

TOP TEN DOCUMENT DEFICIENCIES

Please use this as a checklist when filing these types of pleadings to ensure you will not receive a Notice of Deficient Filing, Order Denying and/or Corrective Entry:

- 1) Chapter 13 Plans
 - Must be served to creditors using a current matrix obtained from Clerk's office
- 2) Amendment to Schedules D,E,F
 - Filing fee should be paid at time of filing
 - Do not file amendment in its entirety. Only list added creditors
 - Must to be signed under penalty of perjury by the debtor
 - Amendment and copy of 341 notice containing full social security number should be served on additional creditor(s) and proof of service filed with the Clerk
 - Must file an Amended Summary of Schedules and Statistical Summary
- 3) Motions to Avoid/Strip Liens and Motions to Redeem
 - Include specific amount of claim/collateral
 - Need description of judicial Lien (if applicable)
 - Property description must be in the motion
 - Motion should contain an affidavit or be verified
 - Motion must be sworn under penalty of perjury by the debtor(s)
 - Include fair market value of the property
 - Can be filed with negative notice. Negative notice should be prominently displayed on the face of the first page of the paper and include the address of the Clerk and Attorney for Movant
- 4) Motions for Relief from Stay
 - Property must be described in motion, i.e. VIN number of vehicle or legal description of property
 - Affidavit is required for chapter 7 if vehicle or real property
 - Negative notice should be prominently displayed on face of first page and include Clerk's Office address and correct negative notice period, i.e. 21 days
 - Serve debtor(s) at current address, Trustee and U.S. Trustee (if applicable). No need to serve additional creditors
 - Pay filing fee when filing the motion. Any motion that is denied requires a new filing fee.
 - Chapter 13 stays where the property is being surrendered can be filed with negative notice

5) Payment Advices and Tax Returns

- Administrative Order 2010-1 dictates that Payment Advices should be provided to the Trustee and not be filed with the Court
- Pursuant to 11 U.S.C. §521(e)(2) the debtor shall provide the Trustee a copy of the Federal income tax returns. These should not be filed with the Court.

6) Submission of Proposed Orders

- Order should be submitted via the following link: www.flmb.uscourts.gov/orders/login.asp
- Judge Jennemann has a Non-Hearing and Hearing address for submission of orders. Make sure you select the correct one. If the matter has been heard and ruled on it should go to the Hearing email address.
- Include document number of related pleading in your order
- Leave at least 2 inches of space for signature of the order
- Non-hearing orders should be in PDF. Hearing orders should be in Word or Word Perfect
- Orders cannot be scanned in
- Paper size should not be greater than 8 ½ x 11
- Provide complete service list, including full addresses of parties to be served
- Widow Clause – must include some text on signature page
- Make sure your order requests the same relief as your motion

7) Protect the Privacy of the Debtor(s)

- Redact information such as Social Security Number of debtor(s), financial account numbers, names of minor children and dates of birth
- If pleadings are filed with this information and you wish to redact you will need to file a Motion to Redact Information along with a proposed order

8) Relating Documents

- If applicable, please make sure you relate docket events to previously filed matters

9) Certificate of Completion of Financial Management Course

- In a chapter 7 case, file within 45 days of the first date set for the meeting of creditors
- In a chapter 11 or 13, file no later than the last payment made by the debtor

10) New Case Filings

- Make sure you upload the creditors
- List all prior cases of the debtor(s) on the petition
- File the schedules in the proper sequence. Refer to the Training Materials and Court website
- If Debtor has multiple addresses, the mailing address prevails. Please input this address when uploading the case and add the street address to the petition.
- Remember to upload all known names of the debtor(s)
- Remind debtor(s) that you represent them. They should call your office for information on their case. Clerk's office should not be providing information to debtors if represented.