

RELATING FILINGS IN ECF

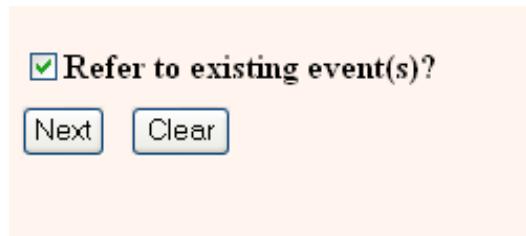
(7/20/2006)

Importance of Relating Filings

When filing a document in ECF, you are often given the opportunity to relate that filing to a previous filing in the case. In most cases, you are asked whether you want to relate the filing, but if you do not, even though you should have, you may proceed with the filing. You are encouraged to complete the related filing process whenever your filing relates to a filing already on the docket. In the near future, certain entries will require you to complete the related process or you will not be able to file the document. For example, when filing a Notice of Hearing you will be required to relate that notice to the underlying motion or other filing that is the subject of the hearing and if you do not, you will not be able to complete the filing. The docket number of the motion or other filing that is the subject of the hearing is required so that the matter will be properly calendared on the judge's calendar. When uploading a proposed order granting or otherwise ruling on a motion or application, the order is to be related to the motion or application.

Relating Filing Process

When filing a document, if you are presented with the following prompt, you do want to check the box and complete the related filing process whenever the document you are filing relates to a filed document, which is generally the underlying motion or other document that initiated the matter. It is not necessary or even desirable to relate all subsequent filings to the bankruptcy petition in a bankruptcy case or to the complaint in an adversary proceeding.



For certain filings such as a Notice of Hearing, when filing such a document, you will be required to complete the related filing process so you will not be given the above option to check the box. Instead the below screen will automatically be displayed.

You will then be presented with the following screen.

Select the category to which your event relates.

- crditcrd
- docprep
- lmtdfee
- lmtdserv
- lmtdunfd
- misc
- motion**
- notice
- order
- other

Filed to

Documents to

In this example, a notice of the motion for relief from stay is being filed and will be related to the motion, so the motion category has been selected. This results in a list of the motions filed in the case being displayed. The motion that is related to the notice is checked.

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

- 03/08/2006 20 Motion to Appoint Examiner filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON. (ATTORNEY, CINDY)
- 04/03/2006 26 Application for Waiver of Credit Counseling Requirement, Application for Waiver of Financial Management Course Requirement filed by Benjamin Dover. (Temple, Michael)
- 06/05/2006 32 Motion to Modify Stay (150.00 fee) filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON. (Temple, Michael) (*Terminated*)
- 06/05/2006 33 Motion for Relief from Stay (150.00 fee) filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON. (Temple, Michael) (*Terminated*)
- 06/05/2006 34 Amended Motion for Relief from Stay filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON. (Temple, Michael) (*Terminated*)
- 06/05/2006 35 Motion for Relief from Co-Debtor Stay filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON. (Temple, Michael) (*Terminated*)

If you are not sure of the category of the related filing, instead of selecting a category, you can select all of them (click and drag) and then all filings on the docket will be displayed from which you can check the related motion and/or other filing.

Select the category to which your event relates.

Type
answer
appeal
claims
cmp
court
crditcrd
docprep
lmtdfee
lmtdserv

Filed to
Documents to

The document number of the related motion is then automatically included in the text of the docket entry.

Docket Text: Final Text

Notice of Motion for Relief from Stay filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON (related document(s)[33]).(Temple, Michael)

In the above example, it is important that the motion for relief from stay be filed first, before the notice is filed. The notice cannot be properly related to the motion if the notice is filed first. Also, if a hearing is set on the motion, for the hearing to be properly calendared it must refer to the motion and the motion must have the lowest docket number. If the notice was filed before the motion, then even though you may relate a notice of hearing to the motion, since the notice was filed first, the matter will not be calendared as a hearing on the motion, but will be calendared incorrectly as a hearing on the notice.

It is also important that when filing a document that directly relates to a document which itself is related to the underlying motion, that your filing be related to both documents. In the above example, the debtor objected to relief from the stay and the creditor's attorney obtained a date and time for the preliminary hearing and filed a notice of that hearing. The attorney is now filing a certificate of service of the preliminary hearing notice, that certificate of service is directly related to the hearing notice as that is the document that was served, but it also is related to the underlying motion for relief from stay. So that all filings pertaining to the motion are related to it, the certificate of service needs to be related to both the hearing notice and the motion for relief from stay. If the certificate of service is only related to the hearing notice, then it will not be included in any report of the motion and related filings.

- 06/05/2006 33 Motion for Relief from Stay (150.00 fee) filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON. (Temple, Michael) (*Terminated*)
- 06/05/2006 34 Amended Motion for Relief from Stay filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON. (Temple, Michael) (*Terminated*)
- 06/05/2006 35 Motion for Relief from Co-Debtor Stay filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON. (Temple, Michael) (*Terminated*)
- 06/22/2006 42 Notice of Appearance filed by TONI ATTORNEY of CHRISTENSEN, ATTORNEY, BENTON on behalf of CHOCOLATTE (ATTORNEY, TONI)
- 07/17/2006 49 Request for Notice on Behalf of AMERICAN 6 SUITES, INC.. (Gaare, Kathy)
- 07/19/2006 50 Notice of Motion for Relief from Stay filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON (related document(s)[33]) (Temple, Michael)
- 07/19/2006 51 Notice of Preliminary Hearing filed by CINDY ATTORNEY of ATTORNEY LMTD et al on behalf of E-ORDER TRAINING PERSON (related document(s) [33]) Hearing set for 7/28/2006 at 9:00 AM at 38 S. Scott Avenue, Courtroom 446, Tucson, AZ (Tucson Court - JMM/EWH) (Temple, Michael)

Also note that the Notice of Preliminary Hearing at docket 51 was properly related to the motion for relief from stay at docket 33.