E-FILE APPLICATION FOR COMPENSATION

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E-file Application for Compensation

Introduction:

These detailed instructions guide you through the process of electronically filing an application for compensation in the court's Case Management - Electronic Case Filing (CM-ECF) system. Pursuant to FED. R. BANKR. P. 2013, the Clerk of Court is required to report professional fees awarded. Since this information is captured in CM-ECF, we ask e-filers to use a specific event, "Compensation (Motion)," to enable us to comply with the Rule. The **type** of professional (e.g., Debtor's Attorney, Trustee's Attorney, Trustee Ch7, etc) awarded the fees is also captured and reported by the system.

At the end of these instructions is a not-so-detailed list of steps **(Quick Steps**) to e-file an application for compensation.

Basic Guidelines

The Clerk's Office asks filers of an application for compensation or an amended application for compensation to follow these basic guidelines:

A. Please 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. Another way to check is to access the docket report: after entering the case number, click on "Find this Case." If the case is closed, the case number field will be followed by *(closed)*.

B. Please use the correct docket event. The correct docket event to use is "Compensation (Motion)." Note that CM-ECF refers to the application as a 'motion.'

C. Please select the correct applicant/professional type. For example, if an attorney or trustee is to be awarded compensation, then the correct **attorney** or **trustee type** must be selected (e.g., Debtor's Attorney, Creditor's Attorney, Trustee's Attorney, Trustee Ch7, Trustee Ch13, etc). If your professional type is not listed select "other professional."

D. Please enter amounts in the correct categories. The amounts requested in the application need to be entered in CM-ECF in two categories: fees or expenses. More importantly, the amounts entered must match the amounts identified in the application. Therefore, please ensure that your application clearly states a total for fees and a total for expenses.

E. New Mexico gross receipts tax on fees. Please include tax in the fee amount, identifying tax as such in the application. Tax on professional fees should not be included in the expense amount.

F. New Mexico gross receipts tax on expenses. Please include tax in the expense amount, identifying tax as such in the application.

G. Application period date range. Please enter the time period covered in the application as a date range.

H. Convert documents to pdf before filing. All documents submitted in CM-ECF must be submitted as *portable document format* (pdf) files. The maximum pdf file size is 2.5 megabytes (MB) which is equivalent to 2,500 kilobytes (KB). If your file exceeds 2500 KB, you will need to reduce the file size. See "Split a PDF Document," under the Procedures link on the Court's website at http://www.nmcourt.fed.us/usbc.

I. Exhibits filed as attachments. We ask that you please file the application as the main document and any exhibits to the application as attachments to the application.

J. Adding parties. When adding your client as a party, you are not required to enter the address of the party you represent, as your name and address are automatically entered by CM-ECF as the attorney of record for the party in that case.[1] As such, all documents e-filed will be sent to you via the Notice of Electronic Filing e-mail.[2] However, if you want your client to receive a paper copy of Rule 2002 notices by mail, enter your client's address. Rule 2002 notices include notices of dismissal and discharges.

E-file Application for Compensation:

STEP 1 Log in to CM-ECF at https://ecf.nmb.uscourts.gov

- ❏ Click on the **Search** menu option.
- ❏ Type "compensation" in the search field and press enter.
- ❏ If you are an attorney, click on "Compensation (Motion)" under the heading Bankruptcy Events ➔ Motions/Applications.
- ❏ If you are a trustee, click on "Compensation (Motion)" under the heading Bankruptcy Events ➔ Trustee/US Trustee.

- ■ For more help with each screen, click on the yellow question mark icon.

STEP 2 The **CASE NUMBER** screen displays.

- ❏ Enter the case number, including the hyphen, as yy-nnnnn, e.g., 08-12345. 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.

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[1] Filing a document in a case constitutes your entry of appearance for that party in that case.

[2] You become associated with a case when you file a notice of appearance or any other document in the a case.

- ❑ Click the **Next** button. The **Clear** button will return all selections to their default values.

- ■ If the system tells you that you have entered an **invalid case number**, click the **Back** button in the CM-ECF screen to re-enter the case number. **Do not** click on the browser **Back** button. Using the browser **Back** button in this system can cause the system to log you out of CM-ECF.

STEP 3 The **File a Motion** screen displays because you searched for the event. The Selected Event in the right-hand field should be 'Compensation (Motion).'

- ❑ If so, tab to the **Next** button and click on it.

STEP 4 A blank screen appears.

- ❑ Click the **Next** button.

STEP 5 The **SELECT THE PARTY** screen displays. Here you are selecting the party applying for the compensation, unless you represent the debtor. If you represent the debtor, select the debtor as the party. If this is a joint case, select both debtor names.

- ❑ Select the party applying for compensation by clicking on the name. If the party is listed, go to **STEP 10.**

- ❑ If the party applying for compensation is not listed, click the **Add/Create New Party** hyperlink and complete **STEPS 6 through 9** to add the professional to receive fees.

STEP 6 The **SEARCH FOR A PARTY** screen displays.

- ❑ Enter the last or business name of the party. If the last name is common, narrow the search by entering a first name.

  - ▪ Searches are not case sensitive (i.e., you may enter "john" to find "John").

- ❑ Click the **Search** button.

STEP 7 The **PARTY SEARCH** results screen displays.

- ❑ Select the party's name from the list.

  - ▪ If the name is common, it may appear many times in the search results.

  - ▪ Each time you select a name, a pop-up window appears and displays the name and address associated with that name in the database. You may need to look at each name to find your party. **Close each pop-up window by clicking the X in the upper-right corner of the window; you MUST close each pop-up window.**

- ❑ If the name appears with no address, select that party, unless you want to enter an address for the party to receive Rule 2002 notices at an address different than your own.

- ❑ If the party is not listed, click the **Create New Party** button.

STEP 8 The **PARTY INFORMATION** screen displays. Please enter names using initial capital letters as the name normally appears. Enter the party information as follows:

- ❑ Last name or business name
- ❑ First name (if not a business name)

- ❑ Middle name, if any
- ❑ Generation, e.g., Jr., Sr., III
- ❑ Title - e.g., Dr.
- ❑ SSN - leave blank
- ❑ Tax ID - leave blank
- ❑ Office - leave blank
- ❑ Address 1, 2 and 3, City, State, Zip, County, Country - you may skip these fields - **See important note below about party address information**.
- ❑ Phone, Fax, E-mail - leave blank

- **Important note about party address information:**

When you enter a party name in CM-ECF, a party record is created and the name is automatically added to the case mailing list in care of the attorney's mailing address. If you enter an address for your client, that address is also added to the case mailing list. The effect of this is that the party at the address listed will be sent copies of notices required to be sent to all creditors pursuant to Fed. R. Bankr. P. 2002.

If you do not enter an address, the party name will be listed at the bottom of the mailing list as an undeliverable one-line address, and this is fine.

- ❑ **Select Role type. Role type must be selected**. Click on the down arrow for a pick list. Or, click in the field, type the first letter, e.g., "c" for creditor, and select "Creditor (cr:cr)."

- ❑ Enter any additional descriptors in the Party Text Screen if applicable, e.g., Personal Representative, a NM Corporation, etc.

- ❑ Click the **Submit** button.

STEP 9 The **PARTY SELECTION** screen displays again.

- ❑ The added party's name should be highlighted. If it is not, click on the name to highlight it.
- ❑ Click the **Next** button.

STEP 10 **A PARTY/ATTORNEY ASSOCIATION** screen may appear and display the message below:

"The following attorney/party associations do not exist for this case. Please check which associations should be created for this case:"

- ❑ Click (check) the box to associate yourself with the party **only if you are the attorney representing the professional** referred to in the application. Otherwise, skip this screen.
- ❑ Click the **Next** button.

STEP 11 The **PDF DOCUMENT SELECTION** screen displays.

- ❑ Click the **Browse** button, then navigate to the directory where the appropriate PDF file is located or type in the full path and file name.
- ❑ Verify this is the correct document by highlighting the document name as follows:
  - ❑ Right click with your mouse.
  - ❑ Select **open** to view the document.
  - ❑ Click **X** in the upper-right corner to exit the image.
  - ❑ If correct, double-click the PDF file to select it, or if the file is already selected (highlighted), click **open**.

- ❑ Select **y** at **Attachments to Document** if you have attachments.
- ❑ Click the **Next** button.

STEP 12 The **ATTACHMENTS SELECTION** screen displays.
(*Screen appears only when answering **yes** to **attachments to document**.*)

- ❑ Browse to locate and attach a document. Verify this is the correct document by following instructions in Step 11.
- ❑ From within the **Type** list of options, select **Exhibit**.
- ❑ And/or, enter a description in the **Description** field. For example, when the attachment is a vehicle title, enter "Vehicle Title" in the description field.
- ❑ Click **Add to List.** The attachment name and file location display.
- ❑ Repeat this step for each attachment. When the file exceeds 2.5 MB (that's 2,500 KB), attach supporting documentation as separate pdf files. See "Split a PDF Document," under the Procedures link on the Court's website – http://www.nmcourt.fed.us/usbc
- ❑ Click the **Next** **button**.

STEP 13 The following message prompt appears alerting that you **MUST** enter an amount in the Expenses field:
"You will need to enter the fees and expenses on the next screen. An amount MUST BE entered in the Expenses field. If amount is zero, it must be entered as .00."

- ❑ Click the **Next** button

STEP 14 If you are the debtor's attorney, follow these steps to enter application information on the next **File a Motion** screen. If you are the trustee, follow the instructions in **Step 15**, and if you are the trustee filing on behalf of a professional, follow the instructions contained in **Step 16.**

- ■ If you represent the debtor, your name will appear as the applicant along with the debtor.

- ❑ In the first section, select the correct professional **type** of "Debtor's Attorney" from the pick list.

- ❑ Ensure the box is checked for **filer** under your name.

- ❑ Enter dates the motion pertains to using the following format,

  From: 02/06/2008 **To**: 10/15/2008

- ❑ Enter amount of fees and tax on fees in **Fee Request $** field

- ❑ Enter amount of expenses and tax on expenses in **Expense Request** $ field. If no expenses are being requested enter .00 in the field.

- ■ The debtor's name will also appear in the lower section of the screen.
- ■ **Do not** select the check box for "Filer".
- ■ **Do not** select a "type" of filer from pick list.
- ■ **Do not** enter any amounts (this information was provided in the step above).

- ❑ Click the Next **button.**

- ■ Warning messages will appear indicating that you did not enter amounts for the applicant (debtor). Since we do not want you to enter any amounts for the party you represent, we hope you see these warning messages! Click OK after reading them.

- ❑ Click the Next **button.**

STEP 15 If you are the trustee filing on your behalf, you would have selected yourself as the party in **Step 5** and skipped the attorney association screen. Follow these steps to enter the information:

- ❑ The section will show you as the Applicant and a box checked with you as the **Filer**.

- ❑ Select the correct professional **type** of "Trustee Chapter specific" from the pick list.

- ❑ Enter dates the motion pertains to using the following format,

  From: 02/06/2008 **To**: 10/15/2008

- ❑ Enter amount of fees and tax on fees in **Fee Request $** field.

- ❑ Enter amount of expenses and tax on expenses in **Expense Request** $ field. If no expenses are being requested, enter .00 in the field.

- ❑ Click the Next **button.**

STEP 16 If you are the trustee filing on behalf of another professional in the case (e.g., accountant, special counsel, etc.), select the professional as the **Party**. If the professional was not already a party in the case, you would have added them in **Step 5** and skipped the attorney association screen. Follow these steps to enter the information:

❑ Two sections should appear. The top section will show you as the Applicant with your login name.
  - Leave the box checked for the **Filer**
  - **Do not** select a "type" of filer from the pick list
  - **Do not** enter any amounts

❑ In the lower section:
  - ❑ ensure the check box for **Party** is checked for the professional;
  - ❑ select the correct professional **type** (e.g., "Trustee's Accountant," "Special Counsel," etc. from the pick list); and
  - ❑ enter dates the motion pertains to using the following format,

    From: 02/06/2008 **To**: 10/15/2008

  - ❑ Enter amount of fees and tax on fees in **Fee Request $** field.

  - ❑ Enter amount of expenses and tax on fees in **Expense Request** $ field. If no expenses are being requested, enter .00 in the field.

  - ❑ Click the **Next** **button.**

  - Warning messages will appear indicating that you did not enter amounts for the applicant (your login). Since we do not want you to enter any amounts for yourself, we hope you see these warning messages! Click OK after reading them.

- ❑ Click the Next **button.**

STEP 17 The **DOCKET TEXT: MODIFY AS APPROPRIATE** screen displays. This screen allows you to add a prefix, such as "Amended", "First", etc.," to the motion.

- ❑ Verify the docket text.
- ❑ Add prefix if needed. Click on the ▼ arrow to see the prefix "pick list."
- ❑ Click the Next **button.**

STEP 18 The **FINAL TEXT** screen displays.

- ❑ Carefully verify the final docket text. This is your last chance to stop the filing if the entry is incorrect
- ❑ If correct, click the Submit button.
- ❑ To abort or restart the transaction, click the **Search** hyperlink on the **Menu Bar** and start over.

STEP 19 The **Notice of Electronic Filing** screen displays.

- ❑ Click the browser **Print** button to print a copy of this notice to paper or to PDF, if you have Adobe Acrobat writer (or other pdf writer) installed on your computer.
- ■ You may also save the notice through the browser **File/Save Page As** option.

QUICK STEPS

PREP STEP - do all the preparatory work first (see **Basic Guidelines**)

☐ 1. **Bankruptcy Events** - click on the **Search** menu option, type "compensation" in the search field, and press enter. If attorney, click on "Compensation (Motion)" under the heading Bankruptcy Events ➔ Motions/Applications. If trustee, click on "Compensation (Motion) under the heading Bankruptcy Events ➔ UST/Trustee Events.

☐ 2. **Search for case** - enter case number; accept all defaults. Click Next.

☐ 3. **Select correct docket event** - highlight to select. Click Next.

☐ 4. **Select the party** - click on party's name. Click Next .

☐ 5. **Upload the Application for Compensation and exhibit pdf files** (view first!). See Step 11 of the detailed instructions.

☐ 6. **Select the correct applicant type.**

☐ 7. **Enter the application period date range.**

☐ 8. **Enter the fee and expense amounts in the correct category**. Be sure to include NM gross receipts tax on professional fees in the fee amount and tax on expenses in the expense amount. Enter .00 for expenses if there are no expenses. Click Next.

☐ 9. **Modify docket text** if appropriate. Click Next.

☐ 10. **Print a copy of the Notice of Electronic Filing** as your evidence of filing.

C:\Documents and Settings\All Users\Desktop\Used Most\Save ALL files here\File Application for Compensation w mgg chgs.wpd