

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

PROBLEM	ACTION	SPECIFIC LANGUAGE TO BE USED/NOTES
ADDRESS OF CLERK'S OFFICE INCORRECT (For pleadings that require filing party to prepare objection notice (e.g. lien avoidance, relief from stay etc))		
Address of clerk's office is not stated at all	Issue NDF	Objection notice does not provide an address to which parties are to mail objections.
Address of clerk's office is not correct (including missing room number)	Issue NDF	<p><i>Incorrect information such as wrong town:</i> Objection notice directs parties to mail objections to an incorrect address.</p> <p><i>Missing information such as no room number:</i> Objection notice directs parties to mail objections to an incomplete address.</p> <p>Note: Only issue an NDF for errors in the address that would result in undeliverable mail. For instance, a slight misspelling of Indianapolis would probably present no problem for the USPS, therefore no NDF is needed.</p>
PO Box is mentioned in the Indianapolis address	Issue NDF	Objection notice directs parties to mail objections to a PO Box that is now closed.
APPEARANCES		
Appearance filed as attachment to another document instead of separate entry; e.g., included with Complaint or Motion.	Corrective Entry	Appearance included in PDF.
Appearance not filed when required.	Issue NDF	{Document in question} is not preceded or accompanied by an appearance filed as separate document as required by Local Rule B-9010-1.

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

PROBLEM	ACTION	SPECIFIC LANGUAGE TO BE USED/NOTES
CAPTION INCORRECT		
Caption reflects incorrect district or division, but case name and number are correct.	No Corrective Action Required	
CASE NAME AND/OR CASE NUMBER ISSUES		
Case name and/or case number are incorrect.	<p>Issue NDF (e.g., for Chapter 13 Plan)</p> <p>or</p> <p>Issue 7-day Notice (e.g., for Installment Fee Application)</p>	<ul style="list-style-type: none"> - Debtor name and case number on PDF do not match case name and number. - Debtor name on PDF does not match case name. - Case number on PDF does not match case number. <ul style="list-style-type: none"> - Debtor name and case number on PDF for {document name} do not match case name and number. - Debtor name on PDF for {document name} does not match case name. - Case number on PDF for {document name} does not match case number. <p>NOTE: Delete notice if queued up in Generate Notices</p>
Case name on pleading is different than case; e.g, only one debtor on joint case is listed, an alias is used, generation or middle name/initial are missing, names are misspelled.	No Corrective Action Required	
Case name is missing, but case number is correct.	No Corrective Action Required	
Case number and case name are missing, and debtor name cannot be located anywhere on document or on attachments received with document.	Issue NDF	<p>Debtor name and case number are missing on PDF.</p> <p>NOTE: Terminate deadlines & motions.</p>

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

PROBLEM	ACTION	SPECIFIC LANGUAGE TO BE USED/NOTES
Case number is missing, but debtor's name is listed somewhere on document or attachments received with document; e.g., Credit Counseling Certificate.	No Corrective Action Required	
Pleading filed on adversary case contains only the legal case name and number, not the adversary case information <i>Note: See Filed in Legal Instead of Adversary or Vice Versa section if the pleading should have been filed on the legal case.</i>	Add Case Note	Adversary case name and/or number not included in pleading.
DEADLINES/HEARING INFORMATION MISSING OR INCORRECT		
Deadline is set in the past. Deadline on Objection Notice does not match that specified in the rules (e.g. not 21 days for lien avoidance; not 14 days for Relief from Stay, etc)	Corrective Entry Issue Notice of Deficient Filing	Objections due by {due date}. <i>NOTE: Add the deadline through Create Calendar Event for a Case, terminate incorrect deadline.</i> Federal Rules of Bankruptcy Procedure or local rules require an objection deadline of {what they should have used}, not {what they actually used}. E.g.: Federal Rules of Bankruptcy Procedure or local rules require an objection deadline of 14 days, not 21 days.
Deadline is missing or incorrect in PDF for miscellaneous objection notice issued by outside filers; e.g., usually filed under Notice of Submission.	Contact CRD for instruction	<i>NOTE: If notice is OK with CRD, add objection deadline through the Create Calendar Event on a Case menu option.</i>

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

PROBLEM	ACTION	SPECIFIC LANGUAGE TO BE USED/NOTES
<p>Deadline and/or hearing information is missing from docket text, but included in PDF; e.g., notice filed under Notice of Submission.</p>	<p>Corrective Entry</p>	<p>Objection notice included in PDF. Objections due by {due date}. Hearing to be held on {date} at {time} in {hearing location}.</p> <p><i>NOTE: Only add the first sentence if presence of the objection notice is not already shown in docket text. Only add hearing information if such is shown in PDF.</i></p> <p><i>NOTE: Add the deadline through the Create Calendar Event for a Case menu option.</i></p>
<p>DEFICIENT PLEADING ACCEPTED BY CHAMBERS</p>		
<p>A Notice of Deficient Filing was issued on a deficient pleading but then Chambers instructed that the document is being accepted as-is</p>	<p>Corrective Entry to Notice of Deficient Filing docket entry</p>	<p>Document accepted per Chambers.</p> <p><i>NOTES: (1) Terminate the deficiency deadline, and consult the procedure to determine if any required action is needed since the pleading is now considered non-deficient. (2) If the NDF was issued the same day, it can be sent to your team leader, who will delete the notice or order from the BNC directory to prevent it even going out through the BNC.</i></p>

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

DUPLICATE PLEADINGS (NO ACTION TO BE TAKEN ON A PLEADING IF IT REQUIRES A FEE AND THE FEE HASN'T BEEN PAID)		
Block Scheduled pleadings.	Add Case Note and Corrective Entry*	<ol style="list-style-type: none"> 1. If filer has scheduled hearings/paid fees for all duplicate pleadings, case managers should generate all notices, including all creditor notices. 2. If one of the pleadings has not been block scheduled, contact filer. 3. If <u>duplicate</u>, add <u>both</u> the Case Note and the Corrective Entry: <p>Case Note: Contacted {name} to verify duplicate filing status re: Doc # {number}.</p> <p>Corrective Entry: Duplicate of Doc # {number}; notice not issued.</p> <p>NOTE: Delete notice if queued up in Generate Notices</p>
Plans or Amended Plans filed on the same day.	Corrective Entry* (added to first plan filed)	<p>Notice not issued.</p> <p>NOTE: Only issue the last plan filed, and delete any notices set up on first plan filed.</p>
Documents, other than plans, that require further action by the Clerk; e.g. objection notice must be issued.	Contact filing party, and ask if pleadings are duplicates Add Case Note and Corrective Entry*	<p>If <u>duplicate</u>, add <u>both</u> the Case Note and the Corrective Entry:</p> <p>Case Note: Contacted {name} to verify duplicate filing status re: Doc # {number}.</p> <p>Corrective Entry: Duplicate of Doc # {number}; notice not issued.</p> <p>NOTE: Delete notice if queued up in Generate Notices</p>
Documents require NO action by the Clerk and either NO fees are required or fees have been paid for both pleadings; e.g., Appearance, Amended Schedules.	No Corrective Action Required	
Documents appear to be duplicates; <u>filing party did not contact the court</u> , and any required fees have been paid.	No Corrective Action Required	NOTE: Do not call filing party.

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

Documents appear to be duplicates; <u>filing party contacted the court.</u>	Corrective Entry*	Duplicate of Doc # {number} per filing party; notice not issued. NOTE: Delete notice if queued up in Generate Notices
Documents appear to be duplicates; <u>filing party contacted the court</u> , and one fee has been removed.	Corrective Entry*	Duplicate of Doc # {number} per filing party; notice not issued. NOTE: Delete notice if queued up in Generate Notices
FILED IN LEGAL INSTEAD OF ADVERSARY OR VICE VERSA		
Filed in legal instead of adversary or vice versa.	Issue NDF	Pleading should be filed in associated adversary case instead of legal case (or vice versa). Filing party to re-file in adversary (or legal) case. NOTE: Terminate deadlines & motions.
INITIAL FILING OF CASE (FOR PLEADINGS NOT LISTED HERE, SEE SECTION ON PDF AND TITLE DO NOT MATCH)		
Debtor checks more than one box for Type of Debtor.	Issue 7-day Notice	Amend petition to reflect correct Type of Debtor (only one box may be checked).
Incorrect event used for installment fee application, in forma pauperis application, SSN statement, Exhibit D, credit counseling certificate (only if option 1 is marked on Exhibit D).	Issue 7-day Notice	Incorrect event used. Document must be re-filed using {correct event} event on {menu name} menu. NOTE: If SSN Statement was filed using an incorrect event, contact team leader about restricting public access.
Individual debtor lists corporation as an alias and checks corporation box on petition.	Add Case Note	Individual debtor listed corporate alias and checked the corporation box on petition.
Individual debtor lists corporation as an alias (e.g., John Smith d/b/a Smith, Inc.) and checks the individual box on the petition.	Add Case Note	Individual debtor listed corporate alias and checked individual box on petition.
Missing date on petition or other required initial documents.	No Corrective Action Required	

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

Schedule B, Question 11 has something listed, but no supporting documentation has been filed.	No Corrective Action Required	
Summary and statistical summary fields and info on PDF are BLANK.	No Corrective Action Required	
JOINTLY ADMINISTERED AND CONSOLIDATED CASES		
Pleading does not show the caption in the format specified by the order that granted consolidation or joint administration	Issue NDF	<p>Caption does not conform to format specified by the Order Granting Joint Administration entered on {date}.</p> <p style="text-align: center;">-OR-</p> <p>Caption does not conform to format specified by the Order Granting Consolidation entered on {date}.</p> <p>Note: Do not send this NDF for the first ten days after entry of the order on consolidating or for joint administration, since pleadings may be "in transit" during that period. Instead, contact the filer and instruct them to file future pleadings correctly, then docket a case note recording that contact.</p> <p>Exceptions for jointly administered cases: The following documents are filed for each member case, so are permitted to show the name of that member case only:</p> <ul style="list-style-type: none"> • Proofs of claim • Voluntary petitions (included amended) • Schedules • Amended schedules • Statements of financial affairs • Plans • Disclosure statements • Pleadings related to claims, disclosure statements or plans (e.g. objections to same)

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

<p>Jointly administered cases only: Pleading was not filed on the specific lead or member case to which the pleading refers - only applies to the following:</p> <ul style="list-style-type: none"> • Proofs of claim • Voluntary petitions (included amended) • Schedules • Amended schedules • Statements of financial affairs • Plans • Disclosure statements • Pleadings related to claims, disclosure statements or plans (e.g. objections to same) 	<p>Issue NDF</p>	<p>Document must be filed on the specific lead or member case to which it refers.</p>
<h2>MULTIPLE DOCUMENTS FILED TOGETHER</h2>		
<p>Multiple motions or multiple objections filed as one document or one docket entry.</p> <p>Exceptions:</p> <ul style="list-style-type: none"> • It is acceptable if a Motion to Shorten Notice if combined with a Motion for Emergency or Expedited Hearing. • It is acceptable if an appearance is contained in the same PDF as another document. Consult instructions in Appearances section above for handling this situation. 	<p>Issue NDF</p>	<p>Pleading does not comply with Local Rule B-9013-1.</p> <p>NOTE: <i>It is permissible for a document to contain two Motions if they are presented as "or in the alternative," even if separate SD codes are involved. So "or" is acceptable, but "and" is not; i.e., a "Motion to Dismiss or, in the Alternative, to Appoint a Chapter 11 Trustee" is acceptable, since it is asking for one thing or the other, not one thing <u>and</u> the other. (The SD code does not need to be changed if the alternative ends up being granted.) However, per Local Rule 9013-1(b), Relief from Stay or Adequate Protection cannot be combined with anything else except abandonment.</i></p>
<h2>PARTY LINKAGE</h2>		
<p>Attorney created incorrect link to debtor, plaintiff, defendant (e.g., attorney is displayed incorrectly on top of docket).</p>	<p>Corrective Entry</p>	<p>Attorney {name} filed on behalf of {correct party name}.</p> <p>NOTE: <i>Delete the attorney through Edit Case Participants and relink to correct party, if necessary.</i></p>

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

<p>Attorney created link to incorrect creditor (or other party not listed on top of docket).</p>	<p>Corrective Entry</p>	<p>Attorney {name} filed on behalf of {correct party name}.</p> <p>NOTE: Docket the Attorney-Add and Attorney-Terminate events simultaneously from the Court Events-Utilities menu to relink attorney to correct party, if necessary.</p>
<p>PDF and/or PDF TITLE AND DOCKET TEXT DO NOT MATCH</p>		
<p>Creditor name, co-debtor name, dollar amounts or continued 341 date/time in docket text are different from that stated in PDF.</p>	<p>Reaffirmation agreements: Corrective Entry</p> <p>All other document types: Issue NDF</p>	<p>Creditor name on PDF is {correct name}.</p> <p>PDF and docket text do not match. PDF reads..... and docket text reads.....</p> <p>Examples: PDF and docket text do not match. PDF reads \$1500 and docket text reads \$1800. PDF and docket text do not match. PDF reads Chase Bank and docket text reads US Bank.</p>
<p>Date of service of objection notice stated on docket text does not match the service date on PDF (for instances where the objection deadline is calculated from that date, e.g. lien avoidance, relief from stay, etc)</p> <p>Note: If more than one service date is shown, use the later date.</p>	<p>Corrective Entry</p>	<p>Certificate of Service is dated {date as shown on PDF}. Objections due by {calculate correct objection date}</p> <p>NOTE: Reschedule the objection deadline to match the corrected date</p>
<p>Docket text does not reflect all filing parties as listed in PDF.</p>	<p>No Corrective Action Required</p>	

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

<p>PDF and docket text do not match because of incorrect relating.</p>	<p>Corrective Entry</p>	<p>Related Doc # changed from [##] to [##].</p> <p>NOTE: Change the relationship to the correct entry. If incorrect relating caused docket text to be drastically wrong, use the Corrective/Original Entry format to correct docket text. See box below for docket text example.</p>
<p>PDF and docket text do not match and no event is available.</p>	<p>Corrective Entry</p>	<p>Corrective Entry: {Correct docket text}; Original Entry: {Original docket text}.</p>
<p>Title of pleading in PDF does not match docket text.</p> <p>Note: The title in the PDF does not have to exactly match the docket text, so long as the <i>substance</i> of what the PDF is asking for matches the substance of the docket text. Exceptions to this rule are listed below.</p>	<p>Issue NDF</p>	<p>PDF and docket text do not match. PDF is a {name of document} and docket text reads {name of document}.</p>
<p>PDF and docket text do not match because <u>required</u> pleadings are <u>included in PDF but NOT listed in docket text</u>; e.g., notice filed with lien avoidance motion but notice information is missing from docket text.</p>	<p>Corrective Entry</p>	<p>{Missing item} included in PDF. Objections due by {due date} <i>{if appropriate}</i></p> <p>NOTE: Set any missing deadlines or flags.</p>
<p>For "guts" filed on an emergency petition: Missing initial case documents were filed as one PDF, but not all are reflected in docket text</p>	<p>Corrective Entry</p>	<p>PDF also contains {list documents included in PDF}</p>
<p>PDF and docket text do not match because <u>required</u> pleadings are <u>NOT included in PDF but are listed in docket text</u>; e.g., docket text says lien avoidance notice is attached but it's not.</p> <p>EXCEPTION: Do not send an NDF on Motions for Entry of Chapter 13 Discharge if docket text says that Certification is included but such is not included in the PDF. Instead, edit docket text.</p>	<p>Issue NDF</p>	<p>{Required pleading} must be filed.</p>

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

PDF and docket text do not match because <u>unnecessary</u> pleadings are <u>included in PDF</u> ; e.g., an objection notice when none is required; motion for approval included on real estate reaffirmation agreement.	CA: No Corrective Action Required CRD: Check with judge re: unneeded objection notices	
PDF and docket text do not match because <u>unnecessary</u> pleadings are <u>NOT included in PDF but are listed in docket text</u> ; e.g., a list of equity security holders is included in docket text for an <u>individual</u> chapter 11 petition, but it's not included in PDF.	No Corrective Action Required	
PDF and docket text do not match on these items: SSN statements, Exhibit D, Certificate of Credit Counseling, Petition, and installment fee and in forma pauperis applications.	Issue 7-day Notice	PDF and docket text do not match. PDF is a {name of document} and docket text reads {name of document}.
PDF and docket text do not match on items not listed in box above	Issue NDF	PDF and docket text do not match. PDF is a {name of document} and docket text reads {name of document}.
PDF and docket text do not match because PDF includes amended, joint, agreed, etc. but docket text does not, or vice versa.	No Corrective Action Required	
PDF is entitled <i>Answer</i> but docketed as <i>Response in Opposition to Complaint</i> .	No Corrective Action Required (unless an SD code needs to be added; then do Corrective Entry)	SD code added.
Incorrect event used, <u>and</u> event used will not work correctly behind the scenes; e.g., Motion for Authority used instead of Motion for Abandonment.	Issue NDF	Incorrect event used. Document must be re-filed using {correct event} event on {menu name} menu.
Motion events: Wrong Motion event (e.g. Motion for Authority) was used when a specific Motion event is available (even if that specific event does nothing behind the scenes).	Issue NDF	Incorrect event used. Document must be re-filed using {correct event} event on {menu name} menu.

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

Title of motion contains the phrase Nunc Pro Tunc.	Corrective Entry	Add <i>Nunc Pro Tunc</i> information, e.g, Nunc Pro Tunc to March 1st, 2014
Non-Motion events: Incorrect event used, but there is no behind the scenes information missing, including SD codes. (Docket text and PDF closely match.)	No Corrective Action Required	
PDF is titled <i>Motion for Authority</i> and docket text reads <i>Notice of Submission</i>	Change type and subtype	Change type to <i>motion</i> and subtype to <i>mauth</i>
PDF is entitled <i>Motion</i> and correct event is selected, but it's docketed as a <i>Notice</i> or vice versa re: dismissals, withdrawals and conversions. Exception: It is acceptable if the PDF is titled Motion and the docket text reads Notice, or vice versa, for Motion to Extend Time to File Adversary Documents and Notice of Extension of Time to File Adversary Documents.	Issue NDF	PDF and docket text do not match. PDF is a {name of document} and docket text reads {name of document}.
PDF is entitled <i>Objection</i> but it's docketed as <i>Response</i> , or vice versa.	No Corrective Action Required	
PDF IS BLANK OR ILLEGIBLE		
PDF is blank or illegible on any of these items: SSN statements, Exhibit D, Certificate of Credit Counseling, Petition, and installment fee and in forma pauperis applications.	Issue 7-day Notice	PDF is blank or illegible.
PDF is blank or illegible on items not listed in box above.	Issue NDF	PDF is blank or illegible.

STANDARD LANGUAGE FOR DEFICIENCIES

Add appropriate text only.

Updated 8/12/15-omh

Note: When taking any corrective action on a defective pleading, determine what, if any, automatic actions were taken by ECF upon filing of that document. This could be the termination of a deadline, the removal of a flag, etc. Ensure that these actions are undone, if necessary.

SIGNATURES		
Missing signature(s).	Issue NDF	<p>Required signature(s) missing.</p> <p>Exceptions: (1) If a pleading contains a Certificate of Service in the same PDF, it is acceptable if the Certificate of Service is not signed, so long as there is a signature in some other part of the document. However, a Certificate of Service filed separately must have a signature. (This exception does not apply in reverse - issue an NDF if the main part of the document is missing a signature, even if there is a signature on the Certificate of Service.) (2) Do not issue an NDF for standalone objection notices that are not signed (e.g. for Motion to Avoid Lien), so long as the Certificate of Service is signed. (3) For Report of Settlement or Impasse, it is acceptable if the report only has a signature in the Certificate of Service section and not in the main part of the document.</p>
Electronic signature is not in correct format.	Issue NDF	<p>Electronic signature not in correct format per Administrative Procedures Manual.</p> <p>Exception: If a pleading contains a Certificate of Service in the same PDF, it is acceptable if the signature on the Certificate of Service is in the wrong format, so long as there is a correctly formatted signature in some other part of the document. However, a Certificate of Service filed separately must have a correctly formatted signature. (This exception does not apply in reverse - issue an NDF if the signature on the main part of the document is formatted incorrectly, even if the signature on the Certificate of Service is correctly formatted.)</p>
Pleadings filed non-electronically only: Signature is not original (i.e., it is typed rather than having been signed with a pen at some stage)	Issue NDF	Original signatures are required on documents filed electronically.
Electronically filed pleadings only: Debtor has signed instead of their attorney (<i>Not applicable to documents that the debtor is supposed to sign or can sign, e.g. the Petition</i>)	Issue NDF	Attorney's signature is required per FRBP 9011(a).