

Objections to Motions

For 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.)

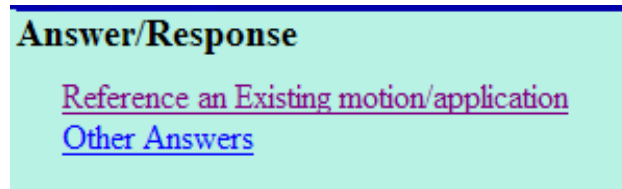


Figure 3

- ◆ Click the Reference an Existing motion/application hyperlink.

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

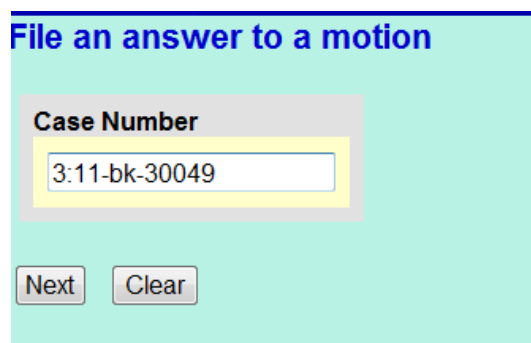


Figure 4

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

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

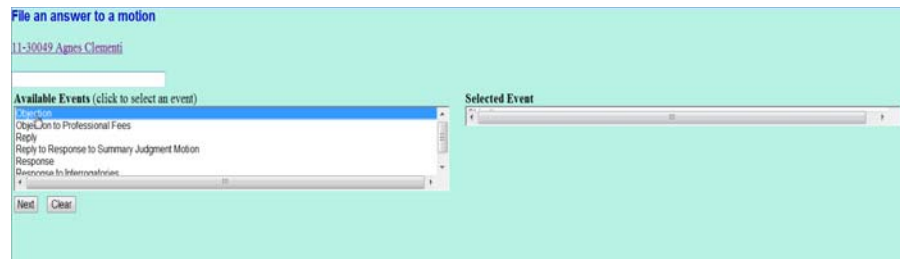


Figure 5

- ◆ Click on the down arrow in the **Document Type** pick list. Highlight *objection*.
- ◆ Click **[Next]**.

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

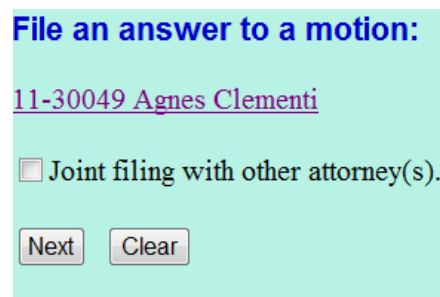
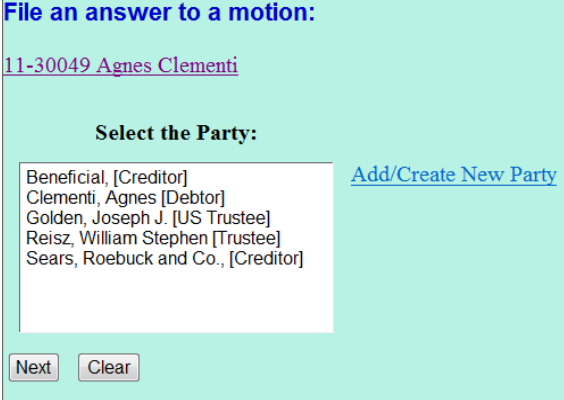


Figure 6

- ◆ 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.

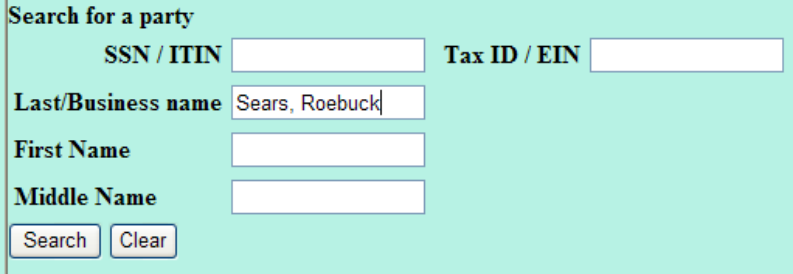


The screenshot shows a web interface for filing an answer to a motion. At the top, it says "File an answer to a motion:" followed by the case number "11-30049 Agnes Clementi". Below this is a section titled "Select the Party:" which contains a dropdown menu with the following options: "Beneficial, [Creditor]", "Clementi, Agnes [Debtor]", "Golden, Joseph J. [US Trustee]", "Reisz, William Stephen [Trustee]", and "Sears, Roebuck and Co., [Creditor]". To the right of the dropdown is a blue hyperlink labeled "Add/Create New Party". At the bottom of the form are two buttons: "Next" and "Clear".

Figure 7

- ◆ The party for whom you are filing the objection in this example is Sears, Roebuck and Co.
- ◆ Select Sears, Roebuck and Co. from the pick list. If the party name (Sears, Roebuck and Co.) 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.



Search for a party

SSN / ITIN Tax ID / EIN

Last/Business name

First Name

Middle Name

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 Sears, Roebuck for Sears, Roebuck and Co.
- ◆ 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. (See Figure 9a.)

Search for a party

SSN / ITIN Tax ID / EIN

Last/Business name

First Name

Middle Name

Party search results

Sears, Roebuck & Company, P. O. Box 8, Boise, ID
 Sears, Roebuck and Co., 12201 Bluegrass Pkwy., Louisville, KY
 Sears, Roebuck and Co., M. Ronald Christopher, Murray, KY
 Sears, Roebuck and Co., c/o M. Ronald Christopher, Murray, KY
 Sears, Roebuck and Co., c/o M. Ronald Christopher, Murray, KY

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.

- ◆ For this example **[Select name from list]**

Search for a party

SSN / ITIN Tax ID / EIN

Last/Business name

First Name

Middle Name

Party search results

Sears, Roebuck & Company, P. O. Box 8, Boise, ID
 Sears, Roebuck and Co., 12201 Bluegrass Pkwy., Louisville, KY
 Sears, Roebuck and Co., M. Ronald Christopher, Murray, KY
 Sears, Roebuck and Co., c/o M. Ronald Christopher, Murray, KY
 Sears, Roebuck and Co., c/o M. Ronald Christopher, Murray, KY

KYWB Testing Database - Windows Internet Exp...
 Sears, Roebuck and Co.
 12201 Bluegrass Pkwy.
 Louisville, KY 40299
 USA
 County: Jefferson

Figure 9b

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

The screenshot shows a web form titled "Party Information" for "Sears, Roebuck and Co." with "SSN / ITIN:Unknown". The form contains the following fields and controls:

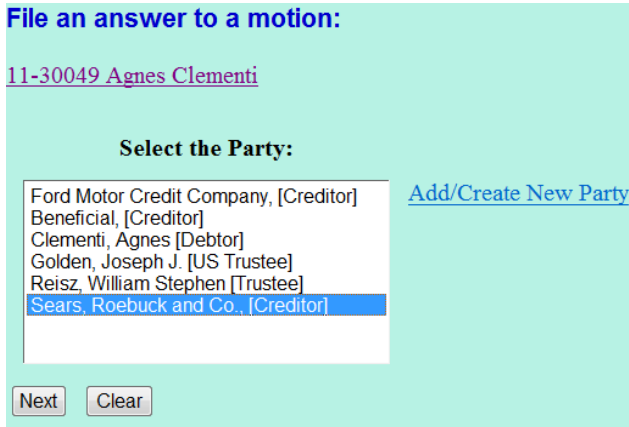
- Office:
- Address 1:
- Address 2:
- Address 3:
- City:
- State: Zip:
- County:
- Country:
- Phone:
- Fax:
- E-mail:
- Role:
- Party text:

At the bottom of the form are four buttons: "Submit", "Cancel", "Clear", and "Corporate parent / affiliate..."

Figure 10

- ◆ **Do not** add address information.
- ◆ 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 (Sears, Roebuck and Co.). (See Figure 11.)

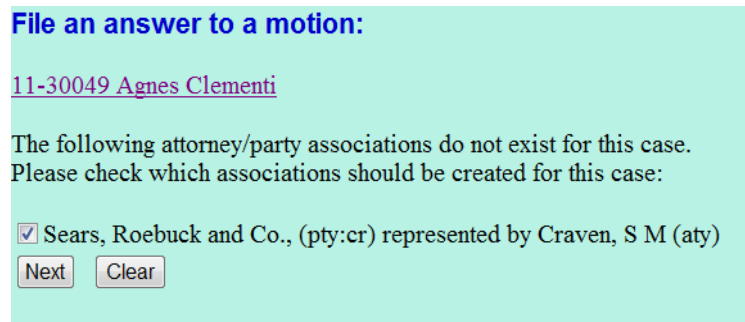


The screenshot shows a web interface for filing an answer to a motion. At the top, it says "File an answer to a motion:" followed by the case number "11-30049 Agnes Clementi". Below this is a section titled "Select the Party:" which contains a dropdown menu. The menu is open, showing a list of parties: "Ford Motor Credit Company, [Creditor]", "Beneficial, [Creditor]", "Clementi, Agnes [Debtor]", "Golden, Joseph J. [US Trustee]", "Reisz, William Stephen [Trustee]", and "Sears, Roebuck and Co., [Creditor]". The last option is highlighted in blue. To the right of the dropdown is a link that says "Add/Create New Party". At the bottom of the screen are two buttons: "Next" and "Clear".

Figure 11

- ◆ Click **[Next]**.

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

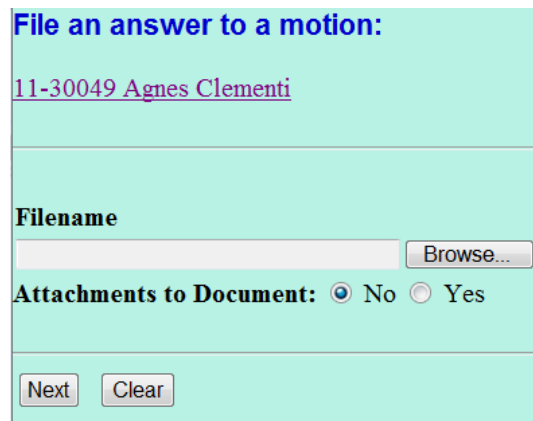


The screenshot shows the "ATTORNEY/PARTY ASSOCIATION" screen. It has the same header as Figure 11: "File an answer to a motion:" and "11-30049 Agnes Clementi". Below the header, it says: "The following attorney/party associations do not exist for this case. Please check which associations should be created for this case:". There is a single checkbox with the text "Sears, Roebuck and Co., (pty:cr) represented by Craven, S M (aty)". The checkbox is checked. At the bottom are two buttons: "Next" and "Clear".

Figure 12

- ◆ Since your party, Sears, Roebuck and Co, is new, this screen will establish you as counsel for them on this case. S M Craven is used as an example.
- ◆ Check the box and click **[Next]**.

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



File an answer to a motion:

11-30049 Agnes Clementi

Filename

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 **LINKING** screen appears. (See Figure 14)

File an answer to a motion:

11-30049 Agnes Clementi

Select the category to which your event relates.

cmp
court
creditcrd
cred
misc
motion
notice
order
orderx
plan

Filed to

Documents to

Next Clear

Figure 14

NOTE: Checking the box creates a link between the pending matter and the objection, answer or response.

- ◆ Check the box and click **[Next]**
- ◆ Select the category of documents to which your document will be linked to. For this lesson highlight and select **Motion** due to our objection is to the Motion to Avoid Lien. (See Figure 14)
- ◆ Click **[Next]**.

STEP 15 The **PENDING MOTIONS** screen appears. (See Figure 15.)

File an answer to a motion:

[11-30049 Agnes Clementi](#)

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

- 01/23/2012 7 Application to Pay Filing Fee in Installments . Filed by Debtor Agnes Clementi (Preston, T)
- 01/23/2012 8 Motion to Extend time to pay filing fee . Filed by Debtor Agnes Clementi (Preston, T)
- 02/08/2012 [10](#) Motion to Avoid Lien on Household Goods under Section 522(f)(1)(B)(i) of Sears regarding washer & dryer. Filed by Debtor Agnes Clementi Objections to Pleading due by 2/22/2012. (Attachments: # [1](#) Proposed Order) (Craven, S.)

Figure 15

- ◆ Select the appropriate motion you wish to objection to 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 **MODIFY DOCKET TEXT** screen appears. (See Figure 16.)

File an answer to a motion:

[11-30049 Agnes Clementi](#)

Docket Text: Modify as Appropriate.

Objection to Motion to Avoid Lien on Household Goods under Section 522(f)(1)(B)(i) of Sears regarding washer & dryer filed by Debtor Agnes Clementi[10]. Filed by Creditor Sears, Roebuck and Co. (Craven, S)

Next Clear

Figure 16

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

STEP 17 The **FINAL DOCKET TEXT** screen appears. (See Figure 18.)

File an answer to a motion:

11-30049 Agnes Clementi

Docket Text: Final Text

Objection to Motion to Avoid Lien on Household Goods under Section 522(f)(1)(B)(i) of Sears regarding washer & dryer filed by Debtor Agnes Clementi[10]. Filed by Creditor Sears, Roebuck and Co. (Craven, S)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.
Have you redacted?

Next Clear

Figure 17

- ◆ 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 18 The **NOTICE OF ELECTRONIC FILING** screen appears. (See Figure 18.)

File an answer to a motion:

[11-30049 Agnes Clementi](#)

U.S. Bankruptcy Court
Western District of Kentucky

Notice of Electronic Filing

The following transaction was received from S M Craven entered on 2/8/2012 at 9:10 AM EST and filed on 2/8/2012

Case Name: Agnes Clementi
Case Number: [11-30049](#)
Document Number: [11](#)

Docket Text:
Objection to Motion to Avoid Lien on Household Goods under Section 522(f)(1)(B)(i) of Sears regarding washer & dryer filed by Debtor Agnes Clementi[10]. Filed by Creditor Sears, Roebuck and Co. (Craven, S)

The following document(s) are associated with this transaction:

Document description:Main Document
Original filename:S:\Training\CM_ECF\PDF_ECF_Training\Objection.pdf
Electronic document Stamp:
[STAMP bkcc:Stamp_ID=996699402 [Date=2/8/2012] [FileNumber=26763-0] [76eb836f6cd8194b46714511d35e24d169c0733923a6811b676f34ca093f85cec2f2cc2118ea512fbc3c8c74428860ed76f25a7e8bbf4a6176b5303be0eb394]]

11-30049 Notice will be electronically mailed to:

Figure 18

- ◆ 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.