



On the Docket

U.S. Bankruptcy Court, District of Rhode Island

Inner Workings: News and Advice

By: Susan M. Thurston, Clerk of Court

Welcome to another edition of our court newsletter, *On the Docket*. *On the Docket* is published three times a year to update our court customers on changes at the Court, new initiatives and programs being developed, as well as any procedural, national or local rule changes.

Since our last edition, our CARE financial literacy program completed its first full year of community outreach training. Over the course of the 2010-2011 school year, volunteer attorneys and court staff visited nine high schools throughout the state – the Lincoln School, Lincoln H.S., Barrington, Chariho, Tollgate, Pilgrim, Cranston East, Cranston West and Burrillville -- and conducted nearly 50 presentations to over 1400 junior and senior high school students. A large number of students reported never having

(Continued on page 2)

Table of Contents

Inner Workings: News & Advice	Page 1
New Rule Amend- ments	Page 1
Calendar: 1st Call....	Page 3
Welcome News.....	Page 3
Tips and Traps	Page 4
Cache & Cookies	Page 5
Tech Training Corner ...	Page 5
Filing Statistics.....	Page 7

Proposed Local Rule and Form Amendments

By: Amy Geraghty-Seale, Operations Supervisor

On May 25, 2011, the Court released a notice regarding amendments to its local rules implementing a new debtors' attorney's fee for handling loss mitigation in confirmed chapter 13 cases. The following proposed local form and appendix amendments effectuating this change are: R.I. Local Form V - *Chapter 13 Agreement between Debtor and Counsel*; R.I. Local Form W.1 - *Chapter 13 Plan and Applicable Motions*; and Appendix IV - *District of Rhode Island maximum attorney fee without written fee application*.

Also included in this notice is a proposed amendment to R.I. Local Rule 9013-3(c)(2). The amended rule now requires that for electronically filed motions or other papers which require a certificate of service; the certificate must be filed by the next business day after the filing of the motion or paper.

The public is invited to comment through June 14, 2011 on the proposed amendments which will take effect on June 27, 2011. Practitioners may obtain a complete copy of the amendments in the Clerk's office at no charge, or on-line at www.rib.uscourts.gov.

Inner Workings: News and Advice

(Continued from page 1)

discussed credit card debt or financial education with their parents, which we believe highlights the importance of continuing to present the CARE program to our local schools. In preparation for next year's program, we conducted a volunteer solicitation and are thrilled that an additional 17 attorneys and 2 paralegals have expressed an interest in joining the program. If you are interested in participating in next year's efforts, please email or call our CARE Training Coordinator, Janet Descoteaux at 626-3111, or Janet_Descoteaux@rib.uscourts.gov.

For those attorneys participating in the Court's loss mitigation program, we are pleased to report that over 200 successful loan modifications have been approved by the Court so far, with several new agreements being filed each day. The number of newly filed requests does not seem to be abating, with about 50 new loss mitigation matters being commenced each month. To help improve the mediation process between the debtor and their servicer, the Court partnered with the Default Mitigation Management LLC to encourage the use of the DMM Portal application for the document exchange process. DMM has created training materials which are posted on the Court's website (Loss Mitigation/DMM Portal page) as well as an instructional video that is available once an attorney obtains a login and password and signs into the program. Of particular note however, is that not all servicers are participants on the Portal and, therefore, it is important for counsel to first check the participant list (posted on the Court's website as well as the Portal itself) to determine if mediation through the Portal is available. In addition, while the Portal is the mechanism for exchanging documents and communications between the debtor and the servicer once a loss mitigation order is entered, the parties still must file with the Court their contact information and the periodic status reports required to advise the Court as to how the mediation is progressing. A flow chart explaining this process has just been developed and is located on the Court's loss mitigation page. Also, a new \$1,000 no-look attorney fee is in the process of being implemented for debtors' counsel handling loss mitigation in confirmed chapter 13 cases (in or outside of bankruptcy). Notice and comment on these local form changes was announced on May 25 with a proposed effective date of June 27, 2011. This new fee will apply to new as well as pending cases.

Lastly, thanks to the excellent advice of the Attorney Advisory Committee, the Court now has a new calendar call procedure in the courtroom. For details, please see the article on page 3 entitled "Calendar: First Call".



New Courtroom Procedure

Calendar: First Call

By: Jody Venuti, Quality Assurance Specialist

Beginning on May 4, 2011, the Court modified its courtroom calendar procedure to begin at 9:50 AM with the Courtroom Deputy conducting a First Call at which time the parties will indicate whether their matter is formal (settled) or will proceed to hearing before Judge Votolato. Once Judge Votolato takes the bench, those matters reported as formal will be called first and placed on the record before the Court begins the call for the rest of the calendar.

Agreed continuances do not constitute a formal matter and must proceed in the normal course of the calendar. Chapter 13 confirmation cases without objection will not be called formal and, therefore, will proceed in the normal course of the calendar.

The U.S. Bankruptcy Court Welcomes a New Intern

By: Carolyn Sweeney, Case Manager

The U.S. Bankruptcy Court recently welcomed a new intern who will be working with the Court for the duration of the summer. Doug Brem, a junior at George Washington University, started his internship with the Court on May 31st. Over the course of the summer, Doug will assist the Clerk's office with such projects as the quality control of newly filed bankruptcy cases and proofs of claim, help maintain the law library and assist Janet Descoteaux with both Loss Mitigation statistics and the CARE Program.

Please welcome Doug to the Bankruptcy Court!

Welcome!

Doug Brem, Intern

Tips and Traps

By: Dina Fortes, Case Manager

- When filing Loss Mitigation Status Reports make sure to select all filers and link to the original Order granting Loss Mitigation.
- It is always a good idea to right click on your document before attaching it to make sure the PDF is accurate, legible and oriented correctly. In addition, viewing the document before electronic filing will confirm that you are not inadvertently filing a confidential or privileged document.
- Make sure to utilize the Attorney User's Manual located on the Court's website. The manual contains filing procedures and links to applicable local rules and forms, which can be helpful when filing documents. A search button, located in the lower left corner of the page, allows the entire site to be searched. To return to the full table of contents just click on the TOC button.
- To amend a Chapter 13 plan after confirmation, the debtor must file a Motion to Amend Plan. The Amended Plan should be included as an attachment to the motion. See local rule 3015-2(d)
- When filing documents, please refrain from attaching the Section 341 Meeting Notice listing the debtor's full social security number. This violates Fed. R. Bank. P. 9037 and LBR 9037-1 concerning personal privacy.

Reminder: The DMM Portal is available for participating Loss Mitigation servicers. New Loss Mitigation cases should be opened in the portal system, if the servicer is a participant, and actively managed between the parties within the program. A link can be found on the Court's website at www.rib.uscourts.gov with an instructional video to assist you in navigating through the program. If any problems arise, please contact DMM support at 1-800-481-1013.



Isn't Cache for Buying Cookies?

By: **Craig Balme, Systems Manager**

We've all heard of cookies being used by our web browsers, and most of us have also experienced issues with the cache. Both of these technologies are used to make web pages faster and friendlier to the user. Cookies are small text files designed to keep track of information about your browsing experience. An example of this would be storing your login name next time you open the site. Cookies are usually harmless and should not be of much concern to the average user. Granted, there are situations where they can be used to track your usage, but this is not as common as people would think. Cache is a technology used to help speed up web usage. When you visit a website the content (images, text, etc.) is stored in a temporary area on your hard drive. Depending on your browser's settings, this saved information is recalled before loading the page you are visiting. This results in problems if you are viewing pages that change rapidly and the browser cannot identify which information is newer, specifically pages generated by database queries (ie., many CM/ECF pages). Many CM/ECF users have run into these issues and have been told to 'clear your cache and cookies'. Now you can understand why this helps. Clearing the cache removes all the temporary files that your browser is recalling, and removing any cookies will 'reset' any saved settings that CM/ECF may have set (your session information, etc). Doing these two steps effectively clears your connections settings and lets you start fresh without any old information being recalled into your current session.

If you have questions about this article, email me at craig_balme@rib.uscourts.gov.

Tech Training Corner

By: **Samuel Nogueras, Tech. Trainer**

I would like to take this opportunity to provide our users with a little bit of courtroom technological training beginning with proper use of the document camera (pictured to the right). The document camera is used to display documents and or photos on the screens located throughout the courtroom. It can be used as a tool to draw the courts attention to specific parts of a document or photo without referring to multiple stacks of paper or binders. While you may still use binders or printed materials, the document camera can save time by showing the Court exactly what to look for.



When using the document camera, it is important to keep in mind that you will be presenting specific portions of a document, but not the entire document. The concept of the document camera is just like viewing a document on a computer screen. The document is longer than what can be displayed on your computer screen, so you must scroll up and down to read the entire document. Using the document camera in this way will ensure that the text and/or diagrams are totally legible and at full viewing potential.

(Continued on page 6)

Tech Training Corner

(Continued from page 5)

How to Present a Document/Photo Step-by-Step

Step - 1

Place your photo or document, face up, on the bed of the document camera. (Make sure that the top of the document is aligned with the arrow that states "Top of document here".

Step - 2

Ask the courtroom deputy to activate the document camera (please do not press any buttons on the document camera until the courtroom deputy has activated the screens).

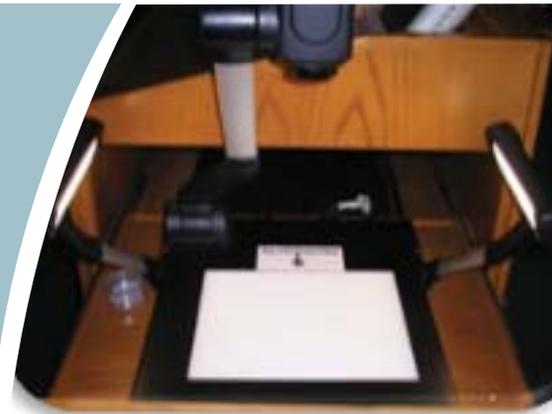
Step - 3

At this point, you will see your document displayed on the screens in the courtroom. Adjust your document on the bed while using the zoom in/out button (pictured to the right) to zoom into the section of the document that you would like to present to the Court.

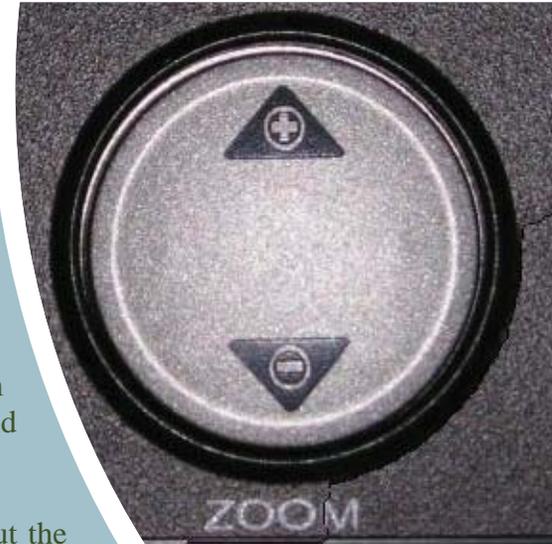
Example "A" below is zoomed out so that the full document is displayed, but the result is illegible.

Example "B" is zoomed in so that the text is legible, but you cannot view the whole document. In this instance, the user can simply slide the document up and down on the bed of the document camera to display different sections of the document.

For more information or to schedule a demonstration of our courtroom technology, please contact me via e-mail at sam_nogueras@rib.uscourts.gov.



STEP 1



STEP 3

Example A

Lorem ipsum is simply dummy text of the printing and typesetting industry. Lorem ipsum has been the industry's standard dummy text ever since the 1500s, when an unknown printer took a galley of type and scrambled it to make a type specimen book. It has survived not only five centuries, but also the leap into electronic typesetting, remaining essentially unchanged. It was popularised in the 1960s with the release of Letraset sheets containing Lorem Ipsum passages, and more recently with desktop publishing software like Aldus PageMaker including versions of Lorem Ipsum.

It is a long established fact that a reader will be distracted by the readable content of a page when looking at its layout. The point of using Lorem Ipsum is that it has a more-or-less normal distribution of letters, as opposed to using 'Content here, content here', making it look like readable English. Many desktop publishing packages and web page editors now use Lorem Ipsum as their default model text, and a search for 'lorem ipsum' will uncover many web sites still in their infancy. Various versions have evolved over the years, sometimes by accident, sometimes on purpose (injected humour and the like).

Contrary to popular belief, Lorem Ipsum is not simply random text. It has roots in a piece of classical Latin literature from 45 BC, making it over 2000 years old. Richard McClintock, a Latin professor at Hampden-Sydney College in Virginia, looked up one of the more obscure Latin words, consectetur, from a Lorem Ipsum passage, and going through the cites of the word in classical literature, discovered the undoubtable source. Lorem Ipsum comes from sections 1.10.32 and 1.10.33 of "de Finibus Bonorum et Malorum" (The Extremes of Good and Evil) by Cicero, written in 45 BC. This book is a treatise on the theory of ethics, very popular during the Renaissance. The first line of Lorem Ipsum, "Lorem ipsum dolor sit amet...", comes from a line in section 1.10.32.

The standard chunk of Lorem Ipsum used since the 1500s is reproduced below for those interested. Sections 1.10.32 and 1.10.33 from "de Finibus Bonorum et Malorum" by Cicero are also reproduced in their exact original form, accompanied by English versions from the 1914 translation by H. Rackham.

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Example B

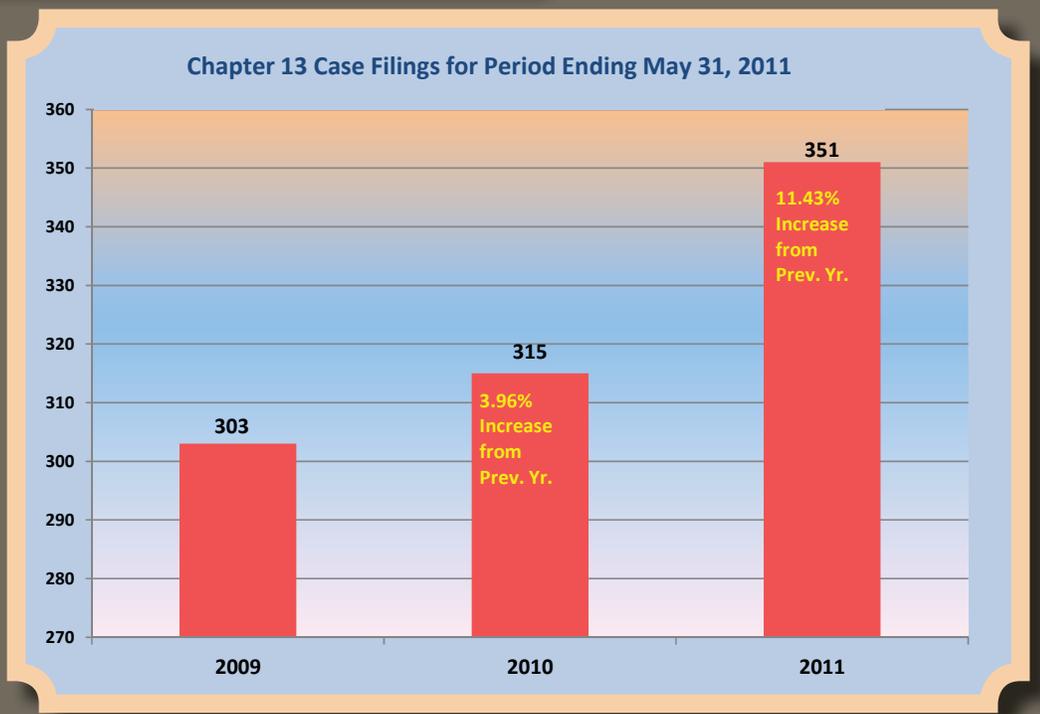
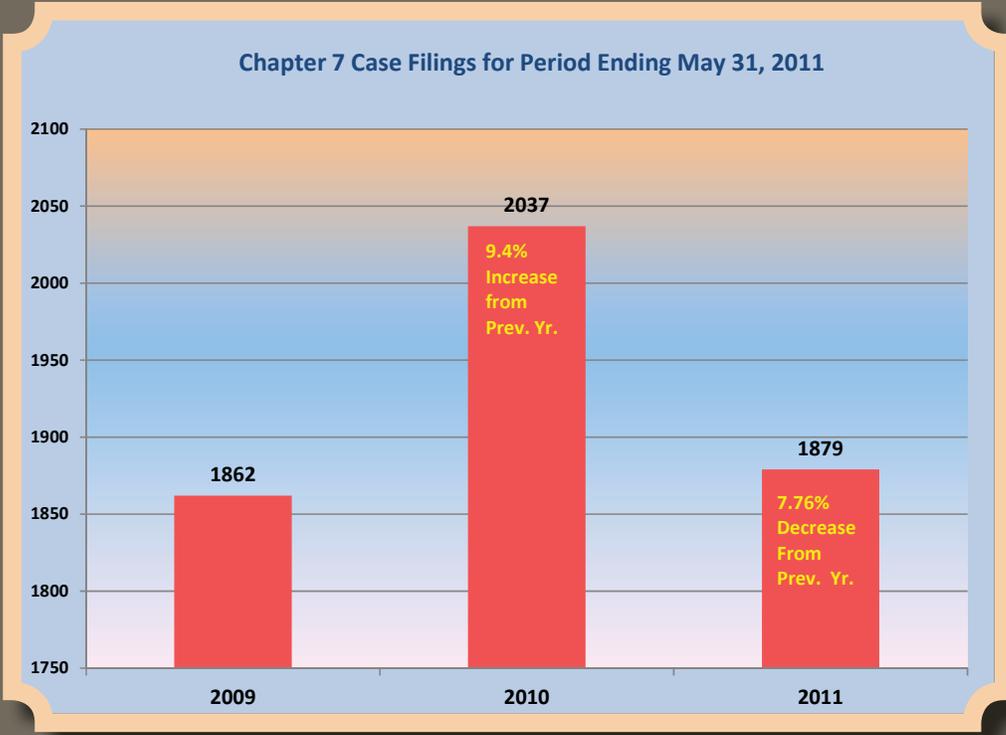
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Case Filing Statistics for Period Ending May 31, 2011

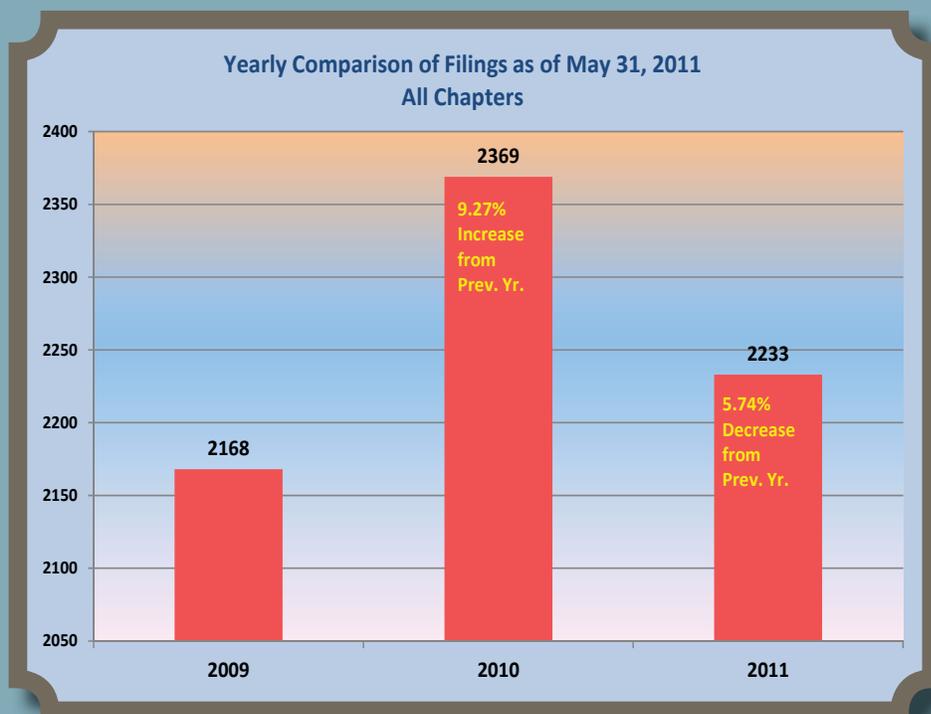
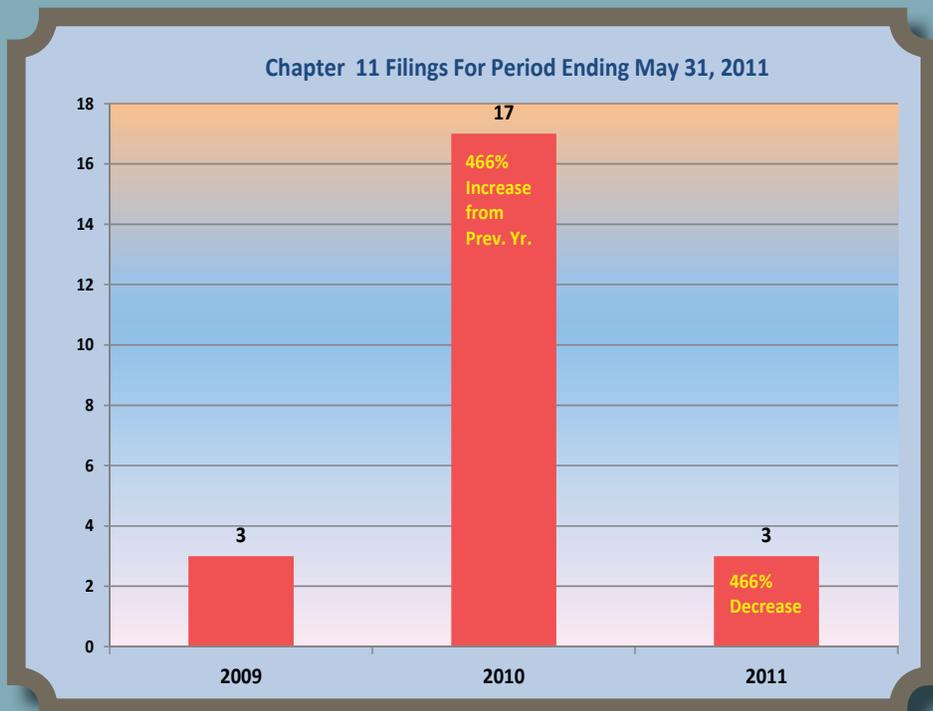
By: Gail Kelleher, Chief Deputy Clerk



(Continued on page 8)

Case Filing Statistics

(Continued from page 7)



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