

United States Bankruptcy Court, District of Rhode Island

ON THE DOCKET

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Inner Workings: News and Advice

by Susan M. Thurston, Clerk of Court

In our first edition for 2012, we have considerable exciting news to share with our bankruptcy community. After more than 44 years as the only Bankruptcy Judge in Rhode Island, Judge Arthur Votolato, 81, will be retiring to enjoy some leisure time with his new wife, Linda, effective July 31, 2012. In anticipation of this momentous occasion, we have the following advice for our beloved Judge – “Don’t underestimate the value of Doing Nothing, of just going along, listening to all the things you can’t hear, and not bothering.” ~*Pooh’s Little Instruction Book*, inspired by A.A. Milne.

The appointment of bankruptcy judges is made by the Court of Appeals, and the First Circuit recently publicized the upcoming vacancy and solicited applications. The deadline for submitting applications was April 20. A merit selection committee to consider the applicants has been formed and includes: Chair, Senior Judge Norman H. Stahl of the First Circuit Court of Appeals, Judge O. Rogeriee Thompson, Court of Appeals; Judge William E. Smith, U.S. District Court, Rhode Island; W. Mark Russo, Esq., Ferrucci Russo, P.O.; Patricia Antonelli, Esq., Partridge Snow & Hahn, LLP; Stephen F. DelSesto, Esq., Shechtman Halperin Savage, LLP; Gary Wente, Circuit Executive, and Susan Goldberg, Deputy Circuit Executive, as Panel Secretary.

Despite the impending change in judgeship, the Clerk’s office remains committed to implementing new technologies to assist bankruptcy practitioners in interacting with the court. In April, we launched a new electronic web feature called Live Chat, which allows users to contact a court staff member in real-time with questions during court business

hours. This feature is used in commercial sites and can be very helpful to users who need a quick answer during electronic filing or if trying to locate information about bankruptcy practice or procedure.

You may also have noticed a new calendar summary document posted on the court calendar page. This enhancement was requested by the Attorney Advisory Committee and provides an advance and abbreviated copy of the court’s calendar several days before the hearing, in a single page, easy to read/print format. As the calendars change continuously up to the hearing date, counsel are reminded to also check the on-line calendar posted on our website for up to the minute accuracy. Coming soon, an electronic calendar will be installed outside the courtroom to provide the day’s hearing information as well.

Lastly, the Court created a Facebook page to provide information about changes in court procedures, rules and practice as a communication tool, which will be particularly beneficial if the court should ever experience an emergency or disaster event resulting in a loss of power.



How Green is Your Office?

by Gail Kelleher, Chief Deputy Clerk

Reduced budgets are a financial reality for everyone these days, and our court is no exception. Faced with significant funding cuts in 2012, a committee was formed last fall to review the court's spending plan in search of cost savings. Two line items readily distinguished themselves as ripe for review. The first item was contracts for software upgrades, maintenance and services. Although the court bids out contracts and awards to the lowest bidder in the normal course, better savings could be achieved by soliciting multi-year contracts with our vendors. This effort paid off: costs were either reduced or held to 2011 pricing. The second item targeted by the committee was related to the cost of printing.

Yes folks, the bankruptcy court had a serious addiction to printing. And a serious addiction to printing means a lot of money spent on toner, paper, postage, printers, fax machines and copy machines. As the saying goes, you can't improve what you don't measure – so we began tracking the print totals for all of our hardware to get a baseline of our use. Next, we surveyed staff to understand their printing habits and their level of consciousness concerning its financial and environmental impact. The results were not surprising – most staff identified convenience as determining their printer choice, and almost all staff considered cost and environment before hitting the print key. At least they thought so! Our data showed that print jobs declined significantly the month after the survey. Simply asking staff if they thought about the cost of printing appeared to have raised their awareness *nunc pro tunc*.

With survey results in hand (electronically, of course), the committee took a two-prong stab at reducing printing paper documents through education, and by implementing a Green IT Action Plan. First, a mandatory training session was held to help staff feel comfortable printing to PDF and storing electronic files rather than printing to paper.

Topics included suggestions on organizing and naming electronic files for easy access (no more file folders with printed documents), using Adobe Acrobat to add notes and manipulate PDF documents, and instruction on how to selectively print portions of a document (after all, it's paper reduction, not paper elimination).

As part of the Green IT Action plan, systems staff found free software to install on staff desktops that automatically eliminated internet pages with no written content prior to printing. The plan also included an assessment of the court's printing devices: which printers included duplex options, which copy machines were multi-functional, and which devices were outdated. The IT Staff configured each printer default setting to 'black & white' and 'duplex', saving paper as well as toner costs. Staff were advised to send their large print jobs to specific copiers since the toner cost was less expensive for some models than others. Even Judge Votolato got on board and began receiving his bench pleadings double-sided! Now, the entire staff "thinks before they print"; we sometimes find ourselves apologizing when we have printed paper in hand, and everyone is startled when a printer revs up. Laptops are regularly used at meetings to display information rather than printing documents for everyone, and most of the staff have adopted a 'green signature' in their email to show their support and spread the word that the Bankruptcy Court is an advocate for a cleaner environment.

What began as a cost containment effort blossomed into a green office campaign. Court staff recently chipped in and purchased silverware to replace plastic utensils, and now eschew disposable plastic cups in favor of reusable water bottles. We've set goals to reduce printing by 50% office-wide, and we recycle waste paper, bottles and cans. If you are wondering whether these small changes could make a difference in your office, remember the words of Margaret Mead: "Never doubt that a small group of thoughtful, committed citizens can change the world. Indeed, it's the only thing that ever has."

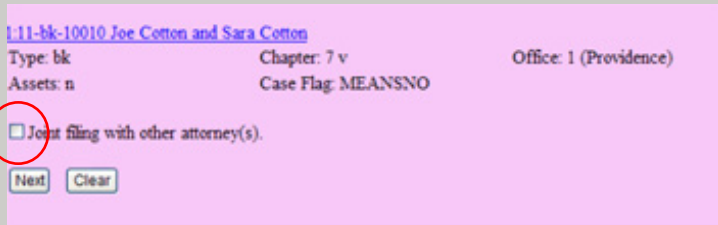


"Live Green, Love Green, Think Green!"

Joint Filing With Other Attorney(s) in CM/ECF

by Michelle McCurdy, Data Quality Analyst

All CM/ECF events include the following screen selection:



The screenshot shows a web form with the following text: "1:11-bk-10010 Joe Cotton and Sara Cotton", "Type: bk", "Assets: n", "Chapter: 7 v", "Case Flag: MEANSNO", and "Office: 1 (Providence)". A checkbox labeled "Joint filing with other attorney(s)." is checked and circled in red. Below the checkbox are "Next" and "Clear" buttons.

If you are filing a pleading with one or more attorneys that are already listed in the case along with their clients, check the box (shown above). On subsequent screens, select the joint filing attorney(s); then select all party filers to the pleading. DO NOT create the association between the parties. Continue filing the event in the usual manner.

The Attorney User Manual

by Katharine Flaherty, Case Manager

Did you know that in addition to step by step instructions for some of the most frequently used events the *Attorney User Manual* has been updated to include instructions, tips, tables, jurisdiction information, contact information, and court rules?

It can be accessed by going to www.rib.uscourts.gov. On the left-side menu, hover over "Attorneys" which will bring up a second menu that has "Attorney User Manual" as the top choice.

There are various topics available as well as flow charts, training modules, local rules, and federal rules. So, if you have questions on the Loss Mitigation process, or what to do if you filed a case in error, or what constitutes an electronic signature, you can find the answer in this resource.

The Court has recently undertaken an initiative to format all instructions, both internal and external, in a structured writing format. Structured writing is a form of technical writing that uses information blocks to separate information types so you will notice the instructions arranged in a more clear and concise way.

The manual also has a search feature if you are not sure which topic best applies to your query. You can search a key-word and compare topics relevant to you. It is recommended that all of our filers use the Attorney User Manual as their primary resource. As always, if what you are looking for is not available in the manual, feel free to contact the Clerk's Office at 626-3100. Any suggestions for additional topics and/or clarifications are welcome.

Happy Researching!



Tips and Traps

by Dina Fortes, Case Manager

Here are a few reminders for common questions asked to the court:

- To reset login passwords in CM/ECF go to "Utilities", under your account select "change your password". Remember to enter your password twice in order for the new password to take effect.
- To change an email address within CM/ECF, go to "Utilities", under your account select "Maintain your ECF account", select the "Email Information" tab, make changes and select "return to account screen" and click "submit".
- A reminder: Do not include 341 notices with full social security numbers as an attachment to documents. Social security numbers must always be redacted from pleadings filed with the court. Rule 9037-1(a)
- Is the client's name too long for the size of the textbox to be entered? Textboxes provided in some third party software, ie. Best Case, may not allow for full text to be entered. If this happens, do not panic. Handwrite/type the debtor's entire name on the first page of the voluntary petition. The first page of the petition should then be scanned and filed as an addendum.
- Lastly, remember that CM/ECF has a comprehensive search feature to assist users in querying topics such as finding correct events to file documents. Simply click on the search tab located on the blue menu bar in CM/ECF. This will bring up the search menus and events box. Type in the name of the event to be queried. The next screen displays all events relating to the specific topic. Select the appropriate event for which the document will be filed under, and proceed with the additional screen prompts. There is also a shortcut bar under the menu tabs to our website, local rules, helpdesk and attorney user manual.

2012 Federal Executive Council Employee of the Year Nominees

Each year, the RI Federal Executive Council invites nominations from all civilian, military and postal agencies to recognize the outstanding achievements of federal employees who have dedicated their careers to public service. We are pleased to announce the nomination of two bankruptcy court employees: Jody M. Venuti and Jennifer L. Davis.

Jennifer L. Davis - Support Staff Employee of the Year

Jennifer Davis is a case manager with the US Bankruptcy Court, and as a result of her excellent performance over the past 15 years, she was selected to manage the Court's first Chapter 9 filing, the City of Central Falls; a complex municipal bankruptcy case filed in August 2011. In addition to Central Falls being the first municipal bankruptcy filing in Rhode Island, the case was also assigned to a bankruptcy judge outside the state. In her unflappable way, Jen developed a case management process with the visiting Judge and his staff, while fine-tuning the Court's internal filing procedures for managing a municipal case. Jen became the public face of the bankruptcy court on this important, high-profile case. She maintains the Court's docket, is the link between the Clerk's office and the visiting Judge's

chambers in Boston, and keeps him apprised of case developments. In addition, Jen routinely fields phone inquiries from interested parties, the press, and the public.

Beyond managing the Central Falls case, Jen also maintains security profiles for both the Bankruptcy and District Court's Financial Accounting Systems, and serves as back up Human Resource Administrator for the Court. Furthermore, she is a lead participant on the Operations Team in improving our electronic filing system. She reviews and tests events in the Court's electronic dictionary, keeping the system functioning optimally.

In 2011, Jen participated in the Court's Cost Containment Committee, recommending significant cost savings by implementing a paper reduction campaign and identifying training needs (see 'How Green is Your Office' on page 2). Finally, Jen was chosen by her managers and peers to receive the Court's highest annual award, Sustained Superior Performance.

Jody M. Venuti - Technical Employee of the Year

For the past 15 years, Jody Venuti has been a tremendously valued employee of the Bankruptcy Court. She began her career with the US Courts in 1997 as an unpaid, volunteer intern. Her intelligence and drive were quickly noticed, and she was promptly engaged as a permanent member of the staff.

Jody was promoted to her current position of Quality Assurance Specialist in 2002. Jody has been instrumental this past year in implementing several technical initiatives that have solved problems in the use of the Court's electronic filing application, and by elevating the quality control of data entered by internal and external filers. Jody's main function is to maintain data integrity and accuracy of the information entered into the court's electronic case management system. This includes maintaining and modifying all methods that local and electronic filers use to file documents and related information. Her major contributions in this area are initiating methods that ensure all data entered into this system is correct and accurate, maintaining user-friendly procedures, and identifying waste, which translates into cost savings in time, materials and human effort. Jody achieved this by entwining new technology with improved procedures in numerous technological projects managed in 2011.

Jody's work affects thousands of filers nationally, from attorneys to creditors to fund locators. As a result of her creative solutions and detailed work, the Court has been able to move ahead with improved software, hardware, and methods to streamline work and reduce expenses. These improvements have a positive impact on the thousands of electronic filers nationwide that interact with the RI Bankruptcy Court each day.



**CONGRATULATIONS
JEN AND JODY!!!**



ECF and Other News

by Jody Venuti, Quality Assurance Specialist

ECF Lockout Feature

Due to the recent upgrade of CM/ECF to Version 4.3, the electronic filing system will now automatically lock out users who fail to pay filing fees by midnight the day of filing. Users will be unlocked upon payment of their filing fees. Therefore, the court will now strictly enforce R.I. Local Bankruptcy Rule 5004-(p) which requires payment of filing fees on the date the document is filed.

ECF users will receive email notification of their "lock out" status and will be prevented from filing additional documents until the outstanding balance is paid. Users who are locked out will receive a daily email reminding them to pay any outstanding fees, and all documents with outstanding fees will be automatically stricken after remaining in an unpaid status for seven days.

Once locked out of the ECF system, users will have limited access to run reports and make their outstanding payment. Full access rights will be restored in the CM/ECF system after all outstanding fees have been paid in full.

Facebook

In March, the Court launched its Facebook page as another avenue to bring valuable information to you!

Please check out our [page](#) and click "Like" to stay informed via Facebook.

PACER Fees Increase

The Judicial Conference amended the Electronic Public Access Fee Schedule to increase the PACER Internet access fee from eight cents per page to ten cents per page and to raise the waiver from \$10 to \$15 in a quarterly billing cycle. The 30 page cap on reports and case-related documents (excluding transcripts) will remain in effect for a maximum charge of \$3.00.

New Events

Installment Payment for eFiled Cases - This event informs the filer to query the case for the amount of the installment payment that is due, and enter that amount in the fee box. The payment will go through pay.gov and you will no longer have to contact the court to make an installment payment.

Request for Transcript - You can now order a transcript online through ECF. Simply login to ECF>choose the **Bankruptcy** or **Adversary** tab > select **Other** > enter your **case number** > select **Request for Transcript** from the list of events and just follow the prompts.

**** Prior to requesting a transcript, please review the transcript policy found on our website under [Case Information>Transcript of Hearings>Transcript Policy](#).****

Withdrawal of Claim (TEXT ONLY) - For use when withdrawing a claim without attaching a pdf document. The original Withdrawal of Claim event is still available if you wish to attach a pdf document. Both of these events can be found in the Claim Actions category in ECF.



Summary of Amendments to the Rhode Island Bankruptcy Court's Local Rules

By Amy Geraghty-Seale, Operations Supervisor

Effective September 30, 2011, by General Order 11-009 the Sixth Amended Loss Mitigation Program and Procedures were amended to provide: where the creditor/lender is the United States, its agency, corporations, officers or employees [e.g., HUD], service of the Notice and/or Request for Loss Mitigation shall be made at the local office of the United States Attorney, to the attention of Michael Iannotti, Esq.

Effective February 28, 2012, the Rhode Island Bankruptcy Court issued General Order 12-001 amending Local Bankruptcy Rule 3002-1 entitled, "FILING PROOF OF CLAIM OR INTEREST", which provides: compliance with Federal Bankruptcy Rule 3002.1(c) and (d) will not apply to the extent that the Court has previously approved a creditor's outstanding obligations pursuant to a Court order or conditional order.

Local Rule Books for Sale

By Amy Geraghty-Seale, Operations Supervisor

The 2012 Edition of the R.I. Bankruptcy Rule book is now on sale at the Clerk's Office for \$14.50 per copy. Books may be purchased at the Clerk's Office or by completing the order form and returning it to Court.

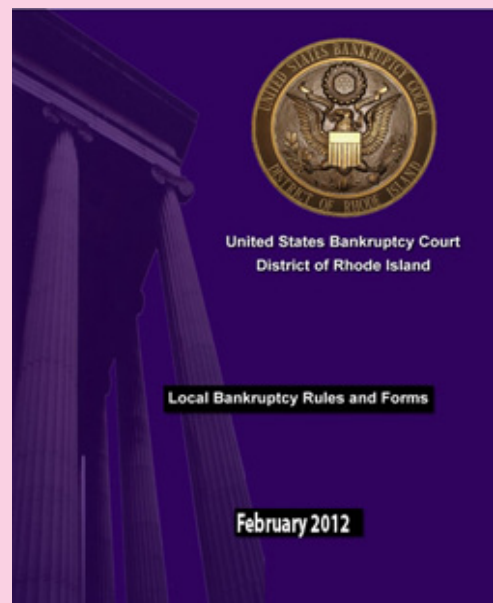
Local Rule books can be conveniently ordered through our on-line Local Rule Book Store accessed from the Rhode Island Bankruptcy Court's website. [Click Here](#) to order on-line.

All book store, fax, or phone-in orders require a Federal Express account number to cover shipping costs.

LIVE!ZILLA - Live Internet Chat

by Craig Balme, Systems Manager

The Bankruptcy Court decided to expand its help desk offerings to include a live chat feature to get instant help while online! This new software behaves much like any live chat available on many retail websites. Traditionally, this tool is used to get information about products and increase sales, but the Court will use this software to provide instant help to the public and electronic filing community as a whole. This software will allow us to provide you with instant answers to your questions, and links to resources that can assist you while you work. Two notable features that will be available are chat transcripts so you can review the discussion just in case you forgot something, and 'web site push' which allows a Court Operator to redirect your browser window to a web page that contains the information that you need. This new chat feature began on April 9, 2012 and is accessible via links above the vertical menu on our external website (www.rib.uscourts.gov).



New Courtroom Digital Display

by Sam Noguerras, Courtroom Technology Specialist

The United States Bankruptcy Court is proud to announce its courtroom calendar display project. If you have been in the courtroom within the last month, you may have noticed a new PowerPoint presentation that is displayed on all of the monitors in the courtroom before the commencement of court hearings. This presentation will be used to keep you up to date on the latest news, announcements, form and rule changes throughout the month. The morning calendar will still be displayed within the presentation every morning on one of the slides.

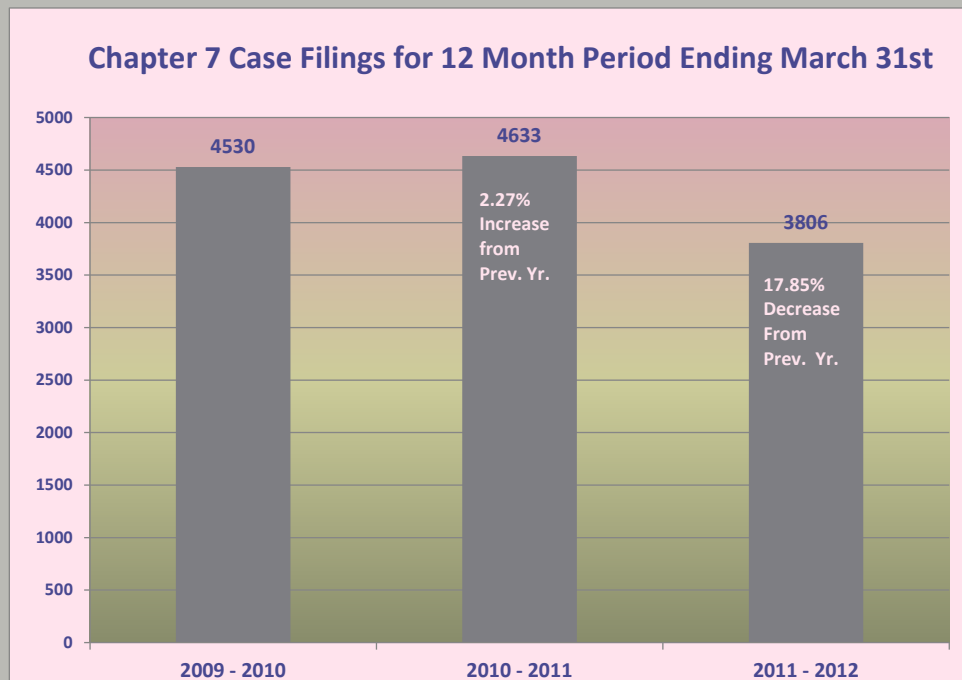
The Court is also working on a new digital signage that will be displayed outside of the courtroom in the foyer. This 42" digital display will utilize unique software to update you on the latest happenings in the bankruptcy court using stunning graphics and easy to read text. The new digital signage display will be completed in the coming months. In the meantime, we invite you to keep current by reading the presentation displayed within the courtroom.

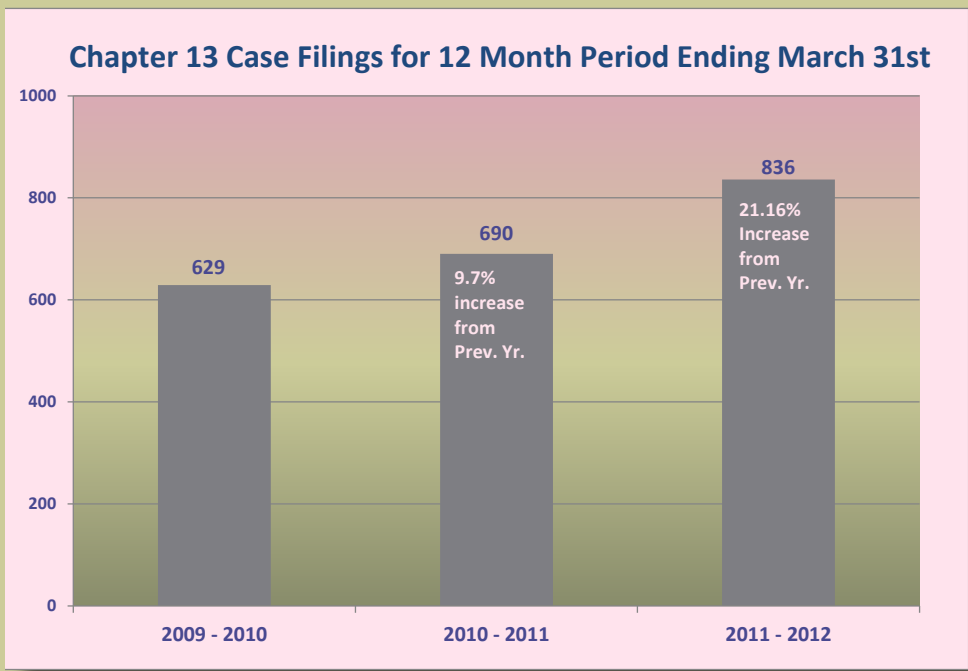
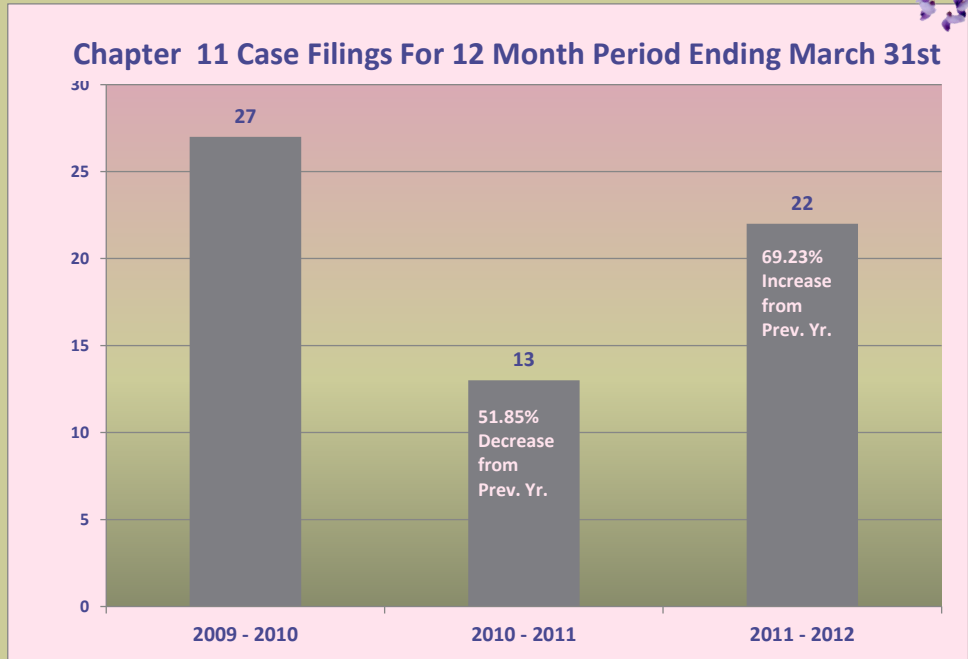


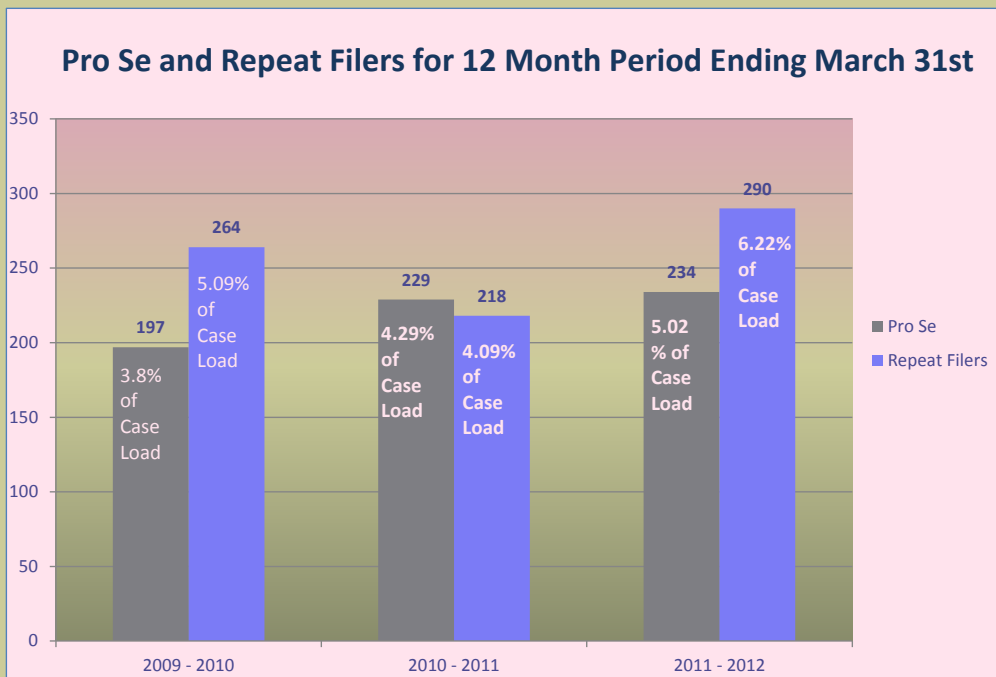
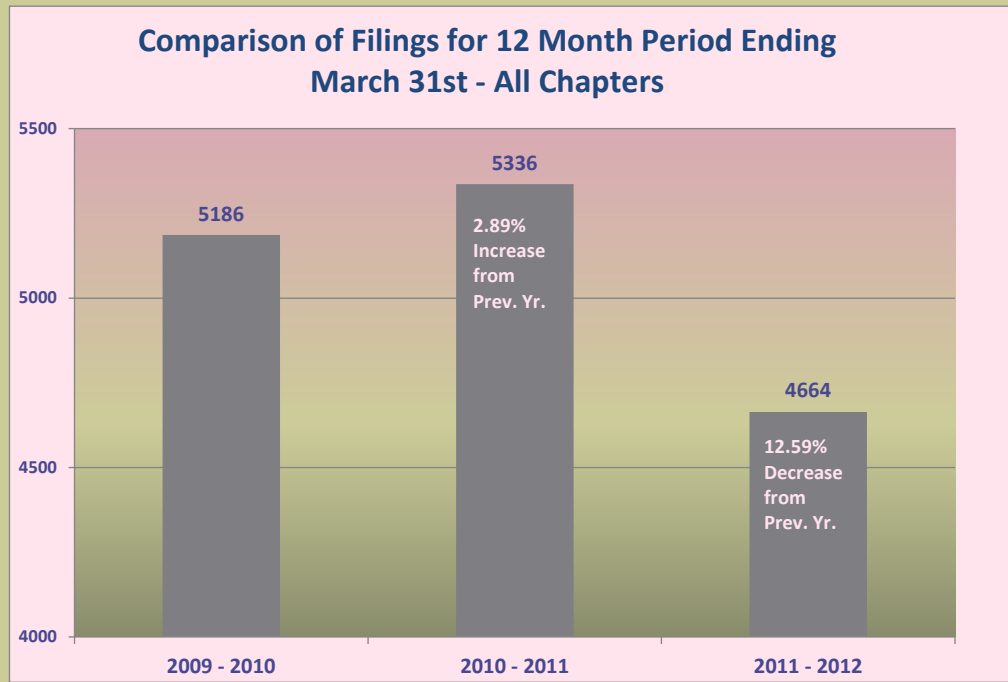
Courtroom Powerpoint Presentation

Case Filing Statistics for Period Ending March 31, 2012

by Gail Kelleher, Chief Deputy Clerk







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