

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**APPLICATION FOR COMPENSATION AND EXPENSES**

**COVER SHEET**

1. Name of Applicant:
  2. Date Application for Employment was filed:
  3. Date of Order Authorizing Employment:
  4. Professional Services Provided to:
  5. Period for Which Compensation is Sought:
  6. Amount of Compensation Sought: \$
  7. Amount of Expenses Sought: \$
  8. This is an: \_\_\_\_\_ Interim Application \_\_\_\_\_ Final Application.
  9. If this is not the first application filed in this case by this professional, disclose as to all prior applications:
- Date Filed:
- Period Covered:
- Totals Requested:
- Total Compensation Allowed: \$
- Total Expenses Allowed: \$
10. The aggregate amount of compensation and expenses allowed to date:
  11. The aggregate amount of compensation and expenses paid to date:

**DATED:** [date]

By: \_\_\_\_\_

[Applicant]

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**APPLICATION FOR COMPENSATION AND EXPENSES**

**PROJECT SUMMARIES**

This is Project # \_\_\_\_\_ of \_\_\_\_\_ in this case.

1. Project Title:
2. General nature of the project and circumstances involved:
3. Amount of the requested compensation attributable to this project: \$
4. Amount of time attributable to this project:
5. Professional(s) performing services for this project:

<u>Name</u>	<u>Position</u>	<u>Rate</u>	<u>Time</u>	<u>Total</u>
-------------	-----------------	-------------	-------------	--------------

6. Statement regarding objectives, reasonableness and necessity of this project [If attorney for the trustee, include an estimation of the value of the recovery to the estate for this project]:
7. Disposition (or expected disposition) of the project including what was actually accomplished as a result of the effort put into the project:
8. Particular problems or difficulties encountered:
9. Comments:

**UNITED STATES BANKRUPTCY COURT  
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<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**APPLICATION FOR COMPENSATION AND EXPENSES**

**SUMMARY OF EXPENSES**

<b>Category</b>	<b>Total Charges This Category</b>
1. _____	\$ _____

Explanation:

2. _____	\$ _____
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Explanation:

3. _____	\$ _____
----------	----------

Explanation:

4. _____	\$ _____
----------	----------

Explanation:



**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA  
1800 5<sup>th</sup> AVENUE, NORTH  
BIRMINGHAM, ALABAMA 35203  
(205) 714-4000  
[www.alnb.uscourts.gov](http://www.alnb.uscourts.gov)**

**Scott W. Ford,  
Clerk of Court  
[Scott\\_Ford@alnb.uscourts.gov](mailto:Scott_Ford@alnb.uscourts.gov)  
(205) 714-4018**

July 1, 2010

**Chapter 13 Compensation Amount as of July 1, 2010 (See Bankr. N.D. Ala. R. 2016-1(l))**

Pursuant to Bankr. N.D. Ala. R. 2016-1(l), an attorney in a chapter 13 case is relieved from filing a detailed application for compensation as required by Federal Rule of Bankruptcy Procedure 2016 provided the attorney meets all of the conditions and requirements listed in Bankr. N.D. Ala. R. 2016-1(l), including charging total compensation that does not exceed \$2,750.00.

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**OBJECTION TO CLAIM PURSUANT TO LOCAL RULE 3007-1(c)**

NOW COMES \_\_\_\_\_ ("Objecting Party"), by and through his or her attorney, \_\_\_\_\_, pursuant to 11 U.S.C. § 502, Federal Rule of Bankruptcy Procedure 3007, and Local Rule 3007-1, to object to Claim No. \_\_\_\_\_ of \_\_\_\_\_ (the "Claimant") filed on \_\_\_\_\_, 20\_\_ in the amount of \$\_\_\_\_\_. The grounds alleged for this objection are that (check one):

\_\_\_\_\_ the claim is a duplicate of another claim, Claim No. \_\_\_\_\_ filed on \_\_\_\_\_, 20\_\_ in the amount of \$\_\_\_\_\_ by \_\_\_\_\_;

\_\_\_\_\_ the claim was untimely filed, and the Claimant is a creditor whose name and address were accurately shown on the debtor's timely filed schedules and matrix;

\_\_\_\_\_ the claim is satisfied or excessive as evidenced by a refund of payment from the Claimant to the Trustee or debtor or written notice from the Claimant to the Trustee or debtor;

\_\_\_\_\_ the claim is not entitled to secured status;

**\*\*Note:** if the objection to claim is because the Claimant's lien on the debtor's property was avoided by an order previously entered by this Court, the party filing the objection must attach the applicable order to the objection.

\_\_\_\_\_ the claim is for an unsecured debt or obligation that was incurred prior to the filing of a prior bankruptcy case in which the debtor received a discharge; or

**\*\*Note:** the party filing the objection to claim based on this ground must attach copies of the petition filed in the prior case, the schedule listing the debt or obligation, and the discharge order to the objection.

\_\_\_\_\_ the claim is not entitled to priority status.

The certificate of service verifying service of this objection to claim is found on the Notice of Objection to Claim and Opportunity for Hearing.

**DATED:** [date]

By: \_\_\_\_\_  
[Objecting Party]

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**NOTICE OF OBJECTION TO CLAIM AND OPPORTUNITY FOR HEARING**

**NOTICE IS HEREBY GIVEN** that, pursuant to 11 U.S.C. § 502, Federal Rule of Bankruptcy Procedure 3007, and Local Rule 3007-1(c), \_\_\_\_\_ ("Objecting Party") filed an objection ("Objection") (Doc. No. \_\_\_\_\_) to the allowance of Claim No. \_\_\_\_\_ of \_\_\_\_\_ ("Claimant") filed on \_\_\_\_\_, 20\_\_\_\_ in the amount of \$\_\_\_\_\_. A copy of the Objection accompanies this notice.

**YOU ARE FURTHER NOTIFIED** that any opposition or other response to said Objection must be filed with the clerk's office within 30 days of the date of this notice, and a copy must be served on the party filing such Objection, the debtor or debtor in possession, the trustee, any other affected creditors, any committee appointed in the case, and any other entity as the Court may direct. If a response to said Objection is filed and served within the time specified, the Court will schedule a hearing to consider the Objection and the response thereto. If a timely response is filed, you will be notified of the time, date, and place of the hearing. At the hearing, the party opposing or otherwise responding to the Objection must appear in person or through an attorney and be prepared to advocate their position by testimony from witnesses and other evidence.

**IF NO RESPONSE IS FILED WITHIN THE TIME SPECIFIED, THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT IN THE OBJECTION WITHOUT A HEARING.**

**DATED:** [enter date filed and served]

By: \_\_\_\_\_

[Objecting Party]

**CERTIFICATE OF SERVICE**

The undersigned certifies that on the \_\_\_\_ day of \_\_\_\_\_ 20\_\_, the above Notice of Objection to Claim and Opportunity for Hearing and a copy of the Objection, were served on the following:

[List Claimant and Claimant's address]

[List Trustee and Trustee's address]

[List Debtor and Debtor's address]

[List Debtor's counsel and Debtor's counsel's address]

---

[Objecting Party]

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**ORDER SUSTAINING OBJECTION TO CLAIM**

This matter came before the Court on the Objecting Party's Objection to Claim Pursuant to Local Rule 3007-1(c) to Claim No. \_\_\_\_ of \_\_\_\_\_ (the "Claimant") filed on \_\_\_\_\_, 20\_\_ in the amount of \$ \_\_\_\_\_. The basis alleged for the objection is:

- \_\_\_\_\_ the claim is a duplicate of another claim, Claim No. \_\_\_\_\_ filed on \_\_\_\_\_, 20\_\_ in the amount of \$ \_\_\_\_\_ by \_\_\_\_\_;
- \_\_\_\_\_ the claim was untimely filed, and the claimant is a creditor whose name and address were accurately shown on the debtor's timely filed schedules and matrix;
- \_\_\_\_\_ the claim is satisfied or excessive as evidenced by a refund of payment from the claimant to the Trustee or debtor or written notice from the claimant to the Trustee or debtor;
- \_\_\_\_\_ the claim is not entitled to secured status;
- \_\_\_\_\_ the claim is for an unsecured debt or obligation that was incurred prior to the filing of a prior bankruptcy case in which the debtor received a discharge; or
- \_\_\_\_\_ the claim is not entitled to priority status.

Notice of the objection and of an opportunity for a hearing thereon was provided pursuant to Local Rule 3007-1(c). Neither the Claimant nor any other party in interest filed any opposition or other response to said objection, and it appears to the Court the objection is due to be sustained on the grounds alleged therein.

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the objection is SUSTAINED, and Claim No. \_\_\_\_ filed by the claimant is:

- \_\_\_\_\_ disallowed as a secured or priority claim, and allowed only as a general unsecured claim in the amount of \$ \_\_\_\_\_.
- \_\_\_\_\_ excessive and allowed only in the amount of \$ \_\_\_\_\_.
- \_\_\_\_\_ disallowed in its entirety.

**DATED:** [date]

\_\_\_\_\_  
[insert name of Judge]  
United States Bankruptcy Judge



## Chapter 13 Plan

Case No.: \_\_\_\_\_

Debtor(s): \_\_\_\_\_ SS#: \_\_\_\_\_ Net Monthly Earnings: \$ \_\_\_\_\_  
 \_\_\_\_\_ SS#: \_\_\_\_\_ Number of Dependents: \_\_\_\_\_

## I. Plan Payments:

(☐) Debtor(s) proposes to pay a periodic payment of \$ \_\_\_\_\_ ☐ weekly ☐ biweekly ☐ semi-monthly ☐ monthly into the plan; or  
 (☐) Payroll deduction order: To \_\_\_\_\_ for \$ \_\_\_\_\_ ☐ weekly ☐ biweekly ☐ semi-monthly ☐ monthly.  
 Length of Plan is \_\_\_\_\_ months, and the total debt to be paid through the plan is \$ \_\_\_\_\_.

☐ Chapter 13 filing fees will be paid through the chapter 13 trustee assigned to the case.

## II. From the payments received, the trustee shall make disbursements pursuant to the Bankruptcy Code including:

## A. PRIORITY CLAIMS (INCLUDING ADMINISTRATIVE EXPENSES AND SUPPORT) [See § 1322(a)(2)]

The following priority claims, if allowed, will be paid in full unless creditor agrees otherwise:

CREDITOR	TYPE OF PRIORITY	SCHEDULED AMOUNT	MONTHLY PAYMENT

B. Total Attorney Fee: \$ \_\_\_\_\_; \$ \_\_\_\_\_ paid pre-petition; \$ \_\_\_\_\_ to be paid at confirmation and \$ \_\_\_\_\_ per month.

C. The holder of each SECURED claim shall retain the lien securing such claim until a discharge is granted and such claim shall be paid in full with interest in deferred cash payments as follows:

## 1. Long Term Debts:

Name of Creditor	Total Amount of Debt	Amount of Regular Payment to be Paid (check box)	Regular Payments to Begin: Month/Year	Arrears to be Paid by Trustee	Months Included in Arrearage Amt.	Proposed Interest Rate on Arrearage	Proposed Fixed Payment on Arrearage
		<input type="checkbox"/> by Trustee <input type="checkbox"/> by Debtor					
		<input type="checkbox"/> by Trustee <input type="checkbox"/> by Debtor					

## 2. Secured Debts (not long term debts) to be paid through Trustee:

Name of Creditor	Adequate Protection Payments	Total Amount of Debt	Debtor's Value	Unsecured Portion	Description of Collateral	Proposed Interest Rate	Proposed Fixed Payment	Fixed Payment to Begin: (Month/Year)

III. Other debts (not shown in 1 or 2 above) which Debtor(s) proposes to pay direct:

Name of Creditor	Total Amount of Debt	Amount of Regular Payment	Description of Collateral	Reason for Direct Payment

## IV. Special Provisions (check all applicable boxes):

- ☐ This is an original plan.  
☐ This is an amended plan replacing plan dated \_\_\_\_\_  
☐ This plan proposes to pay unsecured creditors \_\_\_\_\_ %.  
☐ Other provisions:

Name/Address/Telephone/Attorney for Debtor(s): \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Debtor

Telephone #: \_\_\_\_\_

\_\_\_\_\_  
 Signature of Debtor

Date: \_\_\_\_\_ Submitted by: \_\_\_\_\_  
(signature)

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**MOTION TO AVOID JUDICIAL LIEN PURSUANT TO 11 U.S.C. § 522(f)(1)(A)**

NOW COMES \_\_\_\_\_ ("Debtor"), by and through his or her attorney, \_\_\_\_\_, pursuant to 11 U.S.C. § 522(f), Federal Rules of Bankruptcy Procedure 4003(d) and 9014, and Local Rule 4003-2 to request that this Court enter an order avoiding the judicial lien recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_, or Instrument Number \_\_\_\_\_, \_\_\_\_\_ County, \_\_\_\_\_ (state) (the "Judicial Lien"), a copy of the recorded certificate of judgment is attached, held by \_\_\_\_\_ ("Creditor").

In support of this motion, the Debtor states:

1. This Court has jurisdiction in this matter pursuant to 28 U.S.C. § 1334(a). This matter is a core proceeding as provided by 28 U.S.C. § 157(b)(2)(K).

2. The Debtor filed a voluntary petition under chapter \_\_\_\_\_ of the Bankruptcy Code on \_\_\_\_\_. At the time of the filing, the Debtor owned and claimed an exemption in certain property; specifically, the Debtor claimed an exemption in (describe property): \_\_\_\_\_ (the "Property").

3. The Property is subject to the following mortgages or judicial liens, which do not secure a debt of the kind set forth in 11 U.S.C. § 523(a)(5)(domestic support obligations):

- a. \_\_\_\_\_ obtained by \_\_\_\_\_ on \_\_\_\_\_;
- b. \_\_\_\_\_ obtained by \_\_\_\_\_ on \_\_\_\_\_;
- c. \_\_\_\_\_ obtained by \_\_\_\_\_ on \_\_\_\_\_.

4. The Debtor is entitled to an exemption in the Property in the amount of \$ \_\_\_\_\_ pursuant to \_\_\_\_\_ (insert relevant exemption statute).

5. The Debtor's Property has a fair market value of \$ \_\_\_\_\_.

6. 11 U.S.C. § 522(f)(2)(A) of the Bankruptcy Code provides that "a lien shall be considered to impair an exemption to the extent that the sum of -- (i) the lien; (ii) all other liens on the property; and (iii) the amount of the exemption that the debtor could claim if there were no liens on the property; exceeds the value that the debtor's interest in the property would have in the absence of any liens." 11 U.S.C. § 522(f)(2)(B) provides that "[i]n the case of a property subject to more

than 1 lien, a lien that has been avoided shall not be considered in making the calculation under subparagraph (A) with respect to other liens."

7. Following the formula set forth in 11 U.S.C. § 522(f)(2) for determining whether a lien impairs an exemption, the Debtor:

a. Adds the lien being requested to be avoided of \$ \_\_\_\_\_,  
all other liens which total \$ \_\_\_\_\_  
and the maximum exemption allowable in the  
absence of liens of \$ \_\_\_\_\_  
to get a sum of \$ \_\_\_\_\_.

b. From the sum above of \$ \_\_\_\_\_,  
subtracts the value of the property in the absence of  
liens of \$ \_\_\_\_\_  
and finds that the extent of the impairment is \$ \_\_\_\_\_.

8. Because the extent of the impairment of the exemption, \$ \_\_\_\_\_,  
exceeds the entire value of the Creditor's lien, \$ \_\_\_\_\_,  
the entire lien is avoidable.

-OR-

Because the extent of impairment, \$ \_\_\_\_\_  
is less than the entire value of the lien, \$ \_\_\_\_\_,  
the Creditor's lien can be avoided only to the extent of  
the impairment of the exemption, \$ \_\_\_\_\_,  
and the rest remains as a lien in the amount of \$ \_\_\_\_\_.

9. A declaration, consistent with Local Rule 4003-2 and the lien avoidance forms found on the Court's website at [www.alnb.uscourts.gov/localforms.cfm](http://www.alnb.uscourts.gov/localforms.cfm), or other admissible evidence is attached and submitted in support of this motion.

WHEREFORE, the Debtor respectfully requests that this Court enter an order that avoids the Judicial Lien held by Creditor.

DATED: [date]

By: \_\_\_\_\_

[Movant]

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**MOTION TO AVOID NONPOSSESSORY, NON-PURCHASE MONEY LIEN  
ON CERTAIN HOUSEHOLD AND PERSONAL GOODS  
PURSUANT TO 11 U.S.C. § 522(f)(1)(B)**

NOW COMES \_\_\_\_\_ ("Debtor"), by and through his or her attorney, \_\_\_\_\_, pursuant to 11 U.S.C. § 522(f), Federal Rules of Bankruptcy Procedure 4003(d) and 9014, and Local Rule 4003-2 to request that this Court enter an order avoiding the nonpossessory, non-purchase money security interest held by \_\_\_\_\_ ("Creditor").

In support of this motion, the Debtor states:

1. This Court has jurisdiction in this matter pursuant to 28 U.S.C. § 1334(a). This matter is a core proceeding as provided by 28 U.S.C. § 157(b)(2)(K).

2. The Debtor filed a voluntary petition under chapter \_\_\_\_\_ of the Bankruptcy Code on \_\_\_\_\_. At the time of the filing, the Debtor owned and claimed an exemption in certain property; specifically, the Debtor claimed an exemption in (describe property): \_\_\_\_\_ (the "Property").

3. The Property is subject to the following nonpossessory, non-purchase money security interests:

- a. \_\_\_\_\_ obtained by \_\_\_\_\_ on \_\_\_\_\_;
- b. \_\_\_\_\_ obtained by \_\_\_\_\_ on \_\_\_\_\_;
- c. \_\_\_\_\_ obtained by \_\_\_\_\_ on \_\_\_\_\_.

4. The Debtor is entitled to an exemption in the Property in the amount of \$ \_\_\_\_\_ pursuant to \_\_\_\_\_ (insert relevant exemption statute).

5. The Debtor's Property has a fair market value of \$ \_\_\_\_\_.

6. 11 U.S.C. § 522(f)(2)(A) of the Bankruptcy Code provides that "a lien shall be considered to impair an exemption to the extent that the sum of -- (i) the lien; (ii) all other liens on the property; and (iii) the amount of the exemption that the debtor could claim if there were no liens on the property; exceeds the value that the debtor's interest in the property would have in the absence of any liens." 11 U.S.C. § 522(f)(2)(B) provides that "[i]n the case of a property subject to more than 1 lien, a lien that has been avoided shall not be considered in making the calculation under subparagraph (A) with respect to other liens."

7. Following the formula set forth in 11 U.S.C. § 522(f)(2) for determining whether a lien impairs an exemption, the Debtor:

a. Adds the lien being requested to be avoided of \$ \_\_\_\_\_,  
all other liens which total \$ \_\_\_\_\_  
and the maximum exemption allowable in the  
absence of liens of \$ \_\_\_\_\_  
to get a sum of \$ \_\_\_\_\_.

b. From the sum above of \$ \_\_\_\_\_,  
subtracts the value of the property in the absence of  
liens of \$ \_\_\_\_\_  
and finds that the extent of the impairment is \$ \_\_\_\_\_.

8. Because the extent of the impairment of the exemption, \$ \_\_\_\_\_,  
exceeds the entire value of the Creditor's lien, \$ \_\_\_\_\_,  
the entire lien is avoidable.

-OR-

Because the extent of impairment, \$ \_\_\_\_\_  
is less than the entire value of the lien, \$ \_\_\_\_\_,  
the Creditor's lien can be avoided only to the  
extent of the impairment of the exemption, \$ \_\_\_\_\_,  
and the rest remains as a lien in the amount of \$ \_\_\_\_\_.

9. A declaration, consistent with Local Rule 4003-2 and the lien avoidance forms found on the Court's website at [www.alnb.uscourts.gov/localforms.cfm](http://www.alnb.uscourts.gov/localforms.cfm), or other admissible evidence is attached and submitted in support of this motion.

WHEREFORE, the Debtor respectfully requests that this Court enter an order that avoids the nonpossessory, non-purchase money security interest or lien on household and personal goods held by Creditor.

DATED: [date]

By: \_\_\_\_\_

[Movant]

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**NOTICE OF MOTION TO AVOID LIEN AND OPPORTUNITY FOR HEARING**

**NOTICE IS HEREBY GIVEN** that, pursuant to 11 U.S.C. § 522, Federal Rule of Bankruptcy Procedure 4003, and Local Rule 4003-2, \_\_\_\_\_ ("Movant") filed a Motion to Avoid Lien ("Motion") (Doc. # \_\_\_\_\_) of \_\_\_\_\_ ("Creditor" or "Lienholder") in this case. A copy of the Motion accompanies this notice.

**YOU ARE FURTHER NOTIFIED** that any opposition or other response to said Motion must be filed with the clerk's office within 30 days of the date of this notice, and a copy must be served on the debtor, the trustee, any other affected creditors, any committee appointed in the case, and any other entity as the Court may direct. If an objection or response to said Motion is filed and served within the time specified, the Court will schedule a hearing to consider the Motion and the response thereto. If a timely response is filed, you will be notified of the time, date, and place of the hearing. At the hearing, the party opposing or otherwise responding to the Motion must appear in person or through an attorney and be prepared to advocate their position by testimony from witnesses and other evidence.

**IF NO RESPONSE IS FILED WITHIN THE TIME SPECIFIED, THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT IN THE MOTION WITHOUT A HEARING.**

**DATED:** [enter date filed and served]

By: \_\_\_\_\_  
[Movant]

**CERTIFICATE OF SERVICE**

The undersigned certifies that on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, the above Notice of Motion to Avoid Lien and Opportunity for Hearing, Debtor's Declaration to Avoid Lien Pursuant to 11 U.S.C. § 522(f)(2), and Motion to Avoid Lien Pursuant to 11 U.S.C. § 522(f)(2) were served on the following:

[List Lienholder and Lienholder's address]

[List Trustee's address]

[List all other parties listed in response to paragraph 3 of the motion and addresses]

\_\_\_\_\_  
[Attorney for the Debtor]



**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**DEBTOR'S DECLARATION TO AVOID LIEN PURSUANT TO 11 U.S.C. § 522(f)(2)**

My name is \_\_\_\_\_. I do hereby certify that I am over the age of nineteen and that, based on my personal knowledge as the owner of \_\_\_\_\_ (the "Property"), and I incurred a debt or obligation with \_\_\_\_\_ ("Respondent") on or about the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_. This debt or obligation is secured by \_\_\_\_\_ (e.g., judicial lien, security interest or other applicable interest) against the Property which was perfected or recorded on \_\_\_\_\_ (date) in Book \_\_\_\_\_ at Page \_\_\_\_\_, or Instrument Number \_\_\_\_\_, \_\_\_\_\_ County, \_\_\_\_\_ (state). [If applicable, insert: Although the Property was pledged to Respondent as collateral, I did not use the proceeds of the loan to acquire the Property.]

As of the petition date, the Property has a fair market value of \$\_\_\_\_\_ based on \_\_\_\_\_ (e.g., appraisal, tax assessment, opinion of dealer, recent purchase price). I have claimed an exemption in the Property in the amount of \$\_\_\_\_\_ under Alabama Code § \_\_\_\_\_. The value of the Respondent's lien is \$\_\_\_\_\_. The other liens against the Property are \_\_\_\_\_ for \$\_\_\_\_\_, and \_\_\_\_\_ for \$\_\_\_\_\_, which total \$\_\_\_\_\_.  
\_\_\_\_\_.

**DATED:** [date]

\_\_\_\_\_  
Debtor(s)

STATE OF ALABAMA )

COUNTY OF \_\_\_\_\_ )

Before me, the undersigned Notary Public, in and for said county and state, did personally appear \_\_\_\_\_ (Debtor), who is known to me, and after, by me being first duly sworn, and under oath, did depose and declare the foregoing.

SWORN TO and SUBSCRIBED before me this the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires on: \_\_\_\_\_

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**ORDER ON MOTION TO AVOID JUDICIAL LIEN**  
**PURSUANT TO 11 U.S.C. § 522(f)(1)(A)**

This matter came before the Court on the Debtor's Motion to Avoid a Judicial Lien Pursuant to 11 U.S.C. § 522(f)(1)(A) requesting the Court avoid the fixing of a lien on an interest of the Debtor(s) in and to certain real property. Notice of the motion and of an opportunity for a hearing thereon was provided pursuant to Local Rule 4003-2. Neither the creditor nor any other party in interest filed any opposition or other response to said motion, and it appears to the Court the motion is due to be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the motion is granted and that, pursuant to 11 U.S.C. § 522(f), the Judicial Lien of \_\_\_\_\_ recorded at Book \_\_\_\_\_ at Page , or Instrument Number , \_\_\_\_\_ County, \_\_\_\_\_ (state) shall be and hereby is AVOIDED to the extent it impairs the Debtor's exemptions.

**DATED:** [date]

\_\_\_\_\_  
[insert name of Judge]

United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

<b>In re:</b>	}	<b>Case No.</b>
	}	<b>Chapter</b>
<b>Debtor(s).</b>	}	

**ORDER ON MOTION TO AVOID LIEN ON CERTAIN HOUSEHOLD AND PERSONAL  
GOODS PURSUANT TO 11 U.S.C. § 522(f)(1)(B)**

This matter came before the Court on the Debtor's Motion to Avoid a Lien on Household and Personal Goods pursuant to 11 U.S.C. § 522(f)(1)(B) requesting the Court avoid the fixing of a lien on an interest of the Debtor(s) in and to certain personal property. Notice of the motion and of an opportunity for a hearing thereon was provided pursuant to Local Rule 4003-2. Neither the creditor nor any other party in interest filed any opposition or other response to said motion, and it appears to the Court the motion is due to be granted.

IT IS, THEREFORE, ORDERED, ADJUDGED, and DECREED that the motion is granted and that, pursuant to 11 U.S.C. § 522(f), the nonpossessory, non-purchase money lien of \_\_\_\_\_ shall be and hereby is AVOIDED to the extent it impairs the Debtor's exemptions.

**DATED:** [date]

\_\_\_\_\_  
[insert name of Judge]  
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA**

**Administrative Procedures for Filing, Signing, Retaining  
and Verification of Pleadings and Papers in the  
Case Management/Electronic Case Filing (CM/ECF) System**

**Exhibit to Administrative Order No. 04-1**

**May 7, 2004**

## ADMINISTRATIVE PROCEDURES

### I. DESIGNATION OF CASES, PASSWORDS AND REGISTRATION FOR THE CASE MANAGEMENT/ELECTRONIC CASE FILING SYSTEM

#### A. Designation of Cases

The provisions of these Administrative Procedures shall apply to all electronically filed cases and proceedings presently pending or closed, and to all cases and proceedings filed on and after July 1, 2004. Paragraph II.E., Orders, of these Administrative Procedures also shall apply to all other cases and proceedings pending or closed before July 1, 2004.

#### B. Passwords

Each attorney admitted to practice in this Court and currently in good standing, attorney representing the United States Government, trustee and limited registrant shall be eligible to receive a login and password for participation in the Internet retrieval and filing of petitions, motions, memoranda of law, or other pleadings, documents and papers (hereafter filing(s)), in accordance with the Case Management/Electronic Case Filing System (hereafter CM/ECF).

#### C. Registration

1. A registration form, in the form approved by the Clerk of the Court, shall be prepared by and submitted by each attorney described in paragraph I.B. above, attorney representing the United States Government, trustee and limited registrant in CM/ECF. From time to time, the Clerk of the Court may direct a registrant to resubmit an executed registration form.
2. All registration forms shall be mailed or delivered to the divisional office, at the address indicated therein, where the attorney practices the majority of the time, and where the attorney representing the United States Government and trustee are assigned the majority of cases. Registration for attorneys representing the United States Government shall be determined on a case-by-case basis if that person is not assigned a majority of cases in any division of the Court. A limited registrant shall mail or deliver the registration form, at the address indicated therein, to the attention of the Clerk's Office at Birmingham, Alabama.
3. After completion of training with an employee of the Clerk of the Court, each registrant will have access to a login and password for the online training system and for limited CM/ECF inquiry purposes. No later than

30 days following the above-described training, the registrant shall complete the online training and the registration form and contact the Clerk of the Court for full activation of the registrant's CM/ECF password.<sup>1</sup> Once the Clerk of the Court activates a registrant's CM/ECF password, the registrant becomes a registered participant in CM/ECF (hereafter registered participant). The registered participant must notify the Clerk of the Court if any changes are made in the participant's profile data at any time after receiving a login and password.

4. Any password issued for electronic filing, via the Internet, shall be used exclusively and without exception by the registered participant to whom the password is assigned and an employee(s) of such person to whom proper authorization has been given and who is directly supervised by the registered participant. No registered participant shall knowingly permit a password to be used by anyone who is not authorized to use the password and no person shall knowingly use the password of a registered participant unless such person is so authorized. If any employee of a registered participant no longer serves in such a capacity, the registered participant shall forthwith select and activate a new password as provided for in CM/ECF.
5. A registered participant may withdraw or be required to withdraw from participation in the Internet ECF filing component of CM/ECF. If by Order of the Court or by issue of a form from the Clerk or Chief Deputy Clerk of the Court, a registered participant is required to withdraw from CM/ECF, the Clerk's Office will initiate a procedure to withdraw the registered participants from the Internet filing component of CM/ECF. Once all of the requirements set forth in the procedures have been met, the Clerk's Office will immediately cancel the registered participant's password and will delete the name of the registered participant from any applicable electronic service list. A registered participant who is an attorney still must follow all applicable laws and rules to withdraw as counsel of record.
6. A limited registrant is defined as a person who is eligible to file only a proof of claim form, via the Internet component of CM/ECF, with the Clerk of the Court and any other person who may be authorized by the Court to so register for other, limited purposes.

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<sup>1</sup>The Clerk of the Court may delegate activities set forth in the Administrative Procedures to deputy clerks appointed pursuant to 28 U.S.C. § 156(b).

## II. FILING AND SERVICE OF DOCUMENTS

### A. Filing

#### 1. Filing Requirements

- a. Except as expressly provided for in paragraph III.A. below and in exceptional circumstances which prevent a registered participant from effecting a filing via the Internet component of CM/ECF, all filings to be filed with the Clerk of the Court in connection with a case assigned to CM/ECF<sup>2</sup> shall be filed as follows: (1) registered participants shall effect all filings electronically via the Internet; (2) non-registered participant parties with legal representation shall effect filings electronically through submission of a 3.5 inch computer diskette (disk) specified in the format provided for in the "Notice of Electronic Filing Procedure"<sup>3</sup>; and (3) parties without legal representation shall effect filings conventionally and must adhere to the requirements set forth in the "Notice of Electronic Filing Procedure" dealing with conventional filings. A copy of the notice is attached to these Administrative Procedures.
- b. Electronic filings, via the Internet, are considered timely if filed with the Clerk of the Court prior to midnight on the date set as a deadline, unless the bankruptcy judge in a case specifically requires an earlier filing time.
- c. All references to time contained in these Administrative Procedures are to Central Standard or Central Daylight Savings Time; whichever is in place at the time a filing is effected.

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<sup>2</sup>Except as provided for in paragraph I.A., Designation of Cases, of these Administrative Procedures, cases formerly administered in the National Integrated Bankruptcy System (NIBS), which were filed with the Clerk of the Court prior to February 18, 2004, shall continue to be administered solely by conventional means in the CM component of CM/ECF, through and including closing, until such time as this Court implements the electronic filing component of CM/ECF. Registered and non-registered participants with legal representation and parties without legal representation shall continue to effect filings in these cases conventionally until the implementation of electronic filing.

<sup>3</sup>A "Notice of Electronic Filing Procedure", in the form approved by the Clerk of the Court, is generated in all cases and accompanies the "Notice of the Meeting of Creditors." A copy of the "Notice of Electronic Filing Procedure" is attached to these Administrative Procedures.

- d. *A conventional filing* is defined as a filing submitted in paper form.
  - e. *An electronic filing* is defined as a filing submitted either via the Internet or in disk form.
2. Accessibility for Filing via the Internet
- If at any time the filer cannot access CM/ECF via the Internet to effect a filing, the filer shall contact the appropriate divisional office and speak with a deputy clerk to confirm that CM/ECF is not accessible, to state why an immediate filing is necessary and to make suitable arrangements with the Clerk of the Court for the filing to take place. See also Local Rules 1073-1, 5005-1 and 5005-4. After submission of the filing to the Clerk of the Court and when CM/ECF is accessible, a deputy clerk will effect the electronic entry and docketing of the filing.
3. Filing Documents with Exhibits and Attachments Under One Docket Entry Number
- All documents with exhibits and attachments capable of electronic imaging and filing shall be electronically filed together under one entry number.
4. Exhibits/Attachments to Documents
- Except as the bankruptcy judge in a case may otherwise direct, exhibits/attachments to documents including, but not limited to, leases, notes and the like, which are not available in electronic form, shall be electronically imaged (i.e., scanned) and filed in the format specified in the "Notice of Electronic Filing Procedure."
5. Large Documents
- Electronic filings effected via the Internet should not be more than one (1) megabyte in size. Transmission time for effecting such filings is time sensitive. Filings that take more than five (5) minutes to transmit, for security reasons, will time out. If a filing is larger than one (1) megabyte and if any portion of the filing has been scanned, the filing document should be no more than 8 ½ by 11 inches, without color and the resolution should not exceed 300 DPI. If making these adjustments does not reduce the filing size to one (1) megabyte or less, the filer shall make suitable arrangements with the Clerk of the Court to effect the filing.



6. **Effect of Electronic Filing**

Effecting an electronic filing, via the Internet, in accordance with the Administrative Procedures shall constitute entry of that filing on the docket kept by the Clerk of the Court under FRBP 5003. All orders, decrees, judgments and proceedings of the Court will be entered in accordance with the Administrative Procedures, which shall constitute entry on the docket record kept by the Clerk of the Court under FRBP 5003 and for the purposes of FRBP 9021.

B. **Service**

1. All registered participants shall maintain a current and active e-mail address to receive notification in CM/ECF.
2. Whenever a filing is effected via the Internet, by disk or conventionally, a "Notice of Electronic Filing" will be transmitted by e-mail to all parties in the case or proceeding who are registered participants.
3. The filer shall serve a filing upon all persons entitled to notice or service in accordance with the applicable rules, or, if service by first class mail is permitted under the rules, the filer may make service in accordance with subparagraph II.B.4 below.
4. Pursuant to FRBP 9036, a registered participant consents to receive notice and service by electronic means, which shall constitute proper service. If the recipient of notice or service is a registered participant, service of the "Notice of Electronic Filing" shall be the equivalent of service of the filing by first class mail, postage prepaid.

C. **Signatures; Affidavits of Service**

1. **Registered Attorneys and Parties with Legal Representation**

All filings, which (a) must contain original signatures (b) require verification under FRBP 1008 or (c) contain an unsworn declaration as provided in 28 U.S.C. § 1746, shall be filed electronically or in accordance with the "Notice of Electronic Filing Procedures". Originally executed copies must be retained by the filer until three (3) years after the closing of the case. This retention period does not affect or replace any other retention periods required by other applicable laws or rules. Upon request of a judge in the bankruptcy case, the filer must provide original

documents for review.<sup>4</sup>

2. **Electronic Filing of Documents**

A filing effected electronically, via the Internet, by a registered participant constitutes that person's signature under FRBP 9011. For purposes of FRBP 9011, the filing shall indicate a signature with the filing party's name typed in full, e.g. /s/ Jane Doe, followed by the filer's typewritten name. An attorney shall indicate a signature in the same manner, e.g. /s/ Jane Doe and, in addition, must provide the attorney's State Bar number, complete mailing address, telephone number and the name of the party the attorney represents.

3. **Pro Se Filers**

All conventional filings, which (a) must contain original signatures, (b) require verification under FRBP 1008 or (c) contain an unsworn declaration as provided in 28 U.S.C. § 1746, must be submitted with full signature. The Clerk of the Court will scan these documents, and the originals shall be retained until one (1) year after the closing of the case unless the Clerk of the Court directs otherwise. This retention period does not affect or replace any other retention periods required by other applicable laws or rules.

D. **Fees Payable to the Clerk of the Court**

1. **Registered Participants**

For filings that require a fee, a credit card payment system will be accessible to the user while filing in CM/ECF.,

2. **Non-Registered Participants**

For filings that require a fee, current rules for methods of payments must be followed.

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<sup>4</sup>Parties without legal representation will be handled on a case-by-case basis.

E. Orders

1. Electronic Submission Via E-Mail Attachment

Except as the bankruptcy judge in a case otherwise may direct, a party submitting a proposed order to the Clerk of the Court shall effect the submission electronically, via e-mail attachment, in accordance with the electronic order processing procedure set forth under the "CM/ECF" link of the Court's web site: <http://www.alnb.uscourts.gov>. The order proponent shall file a list of parties, with mailing addresses indicated, who are to receive notice of entry of the same and shall comply with all other requirements set forth in the aforesaid electronic order processing procedure. The list of parties shall be furnished as provided for in the aforesaid electronic order processing procedure. The list of parties shall be furnished as provided for in the appropriate electronic order processing procedure sample order template form accessible at <http://www.alnb.uscourts.gov>. The Bankruptcy Noticing Center's notice of entry function shall be used by the Clerk to effect service to any party who is not a registered participant in CM/ECF. Electronic notice will constitute service for registered participants in CM/ECF.

2. Electronic Submission Via Computer Diskette

A party who is not able to effect the submission of a proposed order electronically, via e-mail attachment, as set forth in subparagraph II.E.1., shall submit a 3.5 inch floppy disk containing the proposed order to the Clerk of the Court. The proposed order shall be submitted in a Word or WordPerfect format together with any attachment, exhibit or related document to be electronically entered in connection therewith. The order proponent shall file a list of parties, with mailing addresses indicated, who are to receive notice of entry of the same. The list of parties shall be furnished as provided for in the appropriate electronic order processing procedure sample order template form accessible at <http://www.alnb.uscourts.gov>. The Bankruptcy Noticing Center's notice of entry function shall be used by the Clerk to effect service to any party who is not a registered participant in CM/ECF. Electronic notice will constitute service for registered participants in CM/ECF.

3. Submission by Conventional Means

Parties with legal representation who are excused by the Clerk of the Court, pursuant to subparagraph III.A.4., from complying with the requirement set forth in paragraph II.A., will be handled on a case-by-case

basis, as will parties without legal representation. Except as the bankruptcy judge in a case directs, the order proponent shall file a list of parties, with mailing addresses indicated, who are to receive notice of entry of the order. The Bankruptcy Noticing Center's notice of entry function shall be used by the Clerk of the Court to effect service to any party who is not a CM/ECF registered participant. Electronic notice will constitute service for registered participants in CM/ECF.

4. **Signed Order**

Except as the bankruptcy judge in a case otherwise may direct, all signed orders (including, without limitation, orders to show cause) shall be entered electronically by the Clerk of the Court.

F. **Docketing of Pleadings or Other Documents via the Internet**

The registered participant effecting a filing, via the Internet, is responsible for docketing the filing by selecting the appropriate event from the list of docketing events in CM/ECF.

III. **CONVENTIONAL FILING OF DOCUMENTS; EXCEPTIONS TO ELECTRONIC FILINGS**

A. **Conventional Filings**

The following documents shall be filed conventionally unless specifically authorized by the Clerk of the Court or a bankruptcy judge in a case:

1. **Documents to be Filed under Seal**

A motion to file a document(s) under seal shall be filed electronically; however, the actual document(s) to be filed under seal shall be filed conventionally. If the motion itself contains confidential information, the movant shall file and serve electronically, a redacted version clearly marked as such and shall submit the unredacted version *in camera*. If requested by the bankruptcy judge in a case, the movant shall deliver hard copies of the documents proposed to be filed under seal to the bankruptcy judge in the case for *in camera* review. The order of the bankruptcy judge in a case authorizing the filing of such document(s) under seal shall be entered electronically by the Clerk of the Court and shall indicate that the motion to file document(s) under seal has been "so ordered" in accordance with paragraph II.E. above.

**2. Trial Exhibits**

**Trial Exhibits shall be filed conventionally or per order of the judge in a bankruptcy case.**

**3. Transcripts**

**Transcripts shall be filed conventionally or per order of the judge in a bankruptcy case.**

**4. Filers Without Ability to File by Computer Diskette**

- a. An attorney may file a "Request for Waiver to File Conventionally" form seeking permission from the Clerk of the Court not to submit a petition(s) or document(s) for filing on a disk due to the attorney's financial constraints and the inability to access the equipment necessary to comply with the requirements set out in subparagraph II.A.1. above. A copy of the form is attached to these Administrative Procedures. Attorneys who do not have the ability to file electronically by disk shall be deemed by the Court not to have the ability to make filings electronically via the Internet.**
- b. An attorney granted a waiver to file conventionally must make such a filing in accordance with the Court's Local Bankruptcy Rules. The Clerk of the Court will process any such filing pursuant to filing procedures.**
- c. An attorney granted a waiver to file conventionally may scan paper documents to a disk using scanning equipment that is available to the Bar and public in the public areas of each division of the Court. The Clerk of the Court will process the filing submitted on a disk pursuant to filing procedures.**
- d. A party without legal representation is required to file conventionally in accordance with the Court's Local Bankruptcy Rules. The Clerk of the Court will process any such filing pursuant to filing procedures.**

**5. Designated Items for Inclusion in Record on Appeal**

**Copies of designated items for inclusion in the record on appeal shall be filed conventionally in accordance with the Local Bankruptcy Rules.**

6. Bankruptcy Judge Request

Any document (including, but not limited to, briefs and pleadings) and/or courtesy copies can be required to be submitted in paper form by a bankruptcy judge's order or special request in a case.

B. Service of Conventional or 3.5-Inch Floppy Disk Filings

Pleadings or other documents that are filed conventionally, or electronically on 3.5 inch floppy disks, shall be served in the manner provided for, and on those parties entitled to notice, in accordance with the Federal Rules of Bankruptcy Procedure and the Local Bankruptcy Rules except as otherwise provided by order of the bankruptcy judge in a case.

IV. PUBLIC ACCESS TO THE CM/ECF DOCKET

A. Internet Access

1. As of February 18, 2004, Internet access to CM/ECF on the Court's Internet web site is available only with a login and password issued by the Public Access to Electronic Records Center (PACER). Any person or organization other than those referred to in paragraph I.B., with a valid PACER login and password, may access the system at the Court's Internet site: <http://www.alnb.uscourts.gov>. A PACER login and password can be secured by contacting the PACER Service Center to establish an account. Registration may be made online at <http://pacer.psc.uscourts.gov> or by calling the PACER Service Center at (800) 676-6856 or (210) 301-6440. Such access to CM/ECF through the Internet web site will allow retrieval of the docket sheet and documents. Access to CM/ECF will be on a "read only" basis.
2. Registered participants receiving a "Notice of Electronic Filing" via e-mail in a case will not be charged for an initial, one-time retrieval, of a filing download, viewing or printing of a document when accessing the document directly from the e-mail notification.

B. Public Access at the Court

During regular business hours, electronic access is available at each division of the Court, at no charge, for viewing documents and docket records filed in CM/ECF. This public access will be located in each division's intake office.

C. Conventional Copies and Certified/Exemplified Copies

Conventional and certified/exemplified copies of electronically filed documents may be purchased at each division of the Court. The fee for copying and certification/exemplification will be in accordance with the fee charged by the copy service and/or 27 U.S.C. § 1930.

D. Access Charges

Charges required by the Judicial Conference of the United States, as set out at 28 U.S.C. § 1930, for electronic access to Court Records, are assessed in accordance with the fees and procedures established by the Administrative Office of the United States Courts.

E. Security of System

Each filing effected via the Internet shall be assigned a special identification number, which can be traced as required, to detect post-filing alterations to the document.

F. Antiviral Software

All registered participants who retrieve and effect filings must have purchased, installed, and utilized daily updated antiviral software at all locations from which CM/ECF is accessed for such purposes. All disks also must be checked for viruses and worms before such disks are submitted for filing to the Clerk of the Court or submitted to the bankruptcy judge in a case for any purpose.

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA**

**CASE MANAGEMENT/ELECTRONIC CASE FILING (CM/ECF) SYSTEM  
FULL PARTICIPANT REGISTRATION FORM**

**Live System**

This form is to be used to register for FULL FILING PRIVILEGES for filing documents via the Internet component of the Case Management/Electronic Case Filing system (hereafter CM/ECF), in the United States Bankruptcy Court for the Northern District of Alabama. A registered participant will have the privilege to file documents via the Internet with the Clerk's Office.

The following information is required for CM/ECF registration:

Name (First, Middle, Last): \_\_\_\_\_

Bar ID#: \_\_\_\_\_

State/Date of Admission: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City State Zip \_\_\_\_\_

Voice Phone Number: \_\_\_\_\_

Facsimile Number: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

By signing and submitting this registration form, I agree to abide by the following requirements:

1. Pursuant to Federal Rule of Bankruptcy Procedure 9011 and Local Bankruptcy Rule 5005, every pleading, motion and other paper (except lists, schedules, statements or amendments thereto) shall be signed by at least one attorney of record and that signatures shall be indicated by "/s/" and the typed name of the person signing in the following format: "/s/ Jane Smith" on the signature line. My password constitutes my signature.
2. The login and password for filing via the Internet shall be used exclusively by me and by any of my employees whom I directly supervise and I give authorization. I will not knowingly permit my login and password to be used by anyone who is



not so authorized.

3. I will select and activate a new password in CM/ECF if an employee of mine who has been authorized to use my login and password no longer serves in such a capacity.
4. I will report any suspected compromise of my password to the Deputy Clerk at the appropriate Divisional Office of the Northern District of Alabama Bankruptcy Court.
5. I will receive service of documents and any docket activity electronically pursuant to FRBP 9036, where service of documents is otherwise permitted by first class mail. In so doing, I agree to maintain a current and active e-mail address to receive notification in CM/ECF.
6. I will abide by all of the requirements set forth in the "Administrative Procedures for Filing, Signing, Retaining and Verification of Pleadings and Papers in the Case Management/Electronic Case Filing (CM/ECF) System" currently in effect, and any changes or additions that later may be made.
7. I will notify the Clerk of the Court if any changes are made in my CM/ECF attorney profile data.
8. My signature below confirms that I am duly licensed to practice law before the United States Bankruptcy Court for the Northern District of Alabama and am in good standing with this Court and the state bar of my admission. \

REQUIRED:

I certify (check one):

- ☐ That I have attended a CM/ECF Training Seminar: Date: \_\_\_\_\_; Court location \_\_\_\_\_; or
- ☐ I am a certified ECF user in another U.S. Bankruptcy Court- Name of Court and user identification: \_\_\_\_\_.

\_\_\_\_\_  
Applicant Name (please print)

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Last 4 Digits of SS# (for security purposes)

\_\_\_\_\_  
Date

COURT USE ONLY:

Approved by:

\_\_\_\_\_  
Deputy Clerk (to be signed upon receipt of application)

User identification: \_\_\_\_\_

Password: \_\_\_\_\_

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Mail or deliver this completed form to our Decatur divisional office:

U.S. Bankruptcy Court  
P.O. Box 2775  
Decatur, AL 35602

DRAFT

**United States Bankruptcy Court  
Northern District of Alabama**

**Case Management/Electronic Case Files (CM/ECF) System  
Limited Filer Privileges Registration Form**

This form is to be used to register for limited filing privileges to electronically file documents using the CM/ECF System in the U.S. Bankruptcy Court for the Northern District of Alabama. The limited filer may only perform specified transactions, as specified in paragraph 2 of this form.

First/Middle/Last Name: \_\_\_\_\_

Title: \_\_\_\_\_

Entity Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Facsimile Number: \_\_\_\_\_

E-mail Address: \_\_\_\_\_

1. I, the limited filer, agree that a filing made with my judiciary login and password constitutes my signature for all purposes, including the Federal Rules of Bankruptcy Procedure and the local rules of the court, and shall have the same force and effect as if I had affixed my signature on a paper document being filed. Signatures will be indicated by “/s/” and the typed name of the person signing in the following format: “/s/ Jane Smith” on the signature line.

2. I agree to adhere to the local rules, orders, policies, and procedures governing electronic filing for the court. I understand that a limited filer’s privileges are narrow in scope. I will only use CM/ECF to electronically file documents listed under the Limited Miscellaneous Events and Claims Actions menus including, but not limited to, proof of claim, transfer of claim, withdrawal of claim, notice of appearance, and personal financial management certificate (beg. 12/1/13). The court reserves the right to modify these options or add additional options as deemed necessary.

3. I must pay any fees incurred for transactions made in CM/ECF in accordance with 28 U.S.C. § 1930 and the Bankruptcy Miscellaneous Fee Schedule.

4. I agree to protect the security of my password.
5. I will change my password through my CM/ECF account if I suspect it has been compromised and immediately notify the court.
6. I agree to maintain my contact information (e.g., email address, mailing address, telephone number(s), and facsimile number). All changes will be made through my CM/ECF account.
7. I understand that electronically filed documents requiring original signatures from any person other than me must be maintained by me in paper form, bearing the original signatures, for three years after closing of the case or proceeding in which the documents were filed. Upon the court's request, I must provide the original signed documents for review.
8. I agree to comply with the redaction requirements, pursuant to Fed. R. Bankr. P. 9037. I understand that filers, and not the court, are solely responsible for redacting documents.
9. I understand that using my limited filer privileges to monitor general activity in any case in which I have not filed a document is beyond the scope of my limited filer privileges. The limited filer account is intended to perform specified transactions, as set forth in paragraph 2. In order to view and retrieve electronic docket sheets and documents available on CM/ECF, I will use PACER for the courts' Simple Syndication feed. [Note: A PACER login and password may be obtained from the PACER Service Center. Registration for a PACER account is available online at <http://pacer.uscourts.gov>. For assistance call 1-800-676-6856.]
10. If the court determines that limited filers may receive service/notice electronically, then I expressly consent to service and notice by electronic means from the court and other filing users in all cases, except with regard to service of a summons and complaint under Fed. R. Bankr. P. 7004, a motion initiating a contested matter under Fed. R. Bankr. P. 9014, or a subpoena under Fed. R. Bankr. P. 9016.
11. By contacting the court, I may request to terminate my status as a limited filer at any time. If I cease to be an employee or agent of an entity on whose behalf documents are being electronically filed, or for any other reason cease to be authorized to file electronically on behalf of said entity, I will promptly contact the court and request to terminate my filing privileges.
12. I understand that, if I am a provider of a post-petition instructional course concerning personal financial management and I am filing a certificate of the debtor's completion of the course, the certificate must be timely filed in accordance with Fed. R. Bankr. P. 1007(c). I understand that my limited filer privileges may be revoked if I do not file a certificate of a debtor's completion of the course in a timely manner, as failure to do so could result in the closing of the debtor's case without a discharge. I understand that, if my filing privileges are

revoked by the court, the court will notify the Bankruptcy Administrator of the revocation.

13. At any time without advance notice, the court may, *sua sponte*, terminate my account for any reason and require future documents to be filed conventionally or in any other format specified by the court.

14. If the terms and conditions change, information regarding the changes will be posted at: [www.alnb.uscourts.gov](http://www.alnb.uscourts.gov). I understand that it is my responsibility as the limited filer to read any posted changes. Continued use of my CM/ECF account following any posted changes means that I accept and agree to the changes.

I certify under penalty of perjury that the information I am submitting to register for electronic filing is true and correct. I acknowledge that I have read and agree to the terms and conditions above.

\_\_\_\_\_  
Applicant Name (please print)

\_\_\_\_\_  
Applicant Signature

\_\_\_\_\_  
Last 4 Digits of SSN (for security purposes)

\_\_\_\_\_  
Date

\_\_\_\_\_  
COURT USE ONLY

Approved by: \_\_\_\_\_  
Deputy Clerk

Date: \_\_\_\_\_

User identification: \_\_\_\_\_

Password: \_\_\_\_\_

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- Mail or deliver this completed form to our Decatur divisional office:

U. S. Bankruptcy Court  
P.O. Box 2775  
Decatur, AL 35602

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA**

**NOTICE OF ELECTRONIC FILING PROCEDURE**

**In re:**

**Case No:**

The above case, which has been filed in this Court, can be accessed electronically via the Court's Internet site at <http://www.alnb.uscourts.gov>. In compliance with Federal Rule of Bankruptcy Procedure 9011 and in accordance with the "Administrative Procedures for Filing, Signing, Retaining and Verification of Pleadings and Papers in the Case Management/Electronic Case Filing (CM/ECF) System" Exhibit (hereafter Administrative Procedures), which is incorporated by reference in "Administrative Order Adopting Case Management/Electronic Case Filing Procedures" (No. 04-1), the registered participant's password shall constitute the signature of that person; therefore, security of a registered participant's password is the responsibility of that person. **An original signed copy of the filing shall be retained in the registered participant's files in accordance with the Administrative Procedures.**

Parties with legal representation **must** file documents in accordance with the following:

1. The requirements for filing, viewing and retrieving case documents are: A personal computer running Netscape navigator software version 4.6x or 4.7x or Internet Explorer, Adobe Acrobat 4.0 or later or another type of software (e.g., Wordperfect 9.0 or later) that will convert documents from a word processor format to a portable document format (PDF), and an Internet Service Provider (ISP) using Point-to-Point Protocol (PPP). The URL address is [www.alnb.uscourts.gov](http://www.alnb.uscourts.gov) and a password is needed to access this system. Please contact the Court for further assistance. If you are **unable** to comply with these requirements, **then**
2. You must submit your documents on a diskette using PDF format. The Adobe Acrobat software will provide this format. Further instruction may be found in Adobe's manual. Use a separate diskette for each filing. Submit the diskette in an envelope with the case name, case number, type and title of document, and the file name on the diskette. If you are **unable** to comply with these requirements or the requirements set forth in item number 1 above, **then**
3. You must submit your documents on a diskette using one of the following formats: Word, WordPerfect, or DOS text (ASCII). If you are **unable** to comply with this requirement, the requirements set forth in item number 2, or the requirements set forth in item number 1, above, **then**

4. You must file a "Request for Waiver to File Conventionally" as provided for in the Administrative Procedures to indicate your inability to file by diskette. You then may file conventionally on unstapled, unbound, 8 ½" x 11" single-sided paper. Documents must be submitted with full signature(s), and will be scanned by the Clerk's Office. The scanned file will constitute the original signature(s). **Include your "Request for Waiver to File Conventionally" with your filing.**

**Important Note: All parties without legal representation may file documents conventionally in accordance with the Local Bankruptcy Rules.**

Richard K. Mauk  
Acting Clerk of Court

Dated: \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF ALABAMA

\_\_\_\_\_ Division

In re:

Case No. \_\_\_\_\_

Debtor(s)

REQUEST FOR WAIVER TO FILE CONVENTIONALLY

\_\_\_\_\_ hereby request(s) that the Court waive the requirement of submitting the filing, more specifically described as \_\_\_\_\_, by computer diskette, as required by Bankr. N.D. Ala. R. 5005-4 and the Administrative Procedures for Filing, Signing, Retaining and Verification of Pleadings and Papers in the Case Management/Electronic Case Filing (CM/ECF) System.

Due to financial constraints and the inability to access the equipment necessary to comply with this requirement, the undersigned requests that the above-identified document(s) be submitted for conventional filing.

The undersigned acknowledges that should the Court obtain information which indicates that the undersigned did not accurately represent the basis for requesting the waiver, the matter will be referred to the judge presiding over the case for appropriate action, which may include sanctions against the party making the false certification or an order striking the pleading or other paper without further notice.

\_\_\_\_\_  
Signature of Attorney

State Bar No. \_\_\_\_\_

Address and Telephone No. \_\_\_\_\_

Date: \_\_\_\_\_

\_\_\_\_\_  
Attorney For: \_\_\_\_\_