

Submission of New Case Statistical Data Will Be Required to Electronically File a New Bankruptcy Case Beginning October 5, 2010

In 2009, the electronic filing system was modified to collect data elements necessary to meet the BAPCPA related reporting and business needs of the Executive Office of U.S. Trustees (EOUST). The data elements are provided by electronic case filers as part of electronically-filing a new case. E-filers currently have the option to manually enter the data on a statistical data collection screen or to include the data in a pipe-delimited text file for upload with their documents. The EOUST receives the data from the court through a daily data download from CM.

New cases are currently accepted for filing by the electronic filing system regardless of whether the new case data is submitted by the e-filer with the documents. However, due to recent electronic filing system enhancements, the new case data can be used to open new cases in CM without deputy clerk intervention. Due to the significant Clerk's Office labor savings resulting from this enhancement, **beginning October 5, 2010, submission of new case data will be required to electronically file a new bankruptcy case.**

Regardless of the type of upload, single file or batch upload, electronic-filers will still have the option on and after October 5, 2010 to manually enter data or to include the data in a pipe-delimited text file for upload with their documents. The data file definition is the same as the CM/ECF version 3.3 case upload file definition. Consequently, bankruptcy petition preparation software that includes the CM/ECF automatic case upload option can be used to automatically create the required data file from information entered to complete the debtor's petition, schedules, means test, and other documents. Thousands of data files created automatically by Best Case, Collier TopForm, EZ-Filing, New Hope Software, Inc.-Bankruptcy 2010, and Thompson Reuters, Chap7..13 software submitted to the court during the past year were tested and found to be reliable, although any petition preparation software upgraded to work with CM/ECF Version 3.3 that includes the CM/ECF automatic case upload option may be used to create the required data file. Electronic filers using any other petition preparation software than that listed above should contact their software vendor to learn what their software's automatic case upload options are. The [CM/ECF Bankruptcy Release 3.3 Case Upload File Definition](#) is available through this link at the Pacer Service Center.

If a data file is not uploaded with the new case documents, electronic filers will be required on and after October 5, 2010 to manually enter debtor and joint debtor information, as well as information from the petition, schedules and other documents, on a series of data entry screens. Because the amount of data required is significant, electronic filers not currently using petition preparation software may wish to consider using it.

It should be noted that the new case data submitted on and after October 5, 2010 will be used as is to open new cases in CM. In other words, it will not be reviewed or corrected by Clerk's Office staff prior to its entry in CM. As a result, the accuracy of the court record for a new case will depend entirely upon the quality of the data submitted by the electronic filer. It is imperative, therefore, that e-filers take the necessary steps and precautions to

ensure that the new case data submitted by them is accurate and complete.

If you have questions concerning new case data or the electronic filing of new cases, please contact the [e-filing Help Desk](#).