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# CHAPTER 7

## • TRUSTEE EVENTS •



The CM EVENTS and INSTRUCTIONS

Revised March 2019

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## Introduction and Accessing CM/ECF

This handbook includes information regarding docket events that are used after a 341 Meeting has been held and needs to be concluded or continued.

The docket events that you select will vary based on:

- If the case will be an **asset** or **no asset** case;
- If the §341 meeting was **concluded** as to the debtor and/or the joint debtor, if applicable;
- If the §341 meeting was **continued** as to the debtor and/or the joint debtor, if applicable;
- If the debtor(s) failed to appear at the §341 meeting and you are going to file a Motion to Dismiss;
- If the case was reopened.

Additionally, this handbook contains information regarding docketing a virtual non-opposition to a motion or application filed by another party.

### Accessing the CM system:

1. At the Bankruptcy Court home page, click on the **PACER** link on the left hand side.
2. Click on the hyperlink **Eastern District of California – Official Court Case Management System** to log in.
3. Use the login and password given to you by the court for docketing purposes (each trustee will be assigned only one login, to be shared with staff, if any.) Leave the field for client code blank, but check box regarding understanding/complying with the redaction rules.

The following pages contain information on the events available for docketing and a description of when to use them.

## Events Docketed after a §341(a) Meeting

<u>Event</u>	<u>When to Use This Event</u>	<u>Miscellaneous Information</u>
<b>Report of No Distribution, 341 Meeting Concluded.</b>	<ul style="list-style-type: none"> <li>• The §341 Meeting has been concluded as to all debtors;</li> <li>• You did not receive or pay out funds;</li> <li>• The case is a no asset case.</li> <li>• Also use this case for a joint case in which one debtor has been dismissed and the case is a no asset case as to the remaining debtor.</li> </ul>	<p>This is a <b>text only</b> event; e.g., you will not be prompted to attach a document.</p> <p>This event will automatically trigger a <i>Notice of Filing of Report of No Distribution, Combined with Order Fixing Deadlines to Object Thereto.</i></p>
<b>Report of No Distribution, 341 Mtg Concluded – Minimal Funds Collected</b>	<ul style="list-style-type: none"> <li>• The §341 Meeting has been concluded as to all debtors;</li> <li>• You returned any funds that you received;</li> <li>• The case is a no asset case;</li> <li>• Also use this case for a joint case in which one debtor has been dismissed and the case is a no asset case as to the remaining debtor.</li> </ul>	<p>This is a <b>text only</b> event; e.g., you will not be prompted to attach a document.</p> <p>This event will automatically trigger a <i>Notice of Filing of Report of No Distribution, Combined with Order Fixing Deadlines to Object Thereto.</i></p>
<b>Report of No Distribution, 341 Meeting Concluded – Dismissed, Converted or Reassigned, No Funds</b>	<ul style="list-style-type: none"> <li>• The case has been dismissed, converted or reassigned;</li> <li>• You did not receive or pay out any funds.</li> </ul>	<p>This is a <b>text only</b> event; e.g., you will not be prompted to attach a document.</p>
<b>Report of No Distribution, 341 Meeting Concluded – Dismissed, Converted or Reassigned, Minimal Funds Collected</b>	<ul style="list-style-type: none"> <li>• The case has been dismissed, converted or reassigned;</li> <li>• You received funds and they have been returned.</li> </ul>	<p>This is a <b>text only</b> event; e.g., you will not be prompted to attach a document.</p>

## Events Docketed after a §341(a) Meeting

<u>Event</u>	<u>When to Use This Event</u>	<u>Miscellaneous Information</u>
<p><b>Report of No Distribution – Ad Hoc Minimal Funds</b></p>	<ul style="list-style-type: none"> <li>• The §341 Meeting has been concluded as to all debtors;</li> <li>• You returned any funds that you received;</li> <li>• The Case is a No Asset Case.</li> <li>• Also use this case for a joint case in which one debtor has been dismissed and the case is a no asset case as to the remaining debtor.</li> </ul>	<p>Use this event when the above listed “no funds” and “with funds” events do not apply. It has been made available to handle unusual situations that are not covered by the existing virtual text entries listed above. <b>This event requires that a PDF document be attached.</b></p> <p>This event will automatically trigger a <i>Notice of Filing of Report of No Distribution, Combined with Order Fixing Deadlines to Object Thereto.</i></p>
<p><b>Report of No Distribution – Ad Hoc No Funds</b></p>	<ul style="list-style-type: none"> <li>• The §341 Meeting has been concluded as to all debtors;</li> <li>• You did not receive or pay out funds;</li> <li>• The case is a no asset case.</li> <li>• Also use this case for a joint case in which one debtor has been dismissed and the case is a no asset case as to the remaining debtor.</li> </ul>	<p>Use this event when the above listed “no funds” and “with funds” events do not apply. It has been made available to handle unusual situations that are not covered by the existing virtual text entries listed above. <b>This event requires that a PDF document be attached.</b></p> <p>This event will automatically trigger a <i>Notice of Filing of Report of No Distribution, Combined with Order Fixing Deadlines to Object Thereto.</i></p>

## Events Docketed after a §341(a) Meeting

<u>Event</u>	<u>When to Use This Event</u>	<u>Miscellaneous Information</u>
<b>Notice of Assets/341 Meeting Concluded</b>	<ul style="list-style-type: none"> <li>The §341 Meeting has been concluded as to all debtors;</li> <li>You have determined that this is an asset case.</li> <li>Also use this case for a joint case in which one debtor has been dismissed and the case is an asset case as to the remaining debtor.</li> </ul>	<p>This is a <b>text only</b> event; e.g., you will not be prompted to attach a document.</p> <p>The case manager for this case will be electronically notified of your filing and will generate the Notice to File Proof of Claim Due to Possible Recovery of Assets, if applicable.</p>
<b>Notice of Assets/341 Meeting Continued</b>	<ul style="list-style-type: none"> <li>The 341 Meeting has been continued as to ALL debtors; OR</li> <li>The 341 Meeting has been continued as to one debtor and concluded as to the other debtor;</li> <li>You have determined that this is an asset case.</li> </ul>	<p>This is a <b>text only</b> event; e.g., you will not be prompted to attach a document.</p> <p>The case manager for this case will be electronically notified of your filing and will generate the Notice to File Proof of Claim Due to Possible Recovery of Assets, if applicable.</p>
<b>341 Mtg Continued and/or 341 Mtg Concluded</b>	<ul style="list-style-type: none"> <li>The case has been continued and/or concluded for the debtor, joint debtor or both debtors, and you are unable to determine at this time whether the case is an asset or no asset case.</li> </ul>	<p>This is a <b>text only</b> event; e.g., you will not be prompted to attach a document.</p>

### Please note the following:

- If you are filing a new 341 meeting report because you have already filed one indicating that the case was an asset case, but have since determined that there will not be assets, it is not necessary to indicate that this is an “amended” report. Docket the appropriate **Report of No Distribution** and a **Notice of Filing Report of No Distribution** will be generated.

- If you are filing a new 341 meeting report because you have already filed one indicating that the case was a no asset case, but have since determined that there will be assets, it is not necessary to indicate that this is an “amended” report. Docket the appropriate **Notice of Assets**, and the court will generate a Notice to File a Proof of Claim.
- If you determine that you have used the wrong event, please contact the court as soon as possible. If you contact the court on the same day that the event was docketed, the court **may** be able to stop notices from being generated. If you contact the court after the fact, you may be asked to prepare and serve a Notice to Disregard.

## 341 Meeting Continued/Trustee's Motion to Dismiss and Notice of Hearing

Use these events when the debtor(s) failed to appear at the first meeting of creditors and you wish to file a Motion to Dismiss. Please note that both the *Trustee's Motion to Dismiss for Failure to Appear at § 341 Meeting of Creditors* and *Notice of Trustee's Motion to Dismiss for Failure to Appear* must be generated. Docket the motion first, and then the notice of hearing.

### 1. 341 Meeting Continued/Trustee's Motion to Dismiss:

When the debtor/joint debtor fail to appear at the §341 meeting, the meeting will **always** be continued. This event indicates the date the meeting was held, who appeared or didn't appear and the continued date of the §341 meeting. You must **always** enter a Docket Control Number (DCN).

This event produces a *Trustee's Motion to Dismiss for Failure to Appear at §341 Meeting of Creditors*.

To docket this event:

- a. Select **Bankruptcy** from the main menu;
- b. Select **Chapter 7 Trustee Events**;
- c. Enter the case number;
- d. Highlight to select **341 Mtg Continued/Trustee's Motion to Dismiss**;
- e. On an otherwise blank screen, click **NEXT**;
- f. Highlight the trustee's name;
- g. This screen is requesting three types of information. You must fill in all of the requested information or the system will not let you proceed:
  - i. Enter the Docket Control Number (DCN) of your motion. To create your DCN, take the first letters of your first, middle and last name and, if this is your first motion in this case, put a dash one after it. For example, if John J. Smith filed this motion and this was his first motion in this case, the DCN would be JJS-1. If this was his second motion in this case, the DCN would be JJS-2.
  - ii. The Sec. 341(a) Meeting was held on (mm/dd/yy): (Enter the date of the last scheduled Sec. 341(a) meeting.)
  - iii. If the case is a joint case, select which debtor(s) DID NOT appear at the §341(a) meeting. Mark the correct answer – Debtor, Joint Debtor or Both Debtors. If the case is not a joint case, you will not receive this prompt.
- h. If the debtor(s) is/are represented by counsel, you will be prompted to indicate if counsel appeared.
- i. Schedule the continued §341(a) Meeting. When scheduling this meeting, remember it must be scheduled for a date after the date you have chosen for the possible hearing on the Trustee's Motion to Dismiss.



- j. This is the confirmation screen for the continued meeting. If the date and/or time are incorrect, return to the previous screen to enter the correct information.
- k. On an otherwise blank screen, click **NEXT**.
- l. **This is the “point of no return” screen.** If you find you have made an error, do NOT click on the NEXT button. Clicking on Bankruptcy in the blue bar at the top will abort the event. You may also use the BACK button in your browser to return to previous screens. If the information is incorrect, you must use the BACK button to return to the screen where the information was entered and make the changes there. You cannot simply edit the docket text on this screen, because it will not spread to other areas of CM/ECF and the notices that you generate will have incorrect information.
- m. The last screen titled *Notice of Electronic Filing* displays the docket text again and the document number will be blank.

2. **Notice of Trustee’s Motion to Dismiss for Failure to Appear:**

This event triggers the generation of a *Notice of Trustee’s Motion to Dismiss for Failure to Appear at §341(a) Meeting of Creditors.*

Here are step-by-step docketing instructions:

- a. Select **Bankruptcy** from Main Menu;
- b. Select **Chapter 7 Trustee events**;
- c. Enter the case number;
- d. Highlight to select **Notice of Trustee’s Motion to Dismiss for Failure to Appear**;
- e. On an otherwise blank screen, click **NEXT**;
- f. On the Select the Party screen, highlight your name and click **NEXT**.
- g. This screen is requesting five types of information. You must fill in all of the requested information or the system will not let you proceed:
  - i. Enter the Docket Control Number (DCN) of your motion. To create your DCN, take the first letters of your first, middle and last names and, if this is your first motion in this case, put a dash one after it. For example, if John J. Smith filed this motion and this was his first motion in this case, the DCN would be JJS-1. If this was his second motion in this case, the DCN would be JJS-2.
  - ii. The Sec. 341(a) Meeting was held on (mm/dd/yy): (Enter the date of the last scheduled Sec. 341(a) meeting.)
  - iii. The hearing on the Motion to Dismiss will be scheduled for (mm/dd/yy): (Enter the date that you want the motion to be heard if a Notice of Hearing is filed. The proposed hearing dates can be obtained by accessing the Self-Set Calendar on our website. This date must be at least 28 days from the date you are sending this notice.)
  - iv. The hearing time: (00:00 a.m./p.m.): (Enter the time you want the motion to be heard if a Notice of Hearing is filed. The Self-Set Calendar will provide you with the appropriate hearing times.

- v. Click on the radio button next to the appropriate courtroom and department.  
To locate the department quickly, check the top of the screen. The department is listed next to the word "Judge." For example, if the top of the screen shows:  
Judge: C, you would choose Sacramento Courtroom 35, Department C.
- h. If this is a joint case, this screen is prompting you to select which debtor DID NOT appear at the Sec. 341(a) meeting. Mark the correct answer – Debtor, Joint Debtor or Both Debtors. If this is not a joint case, you will not receive this prompt.
- i. On an otherwise blank screen, click **NEXT**.
- j. **This is the "point of no return" screen.** If you find you have made an error, do NOT click on the NEXT button. Clicking on Bankruptcy in the blue bar at the top will abort the event. You may also use the BACK button in your browser to return to previous screens. If the information is incorrect, you must use the BACK button to return to the screen where the information was entered and make the changes there. You cannot simply edit the docket text on this screen, because it will not spread to other areas of CM/ECF and the notices that you generate will have incorrect information.
- k. The last screen titled *Notice of Electronic Filing* displays the docket text again and the document number will be blank.

## Miscellaneous Events in Asset Cases

### 1. Narrative Supplement/Report

This event is filed in support of a Trustee's Final Report and Motion for Compensation. It should not be used in lieu of a Motion for Compensation.

To docket a Narrative Supplement/Report:

- a. Select **Bankruptcy** from the main menu;
- b. Select **Miscellaneous Events - Trustees**;
- c. Enter the case number and click Next;
- d. Select Narrative Supplement/Report;
- e. Attach the PDF of your report;
- f. The Final Report and Application(s) for Compensation will display on the next screen. Click NEXT.
- g. Click NEXT again.
- h. Your final docket text will display. Click NEXT to finish docketing.

### 2. Report of Sale/Return on Sale

This event is filed after a trustee sells property of the estate.

To docket a Report of Sale/Return on Sale:

- a. Select **Bankruptcy** from the main menu;
- b. Select **Miscellaneous Events - Trustees**;
- c. Enter the case number and click Next;
- d. Select Report of Sale/Return on Sale and click NEXT;
- e. Attach the PDF of your report and click NEXT;
- f. At the question Who is filing this Report of Sale? click the radio button next to Trustee or Auctioneer.
- g. Enter the DCN if you have added one to your pleading and click NEXT;
- h. Click NEXT again;
- i. Your final docket text will display. Click NEXT to finish docketing.

## Reopened Cases

Cases that have been reopened to administer assets need a report from the trustee that advises the court how to proceed.

### **Reopened Cases with Assets to Distribute**

If there are assets to distribute, you can file the appropriate *Notice of Assets* (see page 5 of this handbook). These events will prompt the court to send a *Notice to File Proof of Claim* to all creditors and parties to the case, and will set a proof of claim deadline in the case.

### **Reopened Cases with No Assets to Distribute**

If there are no assets to be distributed, you can file a *Status Report and Request to Close Re-Opened Case*. This event should be used in cases that were already deemed to be “no asset” cases prior to being closed and reopened. A *Notice of Report of No Distribution* will not be generated by this event. Docketing this event will prompt the court to re-close the case one business day after the event has been docketed.

**Please note that this event requires you to prepare a report of your findings and attach it during the docketing of the event.**

To docket the *Status Report and Request to Close Re-Opened Cases*:

1. Select **Bankruptcy** from the main menu;
2. Select **Chapter 7 Trustee Events**;
3. Enter the case number;
4. Select Status Report and Request to Close Re-Opened Case and click Next;
5. Attach the PDF of your Report;
6. Click Next on the screen that shows the Follow Up to Close deadline;
7. Click Next again;
8. Review your final text. If you need to make a change, you will need to start over.

## Docketing a Virtual Non-Opposition

You can use this virtual event to advise the court that you have no opposition to a pending motion instead of preparing a non-opposition and e-filing it. Docketing this event will put it on the docket immediately. You will not be attaching a PDF of a document to this event.

Please note that you will have to docket a Non Opposition in response to each motion (except combined motions) separately.

To docket a Non-Opposition to a pending motion, you will access the CM system through PACER:

1. Click on **Bankruptcy** from the Main Menu.
2. Click on **Response/Support Docket Entries**.
3. Enter the Case Number.
4. Highlight **Non Opposition (Trustees)** and click **NEXT**.
5. Highlight the trustee's name.
6. The next screen contains a chronological listing of all the motions (pending and terminated) that have been filed in this case.
7. In the scenario below, Sample Bank has filed a Motion for Relief from Stay and it is the only motion that has been filed so far. If you want to file a Non Opposition to the Motion for Relief from Stay, put a check in the checkbox next to the Motion/Application you are referring to. If the motion is not listed, do not continue docketing your Non Opposition.

07/06/2017 [24](#) Motion for Relief from Automatic Stay [ABC-1] Filed by Creditor Sample Bank (Fee Paid \$181) (cmcs)

NEXT

Clear

In the scenario below, Sample Bank has filed a combined Motion for Relief from Stay and Motion for Adequate Protection. As you can see, both motions have Number 24 and both of them have the same DCN (ABC-1)

- 07/06/2017 [24](#) Motion for Relief from Automatic Stay [ABC-1] Filed by Creditor Sample Bank (Fee Paid \$181) (cmcs)
- 07/06/2017 [24](#) Motion/Application for Adequate Protection [ABC-1] Filed by Creditor Sample Bank (cmcs)

In the scenario below, there are two motions to choose from: the combined Motion for Relief from Stay and Motion for Adequate Protection (both Document #24 with DCN ABC-1) and a Motion to Compel Abandonment (Document Number #27 with DCN DEF-1). If you want to file a Non Opposition to the Motion to Compel Abandonment, put a check next to the Number 27.

- 07/06/2017 [23](#) Motion for Relief from Automatic Stay [ABC-1] Filed by Creditor Bank Of America (Fee Paid \$181) (cmcs)
- 07/06/2017 [23](#) Motion for Relief from Automatic Stay [ABC-1] Filed by Creditor Sample Bank (Fee Paid \$181) (cmcs).
- 07/06/2017 [27](#) Motion/Application to Compel Abandonment [DEF-1] Filed by Debtor 1 Individual Debtor (Fee Paid \$181) (cmcs)

8. This is the **“point of no return”** screen.

Docket Text: Final Text

The Chapter 7 Trustee has no opposition to the [23] Motion for Relief from Automatic Stay [ABC-1], [23] Motion for Relief from Automatic Stay [ABC-1] Filed by Trustee Test A. Trustee (cmcs)

**Attention!!** Clicking NEXT commits this transaction. Use your web browser BACK button to modify this entry.

If you reach the above screen and you find that you have made an error, do NOT click on the next button. Click on Bankruptcy in the blue bar at the top of the screen will abort the event. You can also use the BACK button on your browser to return to previous screens to make the necessary changes. You should not continue docketing if you notice the following:

- You are in the wrong case;
- You didn't select yourself as trustee in the case, and the non-opposition indicates that it was filed by someone else.
- There is more than one DCN in the docket text. This means that you selected two separate motions. A separate virtual non-opposition must be docketed for each motion.
- You have selected the wrong motion.
- You meant to select more than one part of a multiple part motion, but did not do so.

If you discover that you have made an error after passing the point of no return, please contact the court for assistance. The last section in this handbook has information regarding contacting the court.

## Common Error Messages

Here are some error messages that you may see while docketing. They have been built into the system to prevent common problems.

### **PLEASE VERIFY THE CASE NUMBER. THIS IS NOT A CHAPTER 7 CASE!!**

- If you accidentally enter a case number that is not for a Chapter 7 debtor, you will see this message and be prevented from continuing from docketing that event in that case.

### **YOU MUST SELECT A LOCATION!!**

- This message will display if you did not select a meeting location on the scheduling screen. Use the back button on your browser to return to that screen and make a selection from the pick list.

### **DO NOT DOCKET THIS EVENT UNLESS THIS ACTION APPLIES TO BOTH DEBTORS!!**

- This message displays when docketing to a joint case if the same action must pertain to both debtors. You will not see this message if the case has only one debtor.

### **ATTENTION: A NOTICE OF FILING REPORT OF NO DISTRIBUTION WILL BE GENERATED AND SENT OUT BY THE COURT UPON THE DOCKETING OF THIS EVENT.**

- This message displays when the Notice of Filing Report of No Distribution will be generated by an event. If you do not want a Notice of Filing Report of No Distribution to be generated, you cannot use this event.

### **THIS CASE HAS BEEN DISMISSED! USE THE APPROPRIATE REPORT!!**

- If the case has been previously dismissed, the system is advising you to use a Report of No Distribution which is for dismissed or converted cases.

### **A SELECTION IS REQUIRED!!**

- This message will display if you neglected to make on a selection on the previous screen. Use the back button on your browser to return to that screen and make a selection from the pick list.

**Warning: The transaction you submitted has already been accepted and posted by this system. If your original submission contained an error... [this is a long warning message and not all of it is included here.]**

- You will see this warning any time you have finished docketing an event (by clicking NEXT at the final docket text screen) and then use your browser's Back button to return to the final docket text and clicked NEXT again. This warning is common to all CM events and is meant to tell you



that you cannot back up after the “point of no return” to fix something. There is nothing you need to do. Your original docket entry will be intact.

## Contact the Court

If you have questions regarding the docketing events, or if you feel that you have made a docketing error, please contact one of the following people below:

- Cathy Waltz 916-930-4495 or [cathy\\_waltz@caeb.uscourts.gov](mailto:cathy_waltz@caeb.uscourts.gov)
- Jennifer Jahnsen 916-930-4520 or [jennifer\\_jahnsen@caeb.uscourts.gov](mailto:jennifer_jahnsen@caeb.uscourts.gov)

If neither person is available, you can contact the help desk at 855-542-0992 or at [Efilers\\_Helpdesk@caeb.uscourts.gov](mailto:Efilers_Helpdesk@caeb.uscourts.gov).