy case and is not required to be filed again in the adversarial proceeding. A sample corporate ownership statement is available from the Forms Library web page.

## **AMENDED CHAPTER 13 PLAN AND AMENDED CHAPTER 12 PLAN**

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**DOCUMENTS FOR FILING:** Amended plan, notice fixing time to object to amended plan and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on all creditors and parties in interest, allowing 21 days from the date of filing for objections to be filed.

**HEARING DATE:** Not applicable. A hearing will be set by the Court if an objection is filed.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the amended plan and notice have been mailed this date to all creditors and parties in interest as listed on debtor(s) matrix; or you may list the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

In a chapter 13 case, if the claims bar date has expired, you have the option of mailing the amendment and notice to the Trustee, all parties who have filed a claim or a request for service, all secured creditors or as otherwise required by the Chapter 13 Procedures Manual. If this option is selected, the certificate of service shall state that the amended plan and notice have been mailed this date to the Trustee, all parties who have filed a claim or a request for service, and all secured creditors; or list the name and address of each person/entity served.

A list of claimants can be obtained from PACER. Information on PACER can be obtained by accessing the Court's Internet web site at <http://www.ilsb.uscourts.gov> and selecting the Pacer Information.

**PROPOSED ORDER:** None.

**FILING FEE:** None.

**ELECTRONIC FILING:** The amended chapter 13 plan and certificate of service PDF document is filed under Bankruptcy Event of Plan, then Amended Chapter 13 Plan after Act of 2005. Create the deadline for objections when docketing this entry.

An amended chapter 12 plan PDF document is filed under Bankruptcy Event of Plan, then Amended Chapter 12 Plan. The notice with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice Fixing Time Obj 12 Plan.

When filing the applicable amended plan, the filer must select if the plan is being filed before or after confirmation.

## AMENDED SCHEDULES

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**DOCUMENTS REQUIRED FOR FILING:** Amended schedule and certificate of service. When amending schedule D, E, F and/or the matrix, the debtor must file a signed declaration and/or verification of matrix. The amended schedule D, E, F and/or amended matrix shall include only the names and addresses that have been newly added, or for which information has changed. If the debtor is deleting a creditor, the debtor must so state. The creditor information for the additional creditors must be uploaded at the time of filing the amended document.

The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the amended schedule and/or the amended matrix has been mailed this date to the Trustee and on any entity affected thereby, listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail. Note: When the amendment adds creditors, the debtor must also serve, on any newly added creditor, a copy of the last issued notice of commencement of case, and in any asset case, a proof of claim form and notice of the claims bar date. In chapter 13 cases, the debtor must also serve a copy of the current chapter 13 plan on every newly added creditor included in the amended document. The certificate of service must list the documents served.

**PROPOSED ORDER:** None.

**FILING FEE:** \$30.00 per amended schedule D, E and F (unless the amendment is to change the address of a creditor or an attorney for a creditor listed on the schedules or to add the name and address of an attorney for a listed creditor). The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The amended schedule D, E, or F, declaration, amended matrix, verification thereof, and certificate of service PDF document is filed under Bankruptcy Event of Other, then Amended Schedules (D, E, and F)(Fee). Each amended schedule D, schedule E and schedule F must be **filed separately** in CM/ECF. Additional creditors matrix should be uploaded under Bankruptcy Event of Creditor Maintenance, Upload a Creditor Matrix File. The amended matrix, with only the additional creditor(s) listed, must be saved in ASCII text format (a .txt file) before uploading. If the amended schedule D, E, or F does not require a filing fee, it

should be filed under Bankruptcy Event of Other, then Amended Schedules (D, E, and F)(No Fee).

Note: Any other amended schedule not requiring a filing fee must be filed under Bankruptcy Event of Other, then the specific schedule event. Each schedule event will prompt filer to select if schedule is amended. The PDF attached to each entry should only contain the corresponding amended schedule, along with the appropriate related documents, i.e., certificate of service.

**ADDITIONAL FILING NOTES:** When filing any of the following amended schedules or statements, the event will prompt for the entry of statistical data, which is required pursuant to the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA):

- Schedule - Summary of Schedules
- Schedule - Statistical Summary of Certain Liabilities and Related Data
- Schedule A
- Schedule B
- Schedule D
- Schedule E
- Schedule F
- Schedule I
- Schedule J
- Chapter 7 Means Test
- Chapter 11 Statement of Current Monthly Income
- Chapter 13 Statement of Current Monthly and Disposable Income

## **APPLICATION TO COMPROMISE CONTROVERSY**

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**DOCUMENTS REQUIRED FOR FILING:** Application to compromise controversy, notice of application and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on all creditors and parties in interest allowing 21 days from the date of filing for objections to be filed.

**HEARING DATE:** Not applicable. A hearing will be set by the Court if an objection is filed.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the application and notice have been mailed this date to all creditors and parties in interest as listed on debtor(s) matrix; or the name and address of each person/entity served may be listed. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** A proposed order shall be submitted when an application to compromise controversy is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word (.doc) format and saved as an attachment to the e-mail message.

**FILING FEE:** None.

**ELECTRONIC FILING:** If filing in a bankruptcy case, the application to compromise controversy PDF document is filed under Bankruptcy Event of Motions/Applications, then Compromise Controversy. The notice of application with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

If filing in an adversary case, the application to compromise controversy PDF document is filed under Adversary Event of Motions, then Compromise Controversy. The notice of application with certificate of service PDF document is filed under Adversary Event of Notices, then Notice of Motion. In the event the settlement affects estate property, the movant shall also file a copy of the motion and notice in the bankruptcy case.

## **MOTION FOR RELIEF FROM THE AUTOMATIC STAY**

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**DOCUMENTS REQUIRED FOR FILING:** Motion for relief from the automatic stay, notice of motion and certificate of service. **See this Court’s Local Rules for required content of motions for relief from the automatic stay. In a case filed under any chapter in which the movant is filing a motion for relief from stay to foreclose on collateral, the movant shall attach to the motion a separate statement that (1) lists any other entity/party that may have a legal or equitable interest in the property which is the subject of the motion; or (2) states that to the best of the movant’s knowledge, information and belief, there are no such other entities/parties. Failure by the movant to include this statement will result in the motion for relief from stay being stricken as deficient by the Court. See this Court’s Local Rules for further requirements.** The electronically filed documents shall indicate a signature with the party’s name typed in full, e.g., /s/ Jane Doe.

Multiple pleadings are **not accepted**. A motion for relief from stay must be filed as a separate pleading, except the motion may also include a request for abandonment or adequate protection, as well as a request for relief from the co-debtor stay.

Note: Exhibits (e.g., leases, promissory notes, mortgages, titles) may be filed electronically in accordance with this Court’s Electronic Filing Rules found at <http://www.ilsb.uscourts.gov>. A Summary of Exhibits may be filed electronically, in lieu of filing the actual exhibits, in accordance with this Court’s Electronic Filing Rules found at <http://www.ilsb.uscourts.gov>. The Summary of Exhibits shall be filed electronically as the last page of the motion, if applicable. If a Summary of Exhibits is filed, the exhibits shall be served on interested parties and a certificate of service reflecting service of the exhibits shall appear on the Summary of Exhibits. Any Exhibit that is filed with the Court shall comply with the privacy protection requirements set forth in Bankruptcy Rule 9037. The Summary of Exhibits is available from the Forms Library web page.

**TYPE OF NOTICE:** Notice of Motion allowing 14 days from the date of filing for objections to be filed, and containing preliminary hearing information in the event an objection is filed.

**NOTE:** A “Notice of Motion for Relief from Automatic Stay” shall comply with the form found on the Forms Library web page at <http://www.ilsb.uscourts.gov>.

**HEARING DATE:** The preliminary hearing date may be obtained for a motion for relief from stay by accessing the Court’s Internet web site at <http://www.ilsb.uscourts.gov>. Be sure to select a hearing date that will be held within 30 days from the motion filing date.

You may also obtain a preliminary hearing date by calling the Clerk’s office. The number to call for cases starting with a 3 after the year is (618) 482-9400. The number to call for cases starting with a 4 or 6 after the year is (618) 435-2200. The following information will be needed when calling for a preliminary hearing date:

- the bankruptcy case number
- the date that the motion and notice will be electronically filed and mailed

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion for relief from automatic stay and notice of motion have been mailed this date to all respondents/interested parties by listing the name and address of each person/entity served. **If relief from stay and abandonment, service must be made to all creditors and respondents/interested parties.** If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** Submit a proposed order for relief from the co-debtor stay, relief from stay and co-debtor stay, or if submitting an order that is agreed or consented to. The proposed order must be submitted at the time of filing one of the above-mentioned motions. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word (.doc) format and saved as an attachment to the e-mail message.

**FILING FEE:** \$176.00. The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

Exceptions to the filing fee are as follows:

- (1) Federal Agencies, RTC, Child Support Creditor or its representative (must have child support creditor affidavit). This Court has waived the filing fee with regard to St. Clair County on behalf of their taxing agency - a separate motion requesting that the fee be waived must be filed and ruled on prior to filing the motion and notice for relief from stay.
- (2) Motion for Relief from Co-Debtor Stay. (Motions which include relief from the debtor stay will require the filing fee paid).
- (3) Stipulation/Agreement for Relief from the Automatic Stay.
- (4) Motion is an Amended Motion. This must actually be an amended motion.

**ELECTRONIC FILING:** The motion for relief from stay PDF document is filed under Bankruptcy Event of Motions/Applications, then Relief from Stay. If the motion also contains a request for abandonment or the alternative relief of adequate protection, the motion is required to be filed as a multi-part motion. For example, if the motion contains a request for abandonment, both the “Relief from Stay” and “Abandonment” options are selected from the menu. This is done by selecting first the option “Abandonment” and while holding down the control key, selecting “Relief from Stay”. For further assistance docketing multi-part motions, see the electronic learning module for Motions located within the CM/ECF Users’ Manual or by accessing the Court’s Internet web site at <http://www.ilsb.uscourts.gov> and selecting CM/ECF,

then Training.

When filing a motion for relief from stay, the filer will be presented with the following statement: **“If your motion meets any of the following criteria, please answer “Y” otherwise answer “N”. Relief from Co-Debtor Stay ONLY, Child Support Creditor, filer is the US Government or the motion is AMENDED, AGREED or CONSENTED.”** If answered with a “Y”, there is no filing fee due for this motion. If answered “N”, the filer will be prompted to pay the filing fee online.

The notice of motion with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

## **MOTION TO AVOID LIEN**

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**DOCUMENTS REQUIRED FOR FILING:** Motion to avoid lien, notice of motion and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on parties in interest allowing 21 days from the date of filing for objections to be filed.

**HEARING DATE:** Not applicable. A hearing will be set by the Court if an objection is filed.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion to avoid lien and notice of motion have been mailed this date to the parties in interest by listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** None

**FILING FEE:** None

**ELECTRONIC FILING:** The motion to avoid lien PDF document is filed under Bankruptcy Event of Motions/Applications, then Avoid Lien. If this is a motion to avoid lien on household goods under §522(f)(1)(B)(i), the PDF document is filed under Bankruptcy Event of Motions/Applications, then Avoid Lien on Household Goods. The notice of motion with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

## **MOTION TO CONVERT CHAPTER 13 PETITION TO CHAPTER 7**

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**DOCUMENTS REQUIRED FOR FILING:** Motion to convert to chapter 7 and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable. A hearing will be set by the Court if required.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion to convert has been mailed this date to parties in interest by listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** None.

**FILING FEE:** \$25.00. The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The motion to convert a chapter 13 petition to chapter 7 with certificate of service PDF document is filed under Bankruptcy Event of Motions/Applications, then Convert Case 13 to 7.

## MOTION TO DECONSOLIDATE

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**DOCUMENTS REQUIRED FOR FILING:** Motion to deconsolidate and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable.

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion to deconsolidate has been mailed this date to the parties in interest by listing the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** A proposed order shall be submitted when the motion to deconsolidate is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word (.doc) format and saved as an attachment to the e-mail message.

**FILING FEE:** Chapter 7 - \$306.00 Chapter 13 - \$281.00  
Chapter 12 - \$246.00 Chapter 11 - \$1,213.00

The filer will be prompted to pay the filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The motion to deconsolidate with certificate of service PDF document is filed under Bankruptcy Event of Motions/Applications, then Deconsolidate Chapter 7 case, Deconsolidate Chapter 13 case, Deconsolidate Chapter 12 case or Deconsolidate Chapter 11 case, as appropriate.

## MOTION TO TERMINATE GARNISHMENT

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**DOCUMENTS REQUIRED FOR FILING:** Motion to terminate garnishment, notice of motion and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on parties in interest allowing 21 days from the date of filing for objections to be filed, and containing a hearing date, time and location in the event an objection is filed.

**HEARING DATE:** To obtain a hearing date, call the Clerk's office. The number to call for cases starting with a 3 after the year is (618) 482-9400. The number to call for cases starting with a 4 or 6 after the year is (618) 435-2200. The following information will be needed when calling for the hearing date:

- the bankruptcy case number
- the date that the motion and notice will be electronically filed and mailed

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the motion to terminate garnishment and notice of motion have been mailed this date to the parties in interest by listing the name and address of each person/entity served, including the judgment creditor and debtor's employer. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDER:** A proposed order shall be submitted when the motion to terminate garnishment is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word (.doc) format and saved as an attachment to the e-mail message.

**FILING FEE:** None.

**ELECTRONIC FILING:** The motion to terminate garnishment PDF document is filed under Bankruptcy Event of Motions/Applications, then Terminate Garnishment. The notice of motion with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

## NEW BANKRUPTCY CASES

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**DOCUMENTS REQUIRED FOR FILING:** Voluntary petition. The voluntary petition shall bear a signature by the debtor(s) and the attorney for the debtor(s). The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe. The minimum-filing requirement is the voluntary petition and signature pages (3 pages), Exhibit D(s), the statement of social security number or individual taxpayer-identification number along with the creditors matrix being uploaded.

**TYPE OF NOTICE:** Not applicable.

**HEARING DATE:** Not applicable.

**TYPE OF CERTIFICATION OF SERVICE:** Not applicable. However, pursuant to this Court's Electronic Filing Rules, found at <http://www.ilsb.uscourts.gov>, in chapter 7 cases, within seven days after the filing of the bankruptcy petition, debtor (if proceeding pro se) or counsel for debtor shall serve a copy of the petition, schedules, statement of financial affairs, and statement of current monthly income and means test calculation to the chapter 7 trustee. See the Court's website at <http://www.ilsb.uscourts.gov> to determine if the Trustee requires electronic or paper submission.

**PROPOSED ORDER:** None.

<b>FILING FEE:</b> Chapter 7 - \$306.00	Chapter 9 - \$1,213.00
Chapter 13 - \$281.00	Chapter 11 Railroad - \$ 1,046.00
Chapter 12 - \$246.00	Involuntary Chapter 7 - \$306.00
Chapter 11 - \$1,213.00	Involuntary Chapter 11- \$1,213.00
Chapter 15 - \$1,213.00	

The filer will be prompted to pay the appropriate filing fee online by entering their credit card information. After submitting the credit card information, the filing fee will be paid via the Internet directly to the U.S. Treasury, a transaction receipt will be displayed, and the receipt number will be docketed in the case immediately.

**ELECTRONIC FILING:** The voluntary petition and schedules PDF document is filed under Bankruptcy Event of Open a BK Case. The matrix .txt file (ASCII text format) is uploaded under Bankruptcy Event of Creditor Maintenance, then Upload a Creditor Matrix File. Do not include the debtor(s) or attorney for the debtor(s) on the creditor matrix.

The debtors' statement of social security number or individual taxpayer-identification number PDF document, Official Form B21, is filed under Bankruptcy Event of Other, then Statement of Social Security Number(s). The Statement of Social Security Number or Individual Taxpayer-Identification Number form is available from the forms library web page. If applicable,

the chapter 13 plan PDF document is filed under Bankruptcy Event of Plan, then Chapter 13 Plan.

If the debtor is a corporation, other than a governmental unit, the corporate ownership statement PDF document is filed under Bankruptcy Event of Other, then Corporate Ownership Statement.

If the filing fee is to be paid in installments, the Application to Pay Filing Fee in Installments PDF document is filed under Bankruptcy Event of Motions/Applications, then Pay Filing Fee in Installments. Pursuant to F.R.B.P. 1006, only an individual debtor filing chapters 7, 11, 12 or 13 may pay the filing fee in installments. During case opening, the "Installment" fee status must be selected. **NOTE:** Fifty percent of the filing fee is due at the time the petition is filed.

If the chapter 7 debtor is filing an application to proceed in forma pauperis (IFP), the PDF document is filed under Bankruptcy Event of Motions/Applications, then Waive Filing Fee (IFP). During case opening, the "IFP filing fee waived" fee status must be selected.

The certificate of budget and credit counseling course PDF document is filed under Bankruptcy Event of Other, then Certificate of Credit Counseling. **NOTE:** If the individual debtor has a debt repayment plan, it should be included in the certificate of credit counseling PDF.

If the petition indicates that a pre-petition judgment for possession has been obtained and that debtor may assert a right to cure is available under state law, the 1<sup>st</sup> certification under penalty of perjury to lessor/landlord with certificate of mailing can be conventionally filed with the Court or can be filed under Bankruptcy Event of Other, then Intent to Cure Default. The PDF must include a copy of the judgment for possession. The rental deposit must be submitted conventionally to the Clerk's office in one of the following forms: certified or cashier's check or money order made payable to the lessor/landlord.

Once the bankruptcy case has been filed and the creditors have been uploaded, the filer should run the Judge/Trustee assignment by clicking on Bankruptcy Event of Judge/Trustee Assign.

**ADDITIONAL CASE FILING NOTES:** When filing a chapter 7 case, be sure to select "no" from the asset notice drop-down menu. If filing a chapter 11, 12, or 13 case, select "yes" from the asset notice drop-down menu. The statistics screen will prompt the filer to indicate if there has been a prior bankruptcy filing within the last 8 years.

When filing a chapter 7 case, case opening has been modified to include a Means Check drop-down menu for the selection of Yes or No. This information is taken from Form B22A - Statement of Current Monthly Income and Means Test Calculation.

When filing a new petition, if the nature of business is marked "Health Care Business" on the petition, be sure to select "Health Care Business" on the case opening statistical screen.

If filing a chapter 11 case, be sure to indicate if the debtor is a small business as defined in 11 USC §101 (51D) on the case opening statistical screen by selecting "yes" from the small business drop-down menu. In addition there are two checkboxes on the statistical screen that indicate if a plan is being filed with the petition and if acceptances of the plan were solicited prepetition.

A “Summary of Schedules” screen will be displayed during case filing. Enter the appropriate totals from Schedules A, B, D, E, F, I, J, Form B22, and Form B6 Statistical Summary. Data supplied on this screen is checked against items checked on the “Deficiency List”.

**NOTE:** If the debtor is filing a chapter 13 bankruptcy and the plan is not submitted at the time of filing, the debtor or debtor’s attorney will be responsible for mailing the Chapter 13 Plan to all creditors and parties in interest. When the plan is filed electronically, a certificate of service must be included that states the plan has been mailed.

Schedules **not** filed at time of filing of Voluntary Petition are required to be filed individually using the specific schedule event.

## MOTION TO SELL

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**DOCUMENTS REQUIRED FOR FILING:** Motion to sell, notice of motion and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on all creditors and parties in interest allowing 21 days from the date of filing for objections to be filed, allowing 21 days from the date of filing for higher bids for a private sale, and containing hearing information in the event an objection is filed.

**HEARING DATE:** To obtain a hearing date, call the Clerk's office. The number to call for cases starting with a 3 after the year is (618) 482-9400. The number to call for cases starting with a 4 or 6 after the year is (618) 435-2200. The following information will be needed when calling for the hearing date.

- the bankruptcy case number
- the date that the motion to sell and notice will be electronically filed and mailed
- the auction date if it is a public sale

**TYPE OF CERTIFICATION OF SERVICE:** The certificate of service shall state that the motion to sell and notice have been mailed this date to all creditors and parties in interest as listed on debtor(s) matrix; or you may list the name and address of each person/entity served. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail.

**PROPOSED ORDERS:** A proposed order shall be submitted when the motion to sell is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word (.doc) format and saved as an attachment to the e-mail message.

**FILING FEE:** If the motion is to sell property of the estate free and clear of liens under 11 U.S.C. §363(f), \$176.

**ELECTRONIC FILING:** The motion to sell PDF document is filed under Bankruptcy Event of Motions/Applications, then Sell. The entry will prompt filer to select if motion seeks to sell "Free and Clear of Liens" or if sale is "Under Sec. 363(b), Rule 6004."

The notice of motion to sell with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Motion.

If the Trustee files a Notice of Intent to Sell, the notice of intent to sell must contain all information as listed above. The PDF document is filed under Bankruptcy Event of Trustee/US Trustee, then Notice of Intent to Sell. No proposed order is required.

**NOTE:** The proposed sale or lease of personally identifiable information must include whether the sale or lease is consistent with a policy prohibiting the transfer of the information. The motion must include a request for an order directing the United States Trustee to appoint a consumer privacy ombudsman.

## **OBJECTION TO CLAIM AND NOTICE OF HEARING IN A CHAPTER 13 CASE**

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**DOCUMENTS REQUIRED FOR FILING:** Objection to claim, notice of objection to claim and certificate of service. The electronically filed documents shall indicate a signature with the party's name typed in full, e.g., /s/ Jane Doe.

**TYPE OF NOTICE:** Served on parties in interest allowing 30 days for responses and containing a hearing date, time and location in the event a responsive pleading is filed.

**NOTE:** A "Notice of Objection to Claim" shall comply with the form found on the Forms Library web page at <http://www.ilsb.uscourts.gov>.

**HEARING DATE:** The hearing date may be obtained for an objection to claim in a chapter 13 case by accessing the Court's Internet web site at <http://www.ilsb.uscourts.gov>.

You may also obtain a hearing date by calling the Clerk's office. The number to call for cases starting with a 3 after the year is (618) 482-9400. The number to call for cases starting with a 4 or 6 after the year is (618) 435-2200. The following information will be needed when calling for the hearing date:

- the bankruptcy case number
- the date that the objection to claim and notice will be electronically filed and mailed

**TYPE OF CERTIFICATION OF SERVICE:** The certificate shall state that the objection to claim and notice have been mailed this date to parties in interest by listing the name and address of each person/entity served. The claimant and/or attorney for claimant must be served using the exact address appearing on the creditor's proof of claim. If the recipient is a registered attorney/participant in the CM/ECF System, service of the Notice of Electronic Filing shall be the equivalent of service of the documents by first class mail. **NOTE:** In the event the objection is to the claim of a federal government agency, the U.S. Attorney must also be served.

**PROPOSED ORDER:** A proposed order shall be submitted when the objection to claim is electronically filed. Proposed orders are submitted via e-mail to [ESTLorders@ilsb.uscourts.gov](mailto:ESTLorders@ilsb.uscourts.gov) for cases starting with a 3 after the year or to [BENTONorders@ilsb.uscourts.gov](mailto:BENTONorders@ilsb.uscourts.gov) for cases starting with a 4 or 6 after the year. Proposed orders are to be in Word (.doc) format and saved as an attachment to the e-mail message.

**FILING FEE:** None.

**ELECTRONIC FILING:** The objection to claim PDF document is filed under Bankruptcy Event of Claim Actions, then Objection to Claim. The notice with certificate of service PDF document is filed under Bankruptcy Event of Notices, then Notice of Hearing on Objection to Claim.

## GENERAL INFORMATION

**\_ VOICE CASE INFORMATION SYSTEM:** Information on cases can be obtained free of charge, twenty-four hours a day, seven days a week by using the Voice Case Information System (VCIS). The number for VCIS is 1-866-222-8029. Case information obtained from the clerk's office requires a written request along with a \$30.00 search fee.

**INTERNET WEB SITE:** The Internet web site for the Southern District of Illinois is <http://www.ilsb.uscourts.gov>. The following information can be found on the web site:

- Filing Fees
- Local Rules
- Electronic Filing Rules
- Chapter 13 Procedures Manual
- Court Addresses/Phone Numbers
- Forms
- Court Announcements
- VCIS Instructions
- PACER Instructions
- Hearing Dates
- Hearing Calendars
- Administrative and General Orders
- Credit Card Payment Information
- Opinions
- ILSB FAQ's
- Electronic Bankruptcy Noticing (EBN) Information
- US Party/Case Index (USPCI) Information
- National Creditor Registration Services (NCRS)
- Debtor(s) Services:
  - UST to Maintain List of Counseling and Education Providers
  - Bankruptcy Overview
  - Home Affordable Modification Program (HAMP)
  - Reaffirmation Agreement Package
  - Debtor FAQ's
- Electronic Case Filing Information including:
  - General Information
  - CM/ECF Training Documents and Modules
  - Live Database
  - Training Database

If you have comments or suggestions regarding the web site, please e-mail us at

[ilsbwebmaster@ilsb.uscourts.gov](mailto:ilsbwebmaster@ilsb.uscourts.gov).

**PUBLIC ACCESS TO COURT'S ELECTRONIC RECORDS (PACER):** Information on PACER can be obtained by accessing the Court's Internet Web Site and then the PACER Information.

**COURT ADDRESSES AND PHONE NUMBERS:**

- United States Bankruptcy Court  
Melvin Price Federal Courthouse  
750 Missouri Ave  
East St. Louis, IL 62201  
(618) 482-9400
  
- United States Bankruptcy Court  
Federal Courthouse  
301 West Main Street  
Benton, IL 62812  
(618) 435-2200

**COURT HEARING LOCATIONS:**

- United States Bankruptcy Court  
Melvin Price Federal Courthouse  
750 Missouri Ave  
East St. Louis, IL 62201
  
- United States Bankruptcy Court  
Federal Courthouse  
301 West Main Street  
Benton, IL 62812

### Section-by-Section Comparison Chart

Change Code:

R = revised

D = deleted

A = addition

<b>Type of Change</b>	<b>Date of Change</b>	<b>New or Revised Section(s)</b>	<b>Reason for Change</b>
R	12/1/2013	Motion to Sell	Change made to reflect filing fee effective December 1, 2013.
R	11/21/2012	Motion to Deconsolidate; New Bankruptcy Cases	Change made to reflect filing fees effective November 21, 2012.
R/D	11/21/2012	Application to Compromise Controversy; Motion for Relief from the Automatic Stay; Motion to Deconsolidate; Motion to Terminate Garnishment; Application to Sell; Objection to Claim and Notice of Hearing in a Chapter 13 Case	Revision due to no longer accepting proposed orders in WordPerfect format. Effective November 1, 2012, proposed orders must be submitted in Microsoft Word (.doc) format.
R	6/1/2012	Amended Schedules	Revised information regarding documents required for filing and service due to new Local Rules effective June 1, 2012.
R	6/1/2012	Application to Compromise Controversy	Revised electronic filing information due to new Local Rules effective June 1, 2012.
R	6/1/2012	Motion for Relief from the Automatic Stay	Revised information regarding documents required for filing and service due to new Local Rules effective June 1, 2012.
R	6/1/2012	New Bankruptcy Cases	Revised information regarding service and payment of filing fee in installments due to new Local Rules effective June 1, 2012.

R	6/1/2012	Application to Compromise Controversy; Motion for Relief from the Automatic Stay; Motion to Deconsolidate; Motion to Terminate Garnishment; Application to Sell; Objection to Claim and Notice of Hearing in a Chapter 13 Case	Revised information regarding proposed orders, due to change effective November 1, 2012, proposed orders will no longer be accepted in WordPerfect format.
D	5/11/2012	General Information	Deleted the local VCIS number.
R	11/28/2011	Adversarial Complaints	Revised information regarding the electronic summons.
R	11/1/2011	Adversarial Complaints; Amended Schedules; Motion for Relief from the Automatic Stay; Motion to Deconsolidate; New Bankruptcy Cases	Change made to reflect filing fees effective 11/1/2011.
R	11/1/2011	Adversarial Complaints and Motion for Relief from the Automatic Stay	Revised information regarding the filing of exhibits to reference the Court's Electronic Filing Rules.
R	11/1/2011	Amended Chapter 13 Plan and Amended Chapter 12 Plan	Revised to update the certificate of service section regarding service of amended 13 plans after the claims bar date has expired.
R/D	11/1/2011	Motion for Relief from the Automatic Stay and Objection to Claim and Notice of Hearing in a Chapter 13 Case	Deleted sample notices and revised note to indicate forms available on Court's web site.
R	11/1/2011	New Bankruptcy Cases	Revised the Certificate of Service section to reflect service in accordance with the Court's Electronic Filing Rules.
R/A	11/1/2011	General Information	Change made to reflect filing fees effective 11/1/2011 and to add additional information available on internet

			web site.
R/A	5/16/2011	General Information	Revised to change the VCIS number and added additional information available on internet web site.
R	12/1/09	Adversarial Complaints; Motion for Relief from the Automatic Stay	Revised to change the deadline to tender exhibits from 5 to 7 days, due to the Time-Computation Project.
R	12/1/09	Motion for Relief from the Automatic Stay	Revised to change the deadline for objections from 15 to 14 days, due to the Time-Computation Project. Also, revised training material information for multi-part motions.
R	12/1/09	Amended Chapter 13 Plan and Amended Chapter 12 Plan; Application to Compromise Controversy; Motion to Avoid Lien; Motion to Terminate Garnishment	Revised to change the deadline for objections from 20 to 21 days, due to the Time-Computation Project.
R	12/1/09	New Bankruptcy Cases	Revised to change the deadline for serving a paper copy of petition to Chapter 7 Trustee from 5 to 7 days, due to the Time-Computation Project.
R	12/1/09	Application to Sell	Revised to change the deadline for objections and higher bids from 20 to 21 days, due to the Time-Computation Project.
A	12/1/09	General Information	Added additional information available on internet web site.
R	10/1/08	General Information	Revised listing of information available on internet web site.
R	10/1/08	Motion for Relief from the Automatic Stay	Revised information on fee statement filer receives when filing motion and revised the

			filing fee exception to reflect motion to waive fee must be filed and ruled on prior to filing motion.
R	10/1/08	Motion for Relief from the Automatic Stay and Adversarial Complaints	Revised information concerning the filing of Exhibits pursuant to General Order 08-4.
R	10/1/08	Motion to Deconsolidate	Change made to reflect filing fees effective 10/1/08.
D	12/14/07	Motion for Relief from the Automatic Stay	Deleted information on fee question filer received for filing motion for relief and abandonment due to question being removed from CM/ECF.
R	12/14/07	New Bankruptcy Cases	Revised reference to statement of social security number to include individual taxpayer-identification number and modified form names to match official forms.
R/D	12/14/07	General Information	Revised listing of information available on internet web site.
R	12/28/06	Motion to Convert Chapter 13 Petition to Chapter 7	Change made to reflect filing fee effective 1/1/07 and revised event name for electronic filing.
R	12/28/06	Motion to Deconsolidate	Change made to reflect filing fees effective 1/1/07.
R	10/18/06	Amended Chapter 13 Plan and Amended Chapter 12 Plan	Revised electronic filing section to include the prompt before or after confirmation.
R	10/18/06	Amended Schedules	Revised electronic filing section to reflect ver 3.1 filing requirements.
R	10/18/06	Motion for Relief from the Automatic Stay	Revised electronic filing section to expand on multi-part motion filing.
D	10/18/06	Motion for Relief from the Automatic Stay	Deleted the requirement to submit proposed order on motions to

			annul stay.
R	10/18/06	New Bankruptcy Cases	Revised documents required for filing to include Exhibit D(s).
D	10/18/06	New Bankruptcy Cases	Deleted information regarding filing fees increasing effective 4/9/06.
A	10/18/06	New Bankruptcy Cases	Added information regarding the collection of data from the summary of schedules and addition of new checkboxes on the statistics screen.
A	10/18/06	New Bankruptcy Cases	Added information regarding schedules not filed with the Voluntary Petition
R	10/18/06	Application to Sell	Revised electronic filing section to include the prompt for type of sale.
D	10/18/06	General Information	Deleted stale language regarding opinions and 2005 Act information.
R	4/4/2006	New Bankruptcy Cases	Change made to reflect filing fees effective 4/9/06.
A	10/17/05	Adversarial Complaints	Information added regarding Corporate Ownership Statement form.
R	10/17/05	Amended Chapter 13 Plan and Amended Chapter 12 Plan	Revised electronic filing section as to amended 13 plans on 2005 Act cases.
R	10/17/05	Motion to Avoid Lien	Revised electronic filing section to include motion to avoid lien on household goods.
R	10/17/05	Motion to Deconsolidate	Change made to reflect filing fees effective 10/17/05 and revised the electronic filing section as to deconsolidating a chapter 7 and chapter 13 case (separate entries).
R	10/17/05	New Bankruptcy Cases	Modified documents required for filing to reflect 3 page voluntary petition form.

R	10/17/05	New Bankruptcy Cases	Change made to reflect filing fees effective 10/17/05 and added the chapter 15 filing fee.
R	10/17/05	New Bankruptcy Cases	Revised information concerning paying filing fee in installments and added information concerning in forma pauperis filing.
A	10/17/05	New Bankruptcy Cases	Added information concerning filing certificate of credit counseling, debt repayment plan, intent to cure default and running the Judge/Trustee assignment.
A	10/17/05	New Bankruptcy Cases	Added information concerning statistical fields in case opening including means check box, health care business and chapter 11 small business.
A	10/17/05	Application to Sell	Added information concerning personally identifiable property.
R	10/17/05	Objection to Claim and Notice of Hearing in a Chapter 13 Case	Revised certification of service information in the event objection to claim is of a federal government agency.
A	10/17/05	General Information	Added information regarding 2005 Bankruptcy Act on Court's Internet Site.