Objection to Motion

This lesson explains how to docket an objection (or a response) to a motion or application. The example used is an objection to a Motion to Avoid a Lien.

**STEP 1**   Click the Bankruptcy hyperlink on the CM/ECF Main Menu. **(See Figure 1.)**

Figure 1

STEP 2   The **BANKRUPTCY EVENTS** screen displays. **(See Figure 2.)**
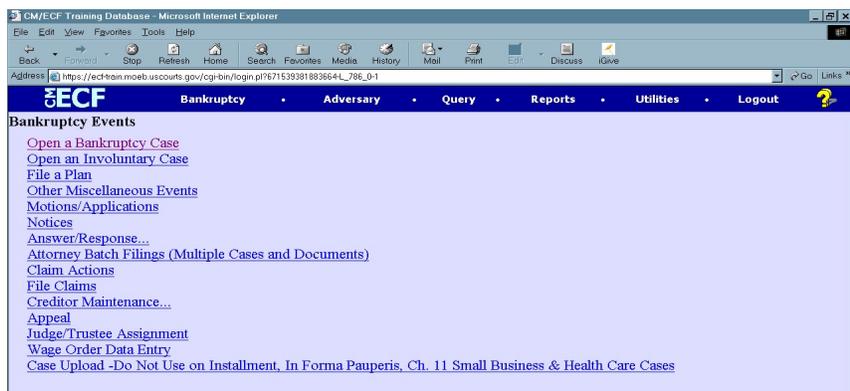
◆   Click the Answer/Response hyperlink.

STEP 3   The **ANSWER/RESPONSE TYPE** screen displays.
(See Figure 3.)
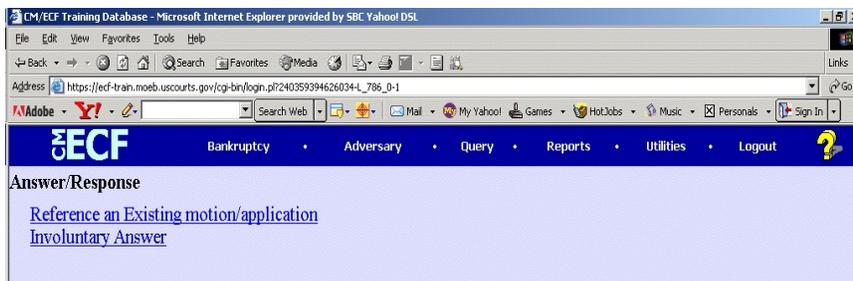
Figure 3

◆   Click the Reference an Existing motion/application hyperlink.

**STEP 4**   The **CASE NUMBER** screen displays **(See Figure 4.)**

 Figure 4

◆   Enter the correct case number, including the hyphen.

◆   Click **[Continue].**

The **CASE INFORMATION** screen displays. Click **[Continue].**

STEP 5   The **DOCUMENT TYPE SELECTION** screen displays.
                   (See Figure 5.)
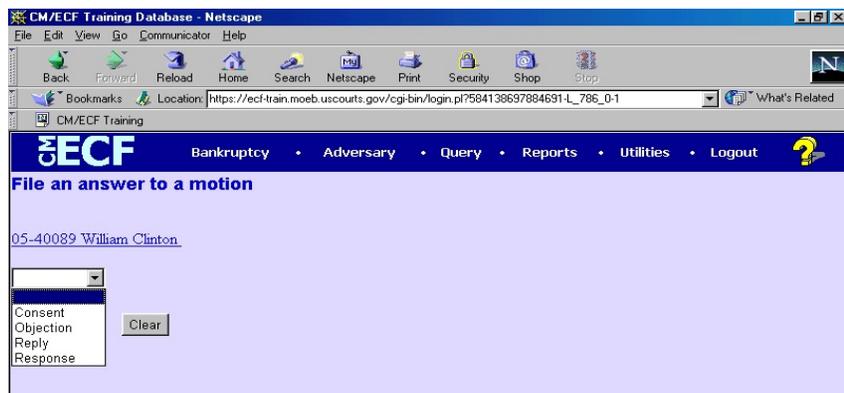
Figure 5

◆   Click on the down arrow in the **Document Type** pick list.

◆   Your choices in the starter database are Consent, Objection, Reply or Response. Highlight **Objection.**

NOTE: Select the type of response being filed from the list of options. Options are:

- **Consent** - use "Consent" to consent to the relief in the motion;
- **Objection** - use "Objection" to file a response that is actually titled as an objection;
- **Reply** - use "Reply" to file a document that is an answer to a response.
- **Response** - use "Response" for ALL RESPONSES to motions unless the response is styled as a consent or an objection.

Answers or Responses to the following pleadings should be filed using other events under the pathways described below.

- *   **Objection to Plan** - pathway: "File a Plan" and select "Objection to Confirmation"
- *   **Answer or Response to Discovery** - pathway: "Other Miscellaneous" and select "Response."   Link to the related document.
- *   **Objection to Claim of Exemptions -** pathway: "Other Miscellaneous" and select "Objection to Debtor's Claim of Exemptions"
- *   **Objection to Claim** - pathway to file the objection - "Claim Actions" and select "Objection to Claim."   To file a response to an objection to claim, use the "Other Miscellaneous" pathway and select "Response."

Click **[Continue]**.

STEP 6   The **JOINT FILING** screen displays. **(See Figure 6.)**

 Figure 6

- ◆   This screen will only be used if another attorney is joining in this filing. If you are the only attorney filing this application, skip this screen.

- ◆   If this were a joint filing and the box were checked, a listing of attorneys presently on the case would be presented for selection.

- ◆   Click **[Continue]**.

STEP 7   The **SELECT PARTY** screen displays. **(See Figure 7.)** All participating parties on the case will appear on this list.

Figure 7

◆   The party for whom you are filing the objection in this example is Householders Finance.

◆   Since the party name (Householders Finance) does not display in the **Select The Party** box, they need to be added to this case.

◆   Click the Add/Create New Party hyperlink.

STEP 8   The **PARTY SEARCH** screen displays. **(See Figure 8.)** You must first search the database to retrieve the party record. If the party is new to the court, a new party record must be created.

Figure 8

◆   It is very important to search carefully and thoroughly before adding a new party so duplicate records for the same person or entity do not reside on the database. Additional search hints are provided below.

Search Hints:

- Enter one field of data for each search.
- Format Social Security Number or Tax ID with hyphens.
- Include punctuation. (O'Brien, Garcia-Barrera)
- Try alternate search clues if your first search is not successful.
- Partial names using a minimum of two characters can be entered.
- Wild cards (*) are not required at the end of search strings.
- Wild cards may be used before or within search strings. (*son, Gr?y)

◆   Click in the **Last/Business name** box and enter the last (or partial) name or business name of the party. We have entered House for Householders Finance.

◆   Click **[Search]**.

STEP 9   The system will search the court database and then display a list of all parties whose names match the search criteria you entered. Our search has found one party that matched our search criteria. However, in this example, Household Finance is not the correct party. **(See Figure 9a.)**

Figure 9a

NOTE: Your name search may find more than one record having the same name as shown in **Figure 9b**. Clicking on each of the names will display a window showing the party's address information for verification.

Go   If none of the addresses are correct for this party, you can either 1.) modify the address (for this case only) on the following PARTY INFORMATION screen, or 2.) click on the **[Create new party]** button to add a new person record with this address**.**
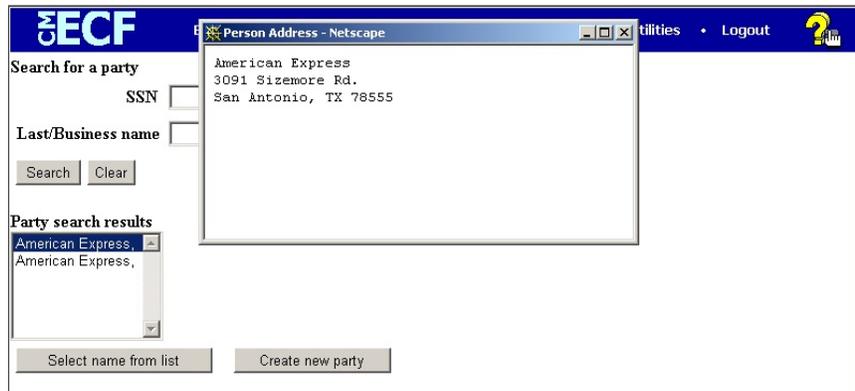
Figure 9b

◆   In our example we need to create a new party record in this case so click the **[Create new party]** button.

STEP 10   The **PARTY INFORMATION** screen will then appear. **(See Figure 10.)**

Figure 10

◆   Complete all appropriate name fields. The entire business name should be entered in the Last Name field. Do not add address information unless required by the court.

◆   Since this party is represented by an attorney, do not change the pro se default value of No.

◆   Click to expand the Party Role list arrow ▼ and highlight Creditor (cr:cr).

◆   Click **[Submit]**.

STEP 11   The **SELECT PARTY** screen displays again with the new party
                filer highlighted at the top of the list (Householders Finance).
                (See Figure 11.)
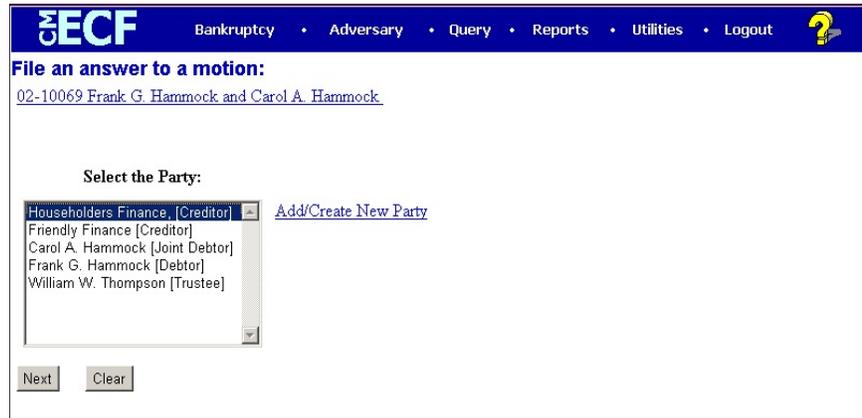
Figure 11

◆   Click **[Continue]**.

STEP 12   The **ATTORNEY/PARTY ASSOCIATION** screen appears.
                (See Figure 12.)

 Figure 12

◆   Since your party, Householders Finance, is new to this case, this
        screen will establish you as counsel for them on this case.
        Heather Walker is used as an example here.

◆   Check the box and click **[Continue].**

STEP 13 The **PDF DOCUMENT SELECTION** screen displays. **(See Figure 13a.)**
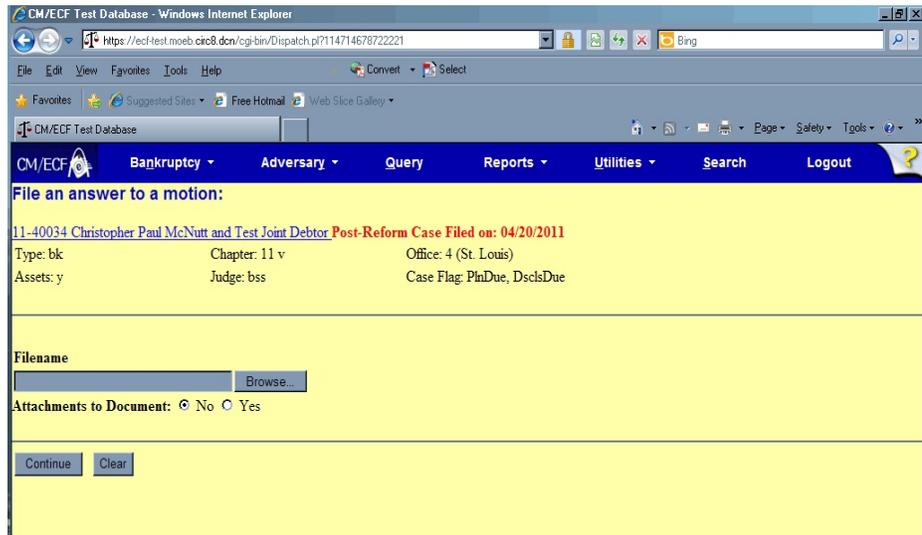
Figure 13a

◆ Click **[Browse]**, then navigate to the directory where the PDF file is located.

◆ In the **File Upload** screen, change **Files of type:** to **All Files(*.*)**.

◆ To make certain you are about to associate the correct PDF file for this entry, right click on the filename with your mouse and select **Open**. **(See Figure 13b.)**
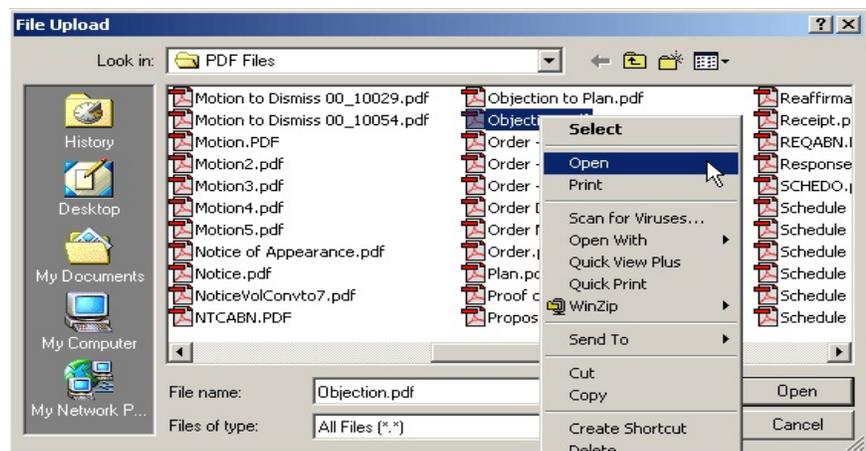
Figure 13b

◆ This will launch the Adobe Acrobat Reader which will display the contents of the images document. Verify that the document is correct.

◆   Close or minimize the Adobe application and if that is the correct
file, click **[Open]** on the **FILE UPLOAD** dialogue box. **(See Figure
13c.)**

Figure 13c

◆   The path and name of the selected PDF file is placed in the
Filename. The file will be associated with the current event and a
hyperlink will be created to it. **(See Figure 13d.)**
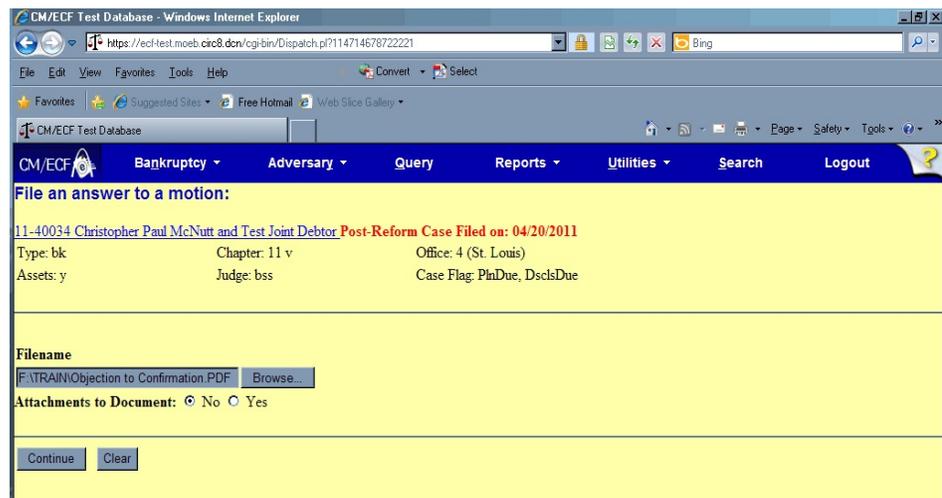
Figure 13d

◆   There will not be any Attachments to the objection in this lesson.
Accept the **No** default radio button.

◆   Click **[Continue]**.

STEP 14   The **REFER TO EXISTING EVENT(S)** screen appears. **(See Figure 14.)**
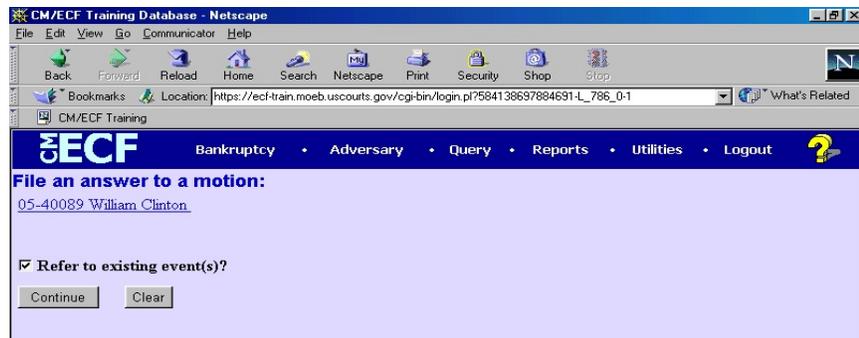
Figure 14

Check this box to refer to an existing event.

STEP 15   The **EVENT CATEGORY** screen appears. **(See Figure 15.)**
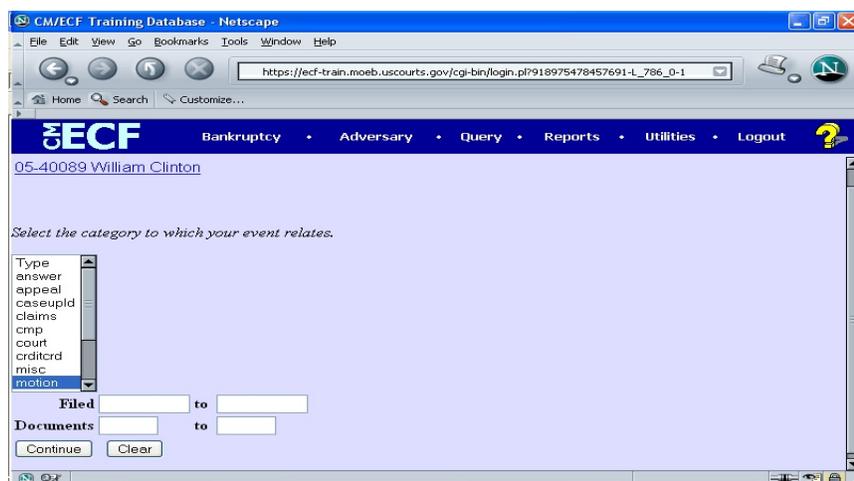
Figure 15

◆   Select the category of pleading to which the event relates. To select from all documents in the case, click on the word "Type" and hold down the control key and click on the last option.

◆   Click **[Continue]**.

STEP 16   The **PENDING MOTIONS** screen appears. **(See Figure 16.)**

Figure 16

◆   Select the appropriate motion you wish to answer by clicking in the box next to the date. If there is more than one possibility, click on the document number hyperlink to view the imaged application or motion.

◆   Click **[Continue]**.

STEP 17   The **MODIFY DOCKET TEXT** screen appears. This screen will display a prefix box and a supplemental text box to add more detail to the docket text. **(See Figure 17.)**

Figure 17

◆   Click the down arrow ▼ to display the prefix options. Select a descriptive prefix, if it is appropriate.

◆   If necessary, add detail to the final text.

◆   Click **[Continue]**.

STEP 18   The **FINAL DOCKET TEXT** screen appears. **(See Figure 18.)**


Figure 18

◆   Use caution on this screen and proof the contents of the entry carefully. Read the **Attention!!** notice.

NOTE: To abort or restart the transaction at any time, click the Bankruptcy hyperlink on the main menu bar.

◆   When you click **[Continue]**, the entry is sent to the court's database.

STEP 19   The **NOTICE OF ELECTRONIC FILING** screen appears. **(See Figure 19.)**

Figure 19