

Objections to Motions

For Trustees and Attorneys

This lesson explains how to docket an objection (or a response) to a motion or application. The example used is an objection to a Motion to Avoid a Lien.

- STEP 1** Click the [Bankruptcy](#) hyperlink on the CM/ECF Main Menu. (See **Figure 1**.)



Figure 1

- STEP 2** The **BANKRUPTCY EVENTS** screen displays. (See **Figure 2**.)



Figure 2

- ◆ Click the [Answer/Response](#) hyperlink.

- STEP 3** The **ANSWER/RESPONSE TYPE** screen displays. (See Figure 3.)



Figure 3

- ◆ Click the **Reference an Existing Document** hyperlink.

- STEP 4** The **CASE NUMBER** screen displays (See Figure 4.)



Figure 4

- ◆ Enter the correct case number, including the hyphen.
- ◆ Click [Next].

- STEP 5** The **DOCUMENT TYPE SELECTION** screen displays. (See Figure 5.)



Figure 5

- ◆ Click on the down arrow in the **Document Type** pick list.
- ◆ The choices in the database are - Objection, Reply, Response, Response to Objection to Claim, and Response to Objection to Exemption. Highlight *objection*.
- ◆ Click **[Next]**.

STEP 6 The **JOINT FILING** screen displays. (See Figure 6.)

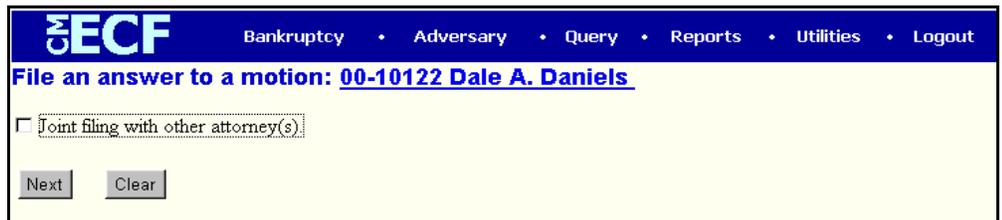


Figure 6

- ◆ This screen will only be used if another attorney is joining in this filing. No action is necessary.
- ◆ Click **[Next]**.

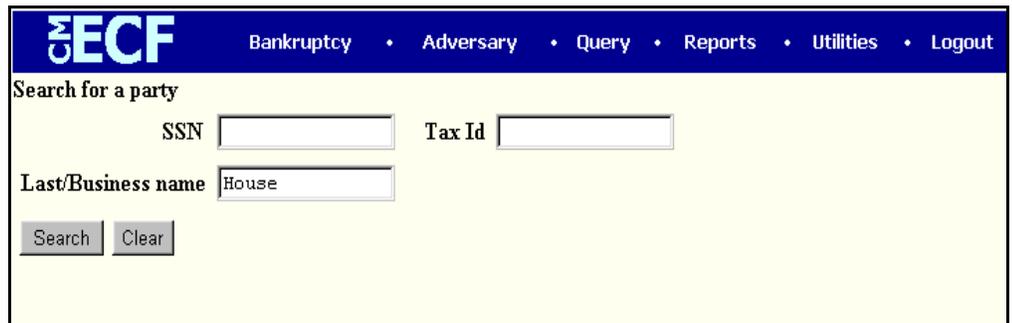
STEP 7 The **SELECT PARTY** screen displays. (See Figure 7.) All participating parties on the case will appear on this list.



Figure 7

- ◆ The party for whom you are filing the objection in this example is Household Finance. Since the party name (Household Finance) does not display in the **Select The Party** box, they need to be added to this case.
- ◆ Click the **Add/Create New Party** hyperlink.

STEP 8 The **PARTY SEARCH** screen displays. (See Figure 8.) You must first search the database to retrieve the party record. If the party is new to the court, a new party record must be created.



The screenshot shows the CM/ECF Party Search interface. At the top, there is a navigation bar with links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below this, the main heading is "Search for a party". The search form contains three input fields: "SSN", "Tax Id", and "Last/Business name". The "Last/Business name" field contains the text "House". Below the input fields are two buttons: "Search" and "Clear".

Figure 8

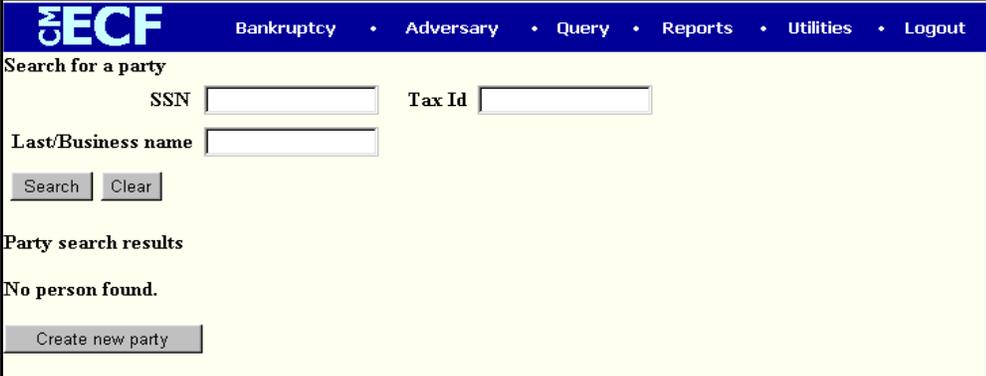
- ◆ It is very important to search carefully and thoroughly before adding a new party so duplicate records for the same person or entity do not reside on the database. Additional search hints are provided below.

Search Hints:

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Searching is case sensitive. (Smith, not smith)
- Include punctuation. (O'Brien, Garcia-Barrera)
- Try alternate search clues if your first search is not successful.
- Partial names can be entered.
- Wild cards (*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (*son, Gr?y)

- ◆ Click in the **Last/Business name** box and enter the last (or partial) name or business name of the party. We have entered "House" for Household Finance.
- ◆ Click **[Search]** .

STEP 9 The system will search the court database and then display a list of all parties whose names match the search criteria you entered. However, in this example, no matches were made for Household Finance. (See **Figure 9a**.)

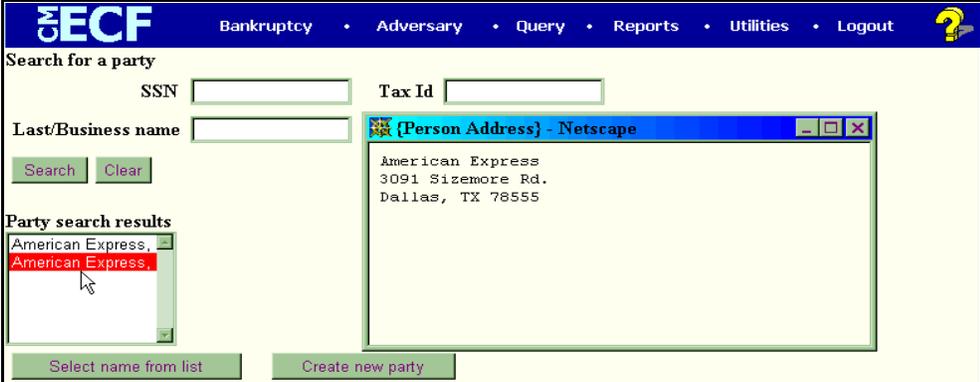


The screenshot shows the ECF search interface. At the top, there is a navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the navigation bar, there is a search form with the following fields: SSN, Tax Id, and Last/Business name. The Last/Business name field contains the text "House". There are Search and Clear buttons. Below the search form, there is a section for Party search results, which displays "No person found." and a Create new party button.

Figure 9a

NOTE: Your name search may find more than one record having the same name as shown in **Figure 9b**. Clicking on each of the names will display a window showing the party's address information for verification.

If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address.



The screenshot shows the ECF search interface with search results. The search form is the same as in Figure 9a, but the Last/Business name field is empty. The Party search results section displays a list of results, with "American Express" highlighted. Below the list are buttons for "Select name from list" and "Create new party". A pop-up window titled "[Person Address] - Netscape" is open, displaying the address information for American Express: 3091 Sizemore Rd., Dallas, TX 78555.

Figure 9b

- ◆ Click the **[Create new party]** button.

STEP 10 The **PARTY INFORMATION** screen will then appear. (See Figure 10.)

The screenshot shows the 'Party Information' form with the following fields and values:

- Last name:** Householders Finance
- First name:** (empty)
- Middle name:** (empty)
- Generation:** (empty)
- Title:** (empty)
- SSN:** 222-11-1234
- Tax ID:** (empty)
- Office:** (empty)
- Address 1:** (empty)
- Address 2:** (empty)
- Address 3:** (empty)
- City:** (empty)
- State:** (empty)
- Zip:** (empty)
- County:** (dropdown menu)
- Country:** (empty)
- Phone:** (empty)
- Fax:** (empty)
- E-mail:** (empty)
- ProSe:** no
- Role:** Creditor (cr:cr)

Figure 10

- ◆ Complete all appropriate fields. The entire business name should be entered in the Last Name field. Do not add address information.
- ◆ Since this party is represented by an attorney, do not change the pro se default value of **No**.
- ◆ Click to expand the Party Role list arrow ▼ and highlight Creditor (cr:cr).
- ◆ Click **[Submit]**.

STEP 11 The **SELECT PARTY** screen displays again with the new party filer highlighted at the top of the list (Householders Finance). (See Figure 11.)

The screenshot shows the 'Select the Party' screen with the following details:

- File an answer to a motion:** 00-10122 Dale A. Daniels
- Select the Party:** A dropdown menu is open showing a list of parties:
 - Householders Finance, [cr:cr] (333499:1) - **Selected**
 - Chrysler Credit Corporation [cr:cr]
 - Daniels, Dale A. [pty:db]
 - Greentree Financial Corp. [cr:intp]
 - Home Depot [cr:intp]
 - Mayfair, Julian [tr:tr]
- Buttons:** Next, Clear
- Link:** [Add/Create New Party](#)

Figure 11

- ◆ Click **[Next]**.

STEP 12 The **ATTORNEY/PARTY ASSOCIATION** screen appears.
(See Figure 12.)

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

File an answer to a motion:
[00-10122 Dale A. Daniels](#)

The following attorney/party associations do not exist for this case.
Please check which associations should be created for this case:

Householders Finance, (cr:cr) represented by Peterson, Paul (aty)

Figure 12

- ◆ Since your party, Householders Finance, is new, this screen will establish you as counsel for them on this case. Paul Peterson is used as an example.
- ◆ Check the box and click **[Next]**.

STEP 13 The **PDF DOCUMENT SELECTION** screen displays.
(See Figure 13.)

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

File an answer to a motion: [00-10122 Dale A. Daniels](#)

Select the **pdf** document (for example: CA199cv501-21.pdf).

Filename

R:\TRAINING\ECF\Docs_PDF\ECFdocs\co...

Attachments to Document: No Yes

Figure 13

- ◆ Click **[Browse]**, then navigate to the directory where the PDF file is located or type in the entire drive and directory path.
- ◆ Double-click the PDF file to select it.
- ◆ There will not be any Attachments to the objection in this lesson. Accept the **No** default radio button.
- ◆ Click **[Next]**.

STEP 14 The **CATEGORY SELECTION** screen appears. (See Figure 14.)

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

File an answer to a motion:
[03-10007 John Joe Doe and Mary Jane Doe](#)

Select the category to which your event relates.

Type
 answer
 appeal
 caseupld
 claims
 cmp
 court
 misc
 motion
 notice

Filed to

Documents to

Next Clear

Figure 14

- ◆ Select the category that contains the document to which you are answering.
- ◆ The selection may be narrowed by inserting a “Filed” date range or a “Document Number”.
- ◆ Click **[Next]**.

STEP 15 The **Document Selection** screen appears. (See Figure 15.)

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

File an answer to a motion:
[03-10007 John Joe Doe and Mary Jane Doe](#)

Select the appropriate event(s) to which your event relates:

05/02/2003 8 Motion to Avoid Lien of Avco on personal property Filed by Debtors John Joe Doe, Mary Jane Doe with Certificate of Service. (Ivancsics, Susan) *(Terminated)*

05/06/2003 20 Motion to Extend Time to file complaint objecting to discharge Filed by Creditor Avco with Certificate of Service. Objections to Motion due by 5/27/2003. (Ivancsics, Susan)

05/08/2003 37 Motion for Relief from Stay. Receipt Number cc, Fee Amount \$ 75 Filed by Creditor First Union Bank. (Ivancsics, Susan) *(Terminated)*

05/09/2003 39 Motion to Dismiss Case Filed by Trustee John Peterson with Certificate of Service. (Ivancsics, Susan)

Figure 15

- ◆ Select the appropriate motion you wish to answer by clicking in the box next to the date. If there is more than one possibility, click on the document number hyperlink to view the imaged application or motion.
- ◆ Click **[Next]**.

STEP 16 The **Certificate of Service** screen will display with a text box to indicate whether the objection is being filed with or without a certificate of service. (See **Figure 16**.)

Figure 16

- ◆ Insert “with” or “without” and click **[Next]**.

STEP 17 The **MODIFY DOCKET TEXT** screen appears. (See **Figure 17**.)

Figure 17

- ◆ These prefixes are optional. (See pop-up menu above.)
- ◆ Click **[Next]**.

STEP 18 The **FINAL DOCKET TEXT** screen appears. (See Figure 18.)

ECF Bankruptcy • Adversary • Query • Reports • Utilities • Logout

File an answer to a motion:
[03-10007 John Joe Doe and Mary Jane Doe](#)

Docket Text: Final Text

Objection to Motion to Avoid Lien Filed by Creditor Avco with Certificate of Service (related document(s)[8] Motion to Avoid Lien filed by Debtor John Joe Doe, Debtor Mary Jane Doe). (Harrison, George)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue. Only click next if you're **REALLY, REALLY 100% sure.**

Figure 18

- ◆ Use caution on this screen and proof the contents of the entry carefully.

NOTE: To abort or restart the transaction at any time, click the Bankruptcy hyperlink on the main menu bar.

- ◆ When you click **[Next]**, the entry is sent to the court's database.

STEP 19 The **NOTICE OF ELECTRONIC FILING** screen appears. (See **Figure 19**.)

The screenshot shows the ECF (Electronic Case Filing) system interface. At the top, there is a navigation bar with the ECF logo and links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the navigation bar, the page title is "File an answer to a motion:" followed by a link to "00-10122 Dale A. Daniels". The main content area displays a "Notice of Electronic Filing" for the case. It states that a transaction was received from Paul Peterson on 1/15/2001 at 11:12 AM CST. The case details are: Case Name: Dale A. Daniels, Case Number: 00-10122, and Document Number: 12. The docket text indicates an objection to a motion to avoid a lien with filed by Paul Peterson on behalf of Household Finance. The document description is "Main Document" with the original filename "R:/TRAINING/ECF/Class Files/PDF Files/Chapter7_PDF/O_m_avdlien.PDF". An electronic document stamp is provided with a long alphanumeric string. At the bottom, there are sections for "Notice will be electronically mailed to:" listing Hardy Hansen, Julian Mayfair, and Bruce Williams, and "Notice will not be electronically mailed to:".

Figure 19

- ◆ Users should scroll down to view entire notice.
- ◆ Click the browser **[Print]** button to print a copy of this notice.
- ◆ You may also save the notice through the browser File/Save option.