Application for Employment of Special Counsel Manual

- 1. FILING AN APPLICATION FOR EMPLOYMENT OF SPECIAL COUNSEL
- 2. FILING A NOTICE OF HEARING FOR YOUR APPLICATION
- 3. FILING A CERTIFICATE OF SERVICE FOR YOU R APPLICATION
- 4. EMAILING YOUR ORDER TO THE JUDGE

File the above in the below order: Application/Motion Notice of Hearing Certificate of Service Email your Order to the Judge

NOTE: All of the above filings have separate events and refer to previous events, which is why the order of filing is important

Your PDF should consist of the following:

The Application to Employ Special Counsel along with any attachments, an affidavit or exhibits.

NOTE: make sure your Application to Employ Special Counsel is signed and dated.

If you are not admitted to the Middle District of Louisiana, contact the Bankruptcy Court for additional requirements and instructions. United States Bankruptcy Court Middle District of Louisiana 707 Florida Street, Room 119 Baton Rouge, LA 70801 Phone - 225-346-3333

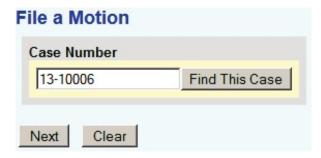
- Pages 2-7 Instructions for filing Application for Employment of Special Counsel
- Pages 8-14 Instructions for filing Notice of Hearing
- Pages 15-21 Instructions for filing your Certificate of Service
- Pages 22-23 Instructions for emailing your Order to the Judge

FILING A MOTION

Once logged into CM/ECF, click **Bankruptcy** on the blue bar.

Below Bankruptcy Events, click Motions/Applications.

File a Motion screen. Enter the bankruptcy case number with a hyphen.

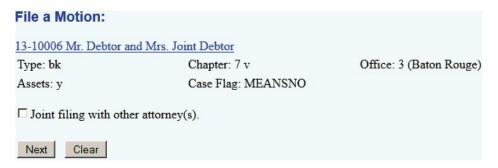


Click Next

Select Employ (Application) from the list.

File a Motion		
13-10006 Mr. Debtor	and Mrs. Joint Debtor	
Type: bk	Chapter: 7 v	Office: 3 (Baton Rouge)
Assets: y	Case Flag: MEANSNO	
	Start typing to find ano	ther event. Hold down Ctrl to add additional items.
Available Events (c	lick to select events)	Selected Events (click to remove events)
Available Events (click to select events) Dismiss Case for Failure to File Documents under 521(i) Dismiss Case for Failure to File Tax Documents Dismiss Case for Failure to Make Plan Payments Dismiss Party Dismiss/Withdraw Document Employ (Application) Enroll Examination (2004) Examine Judgment Debtor Excuse Debtor from Creditors' Meeting Exemption from Credit Counseling Exemption from Financial Management Course Exemption from Means Test Expediting Hearing Expunge		▲ Employ (Application)
Next Clear		

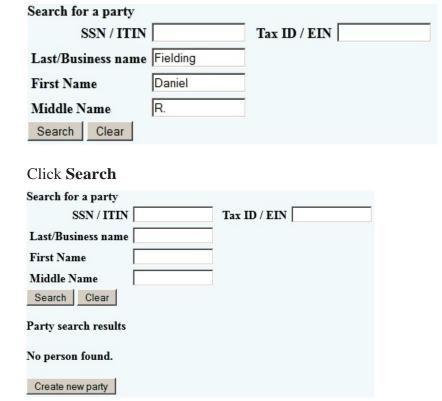
You will see a box to check if Joint filing with other attorney(s). **Do Not** check the box.



Click Next

Select Party screen. **Do Not** select the debtor(s). You will select your name as Special Counsel.

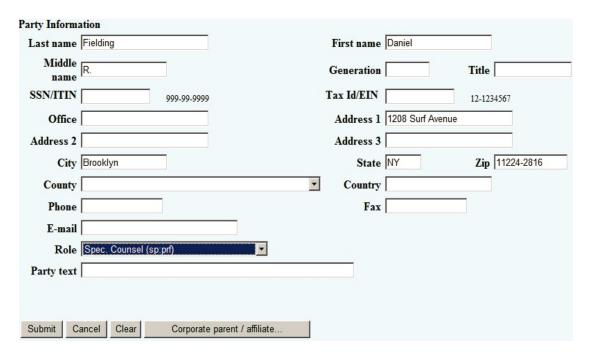
Search for Party screen. You will search for yourself as a party. Type your first, middle, and last name. **Do Not** enter a Social Security Number, or Tax ID.



If no person found, then click Create New Party.

Party Information screen. You will add yourself as a party. Enter your first, middle, and last name. Beginning with Address Line 1, enter your mailing address. Enter your city, state, and zip code.

You **must** change the Role from Consolidated debtor, to Special Counsel. Failing to change the party role will result with you adding yourself as a joint debtor.



Click **Submit**

Select the Party screen. Select yourself as the party.



Click Next

Make sure the box is checked creating the party association.

Click Next

Browse/Choose File screen. This is where you will attach your PDF to the filing.

File a Motion:		
13-10006 Mr. Debtor	and Mrs. Joint Debtor	
Type: bk	Chapter: 7 v	Office: 3 (Baton Rouge)
Assets: y	Case Flag: MEANSNO	
Filename	Brows	
Attachments to Doc	Browse_] ument: © No O Yes	
Next Clear		

Click Browse

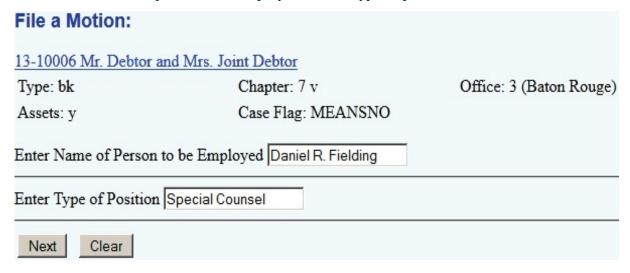
Select the PDF that relates to the filing.

Click **Open** or double click on the file name that relates to your filing.

If using Google Chrome:

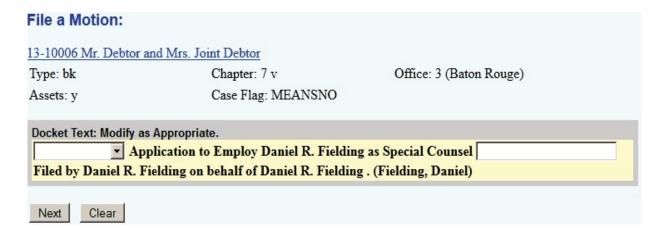
Click Choose **File**. Select your Application to Employ Special Counsel PDF. Click **Open** or double click on the file name that relates to your filing.

Enter the name of the person to be employed and the type of position.

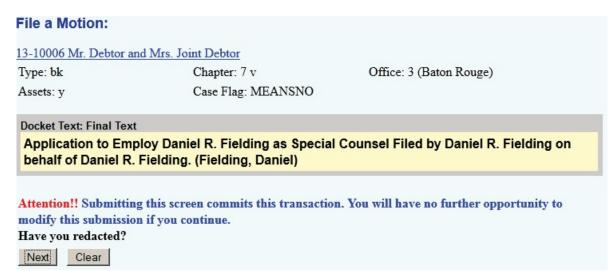


Click Next

Docket Text: Modify as Appropriate screen. You should not have to make any modifications.



Docket Text: Final Text screen. Review this screen for errors. If you have any questions, contact the court.



Click Next

Confirmation/Electronic File Stamp screen. This confirms the filing has been completed. It contains the case number, case name, document number, date and time of filing.

Print this screen for your records

FILING A NOTICE OF HEARING

Your PDF should consist of the following:

The Notice of Hearing with a correct hearing date, time, and location.

All hearing dates and times are located on the court's website. You should check these dates each time you file a Notice of Hearing, because they do change.

There are two sets of hearing dates located on the court's website. <u>www.lamb.uscourts.gov</u> Make sure you look at the Chapter 13 hearing dates, times and location.

Motions: Chapter 13

These motions are to be scheduled for **9:00 a.m**.

The Notice of Hearing must refer to the Application to Employ Special Counsel you have already filed.

Filing the Notice of Hearing with an incorrect date or time, will result in an Order Striking the Notice of Hearing. If the Notice of Hearing is not re-filed with a correct hearing date or time within five days, the Application to Employ Special Counsel will be stricken from the record on the sixth day.

The Notice of Hearing is NOT to be set for less than 21 days from the file date of the Application to Employ Special Counsel without first filing a Motion to Expedite Hearing, and an Order granting that motion has been entered.

Once logged into CM/ECF, click Bankruptcy on the blue bar.

Below Bankruptcy Events, click Notices.

File a Notice screen. Enter the bankruptcy case number with a hyphen.

le a Notice	
Case Number	
13-10006	Find This Case

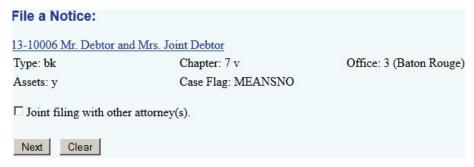
Click Next

Select **Notice of Hearing** from the list.

File a Notice		
13-10006 Mr. Debtor ar	nd Mrs. Joint Debtor	
Type: bk	Chapter: 7 v	Office: 3 (Baton Rouge)
Assets: y	Case Flag: MEANSNO	
	Start typing to find a	nother event. Hold down Ctrl to add additional items.
Available Events (click	c to select events)	Selected Events (click to remove events)
Notice of Hearing Notice of Override of Prefe	ess us Conference t of Chapter 15 Case entative's Intent to Commence Case erred Address 342(e) Sale or Lease of Property affirmation Agreement tention ersion 11 to 7	Notice of Hearing

Click Next

You will see a box to check if **joint filing with other attorney(s)**. Do not check the box.



Click Next

Select Party screen. **Do Not** select the debtor(s). Select your name as Special Counsel.



Click Next

Browse screen. This is where you will attach your Notice of Hearing PDF to the filing.

File a Notice:		
13-10006 Mr. Debtor	and Mrs. Joint Debtor	
Type: bk	Chapter: 7 v	Office: 3 (Baton Rouge)
Assets: y	Case Flag: MEANSNO	
Filename	Browse	
Attachments to Doc	Browse_] ument: © No C Yes	
Next Clear		

Click Browse

Select the PDF that relates to the filing. Click **Open** or double click on the file name.

NOTE: If using Google Chrome click on Choose File

Select the Notice of Hearing PDF. Click **Open** or double click on the file name.

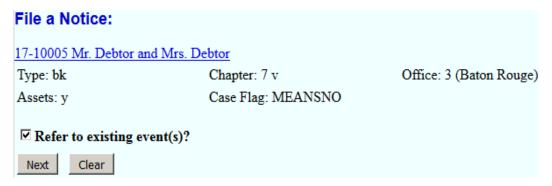
Hearing Information screen. Do Not leave any blanks.

Enter the following information: **Hearing Date**, **Hearing Time**, **Hearing Location** (Court hearings will be held at 707 Florida St., Rm. 222)

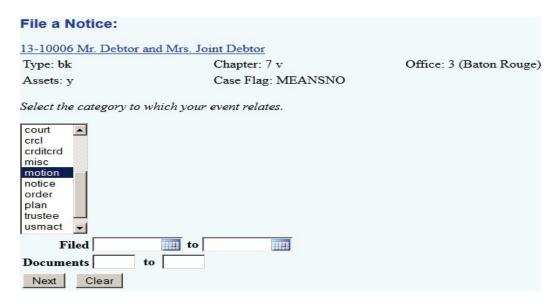
File a Notice:		
17-10005 Mr. Debtor	r and Mrs. Debtor	
Type: bk	Chapter: 7 v	Office: 3 (Baton Rouge)
Assets: y	Case Flag: MEANSNO	
	o choose the proper hearing date for a	er requiring a 21 day notice, the hearing must be set no earlier than the 22nd day after a matter requiring a 30 day notice, the hearing must be set no earlier than the 31st day
Hearing Date: 5/17/2	017 Hearing Time: 9:00 AM	<u></u>
Location: 707 Florida	St., Rm. 222	
Next Clear		

Click Next

You must check the Refer to existing event(s) box. Your Application to Employ Special Counsel will not appear on the court's calendar if not correctly linked.

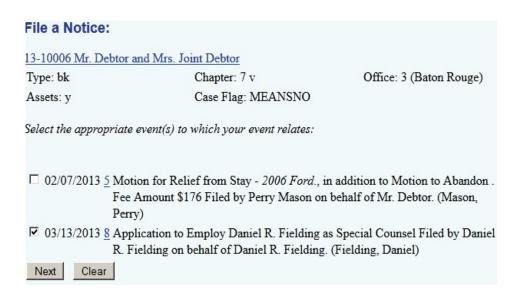


Select the category to which your event relates screen. You must select an event. If you are setting a motion for hearing, you would select **Motion**.

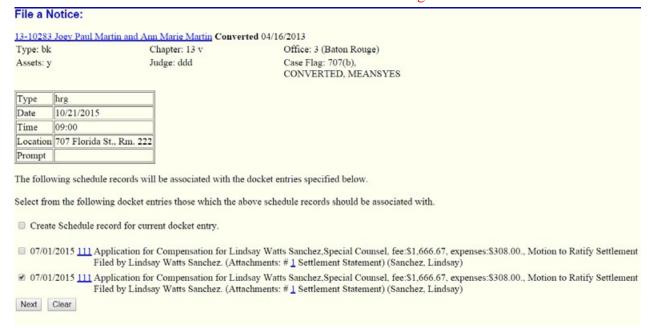


Click Next

By previously selecting the motion event, **all** pending motions filed in the case will appear. **Check** the box next to the specific motion you are setting for hearing.



In this next screen you will **only** select the docket entry associated with the Notice of Hearing by checking the box next to the event. Because this is a two part motion, the associated event will appear twice. **ONLY** check one of the two. ** **This is a very important step.** Failure to check the box next to the event will result in that event not showing on the court's calendar. **



Click Next

Docket Text: Modify as Appropriate screen. You should not need to modify the text. The Certificate of Service **must** be filed separately

Type: bk	and Mrs. Joint Debtor Chapter: 7 v	Office: 3 (Baton Rouge)
Assets: y		
Docket Text: Modify a	s Appropriate.	
▼ No	otice of Hearing	Filed by Daniel R. Fielding on behalf of
Daniel R. Fielding H	RE: related document(s)[8] Application	on to Employ filed by Spec. Counsel Daniel R.
		7 Florida St., Rm. 222. (Fielding, Daniel)

Docket Text: Final Text screen. Review this screen for errors. Final text should show the hearing date, hearing time, location, related document(s) and document number. If you have any questions, contact the court.

File a Notice:

13-10006 Mr. Debtor and Mrs. Joint Debtor

Type: bk Chapter: 7 v Office: 3 (Baton Rouge)

Assets: y Case Flag: MEANSNO

Docket Text: Final Text

Notice of Hearing Filed by Daniel R. Fielding on behalf of Daniel R. Fielding RE: related document(s)[8] Application to Employ filed by Spec. Counsel Daniel R. Fielding) Hearing scheduled 4/19/2013 at 09:00 AM at 707 Florida St., Rm. 222. (Fielding, Daniel)

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

Click Next

Notice of Electronic Filing screen. This confirms filing has been completed. It contains the case number, case name, docket number, date and time of filing.

Print this screen for your records

FILING A CERTIFICATE OF SERVICE

Your PDF should consist of the following:

The Certificate of Service with a listing of all parties on the mailing list being noticed by name and mailing address, or by name and e-mail address.

The Certificate of Service **must** be filed separately. Do Not include the Certificate of Service with any filing.

The Certificate of Service must refer to all related items, Motions, Notices etc.

The Certificate of Service **must** identify the pleadings served, the persons served by name, mailing address, or e-mail address. You must also state the date, and method of service.

Electronic Filers are responsible for serving documents upon all appropriate parties that do not receive service via the CM/ECF system.

If your Certificate of Service refers to an attached list for mailing, then you must attach the parties on the mailing list.

If you do not comply with Local Rule 9013-4, all related items will be stricken from the record the following day.

Once logged into CM/ECF, click **Bankruptcy** on the blue bar.

Below Bankruptcy Events, click **Other**.

The **Miscellaneous** screen. Enter the bankruptcy case number with a hyphen.



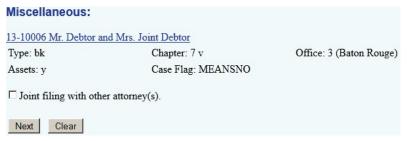
Click Next

Select Certificate of Service from the list.

Miscellaneous		
13-10006 Mr. Debtor and	Mrs. Joint Debtor	
Type: bk	Chapter: 7 v	Office: 3 (Baton Rouge)
Assets: y	Case Flag: MEANSNO	0
	Start typing to find a	another event. Hold down Ctrl to add additional items.
Available Events (click	to select events)	Selected Events (click to remove events)
Balance Sheet		Certificate of Service
Ballots - Chapter 11		
Cash Flow Statement		
Certificate of Credit Counse	eling	
Certificate of Performance		
Certificate of Service		
Certificate of Service of Tax	Information	
Certificate of Service of Tax	Information to Requestor	
Certification of Compliance	Under Section 1328(h)	
Chapter 11 Statement of Co	urrent Monthly Income	
Chapter 11 Status Report		
Chapter 13 Statement of C	urrent Monthly and Disposable Inco	ome
Chapter 15 List		
Chapter 7 Means Test		
Cure of Residential Judgme	ent	▼
Next Clear		

Click Next

You will see a box to check **if joint filing with other attorney**(s). Do not check the box.



Click Next

Select Party screen. **Do Not** select the debtor(s). Select your name as Special Counsel.



Click Next

Browse screen. This is where you will attach your PDF to the filing.

Select the Certificate of Service PDF that relates to the filing.

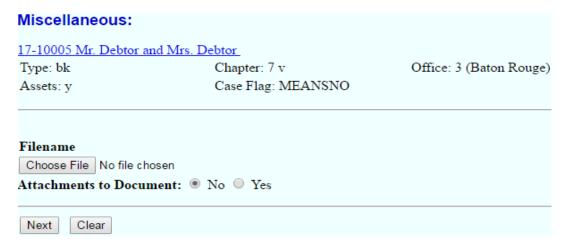
Click **Open** or double click on the file name.

Miscellaneous:		
13-10006 Mr. Debtor	and Mrs. Joint Debtor	
Type: bk	Chapter: 7 v	Office: 3 (Baton Rouge)
Assets: y	Case Flag: MEANSNO	
Filename	Browse_	
	Browse_] ument: ⊙ No ○ Yes	
Attachments to Doc	ument. • 10 • 10s	
Next Clear		

Click Next

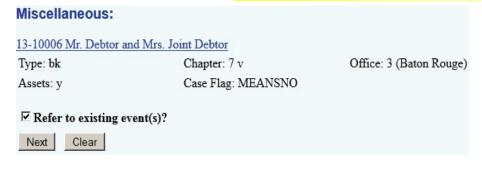
NOTE: If using Google Chrome click Choose File

Select the Certificate of Service PDF. Click **Open** or double click on the file name.



Click Next

Refer to existing event(s) screen. Check the Refer to existing event(s) box.



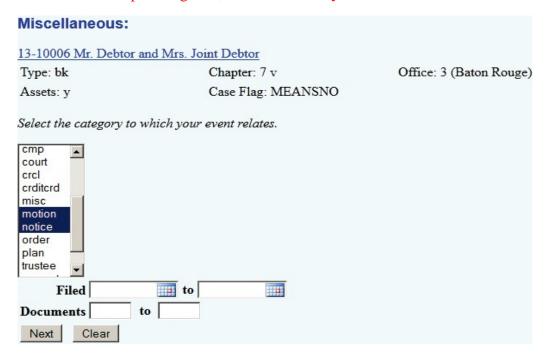
Click Next

Select the category to which your event(s) relates screen. You must select a category.

Leave the filed date, and document number boxes blank.

If your Certificate of Service refers to both the Application to Employ Special Counsel and the Notice of Hearing, you will select both categories.

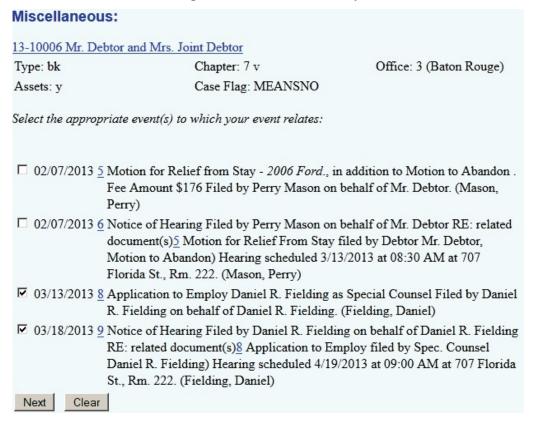
To select multiple categories, hold the **Ctrl key and select the motion and notice category.**



Click Next

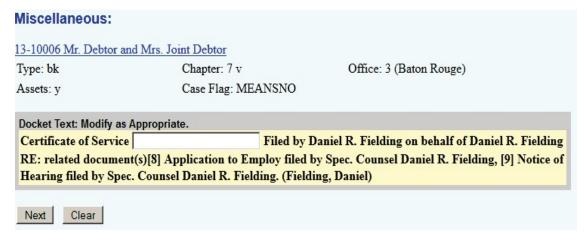
By previously selecting the category, all pending events filed in that category will appear.

Check the box next to the specific event(s) to which your Certificate of Service relates.



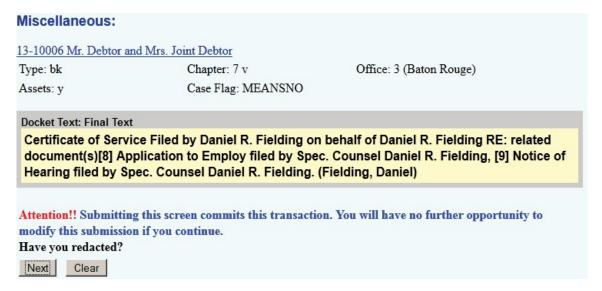
Click Next

Docket Text: Modify as Appropriate screen. You should not have to modify the docket text.



Click Next

Docket Text: Final Text screen. Review this screen for errors. Final text should show related document(s) and document number. If you have any questions, contact the court.



Click Next

Notice of Electronic Filing screen. This confirms the filing has been completed. It contains the case number, case name, document number, date and time of filing.

Print this screen for your records

SUBMISSION OF ORDERS AND JUDGMENTS

Orders are NOT to be filed electronically.

Orders should be submitted immediately after the Motion or Application is filed.

Orders must be e-mailed to the court. The address to which all proposed orders shall be sent is orders@lamb.uscourts.gov

A. Submission of Orders Upon Filing

For all motions, applications, objections to claims, and other requests for relief, the Electronic Filer shall e-mail an appropriate proposed order at the time of filing.

B. Email Transmission

Proposed orders and judgments shall be submitted to the court by e-mail as an attached document in WordPerfect or Word format. The e-mail shall be sent to the e-mail address for orders and judgments. Only one order shall be attached per e-mail.

C. E-Mail Address for Orders and Judgments:

orders@lamb.uscourts.gov

D. Subject Line of E-Mail (Pursuant Local Rule 9013-5)

1. For orders or judgments regarding matters noticed for hearing or set for trial, the subject line of the e-mail shall include the hearing date and case number only.

Example: 01/01/07 07-10001

2. For orders or judgments regarding ex parte matters or orders resolving matters prior to a scheduled hearing or trial date, the subject line of the email shall include the word ex parte and the case number only.

Example: Ex Parte 07-10001

3. For orders or judgments regarding expedited matters, the subject line of the e-mail shall include the word expedited and the case number only.

Example: Expedited 07-10001

E. Restrictions on Fonts

The Bankruptcy Noticing Center requires the use of Courier and Times New Roman, 12 point type and black type face only. Please use the same font throughout the proposed order or judgment.