

File Notice of Objection
Deadline and Notice of Hearing in
IBR 4001-2 and 9013-2 matters,
emergency matters requiring expedited hearing, and
when the Court has automatically provided a hearing date (chapter 13)

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File Notice of Objection Deadline and Notice of Hearing

Introduction:

This procedure is for use only in New Mexico Interim Bankruptcy Rule 4001-2 and 9013-2 matters, in emergency matters requiring an expedited hearing, and when the Court has automatically provided a hearing date (as in a chapter 13 case where the confirmation hearing date is provided along with the assignment of the judge, the trustee, and the date of the § 341 meeting of creditors).

In this procedure, filers have the ability to file a Notice of Objection Deadline and a Notice of Hearing using one pdf document and making only one docket entry. The Clerk's Office refers to this type of filing as a "multi-part document." In general, the Clerk's Office does not allow filers to electronically file multi-part documents. However, the filing of a Notice of Objection Deadline and Notice of Hearing is one of the few exceptions to this rule. These detailed instructions will guide you through the process. The basic guidelines include tips to prepare for filing this multi-part document. At the end of these instructions is a not-so-detailed list of steps (Quick Steps) to assist you with electronically filing a Notice of Objection Deadline and Notice of Hearing.

Basic Guidelines:

Preliminarily, filers of a Notice of Objection Deadline and Notice of Hearing should adhere to the following guidelines:

- A. **Do not file documents in closed cases.** Check the case status by accessing case information via **Query** in PACER. If there is a date in the "Date terminated" field, the case is closed.

- B. **Do not click on the back button (icon) in the browser menu bar.** CM-ECF does not accommodate use of the browser back button. If you need to make changes in previous screens, **YOU MUST START OVER** by clicking on the **Bankruptcy** option in the blue CM-ECF main menu bar. The only time you should click on a back button to return to a previous screen is when the CM-ECF screen contains a **Back** button.
- C. **Determine the docket number** of the related motion or other document from the docket report to which the notice of objection deadline and notice of hearing will refer.
- D. **Call the appropriate Judge's chambers** to obtain a hearing date and time.
- E. **Determine the type of hearing** to be set (preliminary, final, status conference, etc.).
- F. **Determine the correct location** of the hearing (hearing room, court room, etc.). See the **Hearing Location Guide** found on the Court's website under the **Procedures** hyperlink.
- G. **Convert the notice of objection deadline and notice of hearing pleading to portable document format (pdf) for e-filing.** The maximum file size for a pdf file is 2 megabytes; if the file exceeds 2 MB, attach supporting documentation as separate pdf files. See "Breaking a PDF Document into Smaller PDF Files," under the *Procedures* link on the Court's website --

<http://www.nmcourt.fed.us/usbc/>

E-File Notice of Objection Deadline and Notice of Hearing in CM-ECF

- STEP 1** Log in to CM-ECF at <https://ecf.nmb.uscourts.gov/>
- Click on the **Bankruptcy** option on the ECF Main Menu Bar.
- STEP 2** The **BANKRUPTCY EVENTS** screen displays.
- Click on the **Notices** hyperlink. For more help with each screen, click the on yellow question mark icon.
- STEP 3** The **CASE NUMBER** screen displays.
- Case number** Enter the case number, including the hyphen, as yy-nnnnn, e.g., 06-51249. It may be necessary to type over an existing case number when you get to this step. To do this, highlight the case number and begin typing.
 - Click on the **Next** button. The **Clear** button returns selections to default values.
- STEP 4** The **FILE A NOTICE** screen displays. You will see one of the following screens.
- **Invalid case number:** If the screen prompts that you have entered an invalid case (number), click on the **Back** button *in the CM-ECF* screen and try again.
 - **Pick list of events:** The **File a Notice** screen will display a list of events in alphabetical order beginning with "Appearance of

Child Support Creditor" and ending with "Unavailability of Atty
for Debtor to attend 341 Meeting."

- There are several ways to navigate through the pick list: use the scroll bar or enter the first letter of the event to go to the first event in the list beginning with that letter or click in the list and arrow up or down to find the event.
- Highlight the appropriate **Deadline to File Objections** event to select it.

Note: There are five (5) different choices.

- Use the ▲▼ arrows to scroll to the additional document type.
- Hold down the [Ctrl] key and click on **Hearing (Notice)** to select it.
- Click on the **Next** button. The **Clear** button returns selections to default values.

STEP 5 The **Joint Filing with Other Attorney(s)** screen appears.

- Disregard this screen.
- Click on the **Next** button. The **Clear** button returns selections to default values.

STEP 6 The **Select the pdf document** screen displays.

- Click on the **Browse** button and locate the pdf file. If necessary (e.g., when using Netscape as your Internet browser), change the "Files of type" selection to "All Files."
- Right click on the pdf file and open it to verify that it is the correct document. Close the Adobe Acrobat screen by clicking the **X** in the upper-right corner.
- If the pdf file is not the correct document, find the correct pdf file before continuing. If you cannot find the correct pdf file, **YOU WILL NEED TO START OVER** by clicking on the **Bankruptcy** option in the blue CM-ECF main menu bar. Find the correct file and start over.
- If the pdf file is the correct document, highlight the pdf file and click on the Open button. **Important:** Once you submit a document for filing in CM-ECF, the document is officially filed and entered on the docket. For this reason, **always open and view the pdf file to confirm that it is the correct and complete file just before you upload it for transmission to the CM-ECF database.**
- If you will be including attachments to the Notice of Objection Deadline, click the **Yes** radio button.
- Click on the **Next** button.

STEP 7 The **Select One or More Attachments** screen displays if you checked the **Yes** radio button for attachments.

- ❑ Click on the **Browse** button and follow the instructions in step 6.
- ❑ Click on the down-arrow at the Type box and click on "Exhibit" or enter a Description, e.g., "Billing Statements" or select a type and enter a description.
- ❑ Click on the **Add to** button. The screen reloads, and the path and file name of your attachment appear in the add-to box. Repeat this process to upload additional attachments.
- ❑ When you have finished uploading attachments, click on the **Next** button.

STEP 8 The **Refer to existing events** screen displays.

- ❑ Check the box and click on the **Next** button.
- ❑ The **Select the Category** screen appears. Select the appropriate category to which the event you are referencing relates (e.g., "motion" for a Motion for Relief from Automatic Stay). Click on the **Next** button.
- ❑ To narrow your search you may also enter the file date of the document in the **Filed** fields and/or enter the docket number in the **Documents** fields.
- If you are unsure of the category in which the event you wish to refer to appears, highlight all choices and the entire docket will display.

- Click on the **Next** button. The **Clear** button returns selections to default values.

STEP 9 The next screen displays **ALL PENDING MOTIONS** or other documents for the category(ies) you selected.

- Click the checkbox for the applicable motion(s) in chronological order of filing. The system will automatically check the box if there is only one document to refer to.
- Click on the **Next** button. The **Clear** button returns selections to default values.

STEP 10 The **Hearing Selection and Information** screen displays next. Enter the data as follows:

- Date notice served:**
- Number of days in objection period:**
- Select the appropriate **hearing type**, scrolling down, if necessary.
- Enter **hearing information**. Remember to check the "Hearing Location Guide" located under the *Procedures* link on the Court's website.
- Click on the **Next** button. The **Clear** button returns selections to default values.

STEP 11 The **Docket Text: Modify as Appropriate** screen displays.

- Review the text for accuracy. If you discover an error, **YOU WILL NEED TO START OVER** by clicking on the **Bankruptcy** option in the blue CM-ECF main menu bar.
- If either of the notices you are filing is amended, click on the drop down arrow in the appropriate pick list. Select the word **Amended** so that it appears in the text box.
- Click on the **Next** button.

STEP 12 The **Docket Text: Final Text** screen displays.

- If you discover an error, **YOU WILL NEED TO START OVER** by clicking on the **Bankruptcy** option in the blue CM-ECF main menu bar. **THIS IS YOUR LAST CHANCE TO CORRECT AN ERROR BEFORE COMMITTING TO FILE THE DOCUMENT.**
- Click on the **Next** button if the final text is accurate.

STEP 13 The **Notice of Electronic Filing** screen displays. Print a copy of the screen for your records. This is the verification of the date and time the document was filed with the court.

- To view the document, click on the document number hyperlink.
- To view the case docket report, click on the case number hyperlink.

- If you have not already associated your PACER log in/password with your CM-ECF log in/password, the system will ask for your PACER log in and password.
- PACER will assess a fee (8 cents per page) to view/print the document or docket report. To obtain your free look, print the document from the Notice of Electronic Filing (a/k/a "NEF") which you receive in your e-mail in-box when you file documents electronically.
- To obtain a PACER account, go to <http://pacer.psc.uscourts.gov/> or call the PACER Service Center at (800) 676-6856.

QUICK STEPS

PREP STEP - do all the preparatory work (see **Basic Guidelines** of the detailed instructions)

- 1** ___ **Bankruptcy Events** - Click on **Notices**
- 2** ___ **Enter Case Number** - Click on **Next**
- 3** ___ **File a Notice** - Select appropriate Objection Deadline (Notice) and Hearing (Notice) - Click on **Next**
- 4** ___ **Upload the pdf file** (view it first) and any attachments (view them, too). See Steps 7 and 8 of the detailed instructions. Click on **Next**
- 5** ___ **Refer to existing event(s)** - Check the box to link documents - Click on **Next**
- 6** ___ **Select the category** to which your notices relate. Click on **Next**
- 7** ___ **Select the pending motion(s)** to which your notices relate - Click on **Next**
- 8** ___ **Enter the Objection Deadline and Hearing Information** in the appropriate boxes. Click on **Next**
- 9** ___ **Modify Text** - Select additional descriptive words from the drop down pick list. Click on **Next**
- 10** ___ **Print a copy of the Notice of Electronic Claims Filing** as your evidence of filing.