

# The Importance of the “Notice of Electronic Filing”

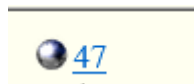
Trisha McGraw, Tacoma Divisional Manager, Bankruptcy Court, W.D. Washington

All registered users of the Court’s Case Management/Electronic Case Management System (CM/ECF) receive a “Notice of Electronic Filing,” or NEF, when events are docketed to cases in which they have appeared. The NEF is sent via email to the address or addresses designated by the registered ECF filer. Many attorneys have NEFs sent to key staff members or paralegals who are tasked with managing the status of a particular case.

In addition to providing notice of docket activity, NEFs serve as an important tool for communicating critical filing information. The clerk’s office will frequently include instructions or information in the NEF. It is important for attorneys and their staff to read the information included in the NEF and correct any deficiencies.

- **The NEF is Sent Via Email and is Visible on the Docket.**

In addition to being sent via email to the filer, NEF information also appears on the docket next to the docket number of each entry:



Clicking on the small silver ball reveals the NEF information for the associated docket entry. The NEF information includes a list of the recipients and indicates if the associated docket entry was edited by the clerk’s office. Filers should review NEF notifications, looking for docket entry edits that signal the need for additional action or follow up. Below are some examples of common issues that are indicated with an NEF.

- **The NEF may indicate docketing errors that require a document to be refiled.**

When an ECF filer uses an incorrect docket event it can impact the way the case goes forward and create case processing issues within ECF. In these situations, case administrators in the clerk’s office will edit the case docket entry to alert the filer of the error. That docket edit generates an NEF with an “edit receipt” annotation. See below. The filer can click on the “edit receipt” to view the information that was edited or needs updating.

## Multiple Notice of Electronic Filings

Select the NEF you wish to view

| Part              | Description                            | Date/Time           |
|-------------------|--|---------------------|
| <a href="#">0</a> | HTML formatted receipt                 |                     |
| <a href="#">1</a> | Edit receipt: Docket Entry #10 updated | 2023-04-26 08:28:40 |

In the example above, after clicking on the number 1 hyperlink attached to the edit receipt, the following edited docket entry information appears:

DOCKETED IN ERROR - Incorrect Event - ~~Application for Individuals to Pay the Filing Fee in Installments.~~

In this example, where the incorrect docket event was used, and the entry docketed, the NEF serves to notify the filer of the need to re-file using the correct docket event. A document noted as "DOCKETED IN ERROR" is generally not considered by chambers.

- **The NEF may alert the filer of a need to amend a notice of hearing.**

In the example below, the filer chose the incorrect hearing date and time when docketing the matter. The NEF reflects the modified entry and informs the filer that the motion and notice will need to be amended to include the correct hearing date and time. Note that the clerk's office will not fix the incorrectly noted hearing; the NEF serves to alert the filer of the need to make the change.

Docket text is modified from:

Motion for relief... Filed by Attorney on behalf of Reynolds Wrap The Hearing date is set for 5/17/2023 at 10:00 AM at Judge Heston's Courtroom H, Union Station. Response due by 5/10/2023.

to:

Motion for relief **Incorrect Hearing Date and Time** ... Filed by Attorney on behalf of Reynolds Wrap The Hearing date is set for 5/17/2023 at 10:00 AM at Judge Heston's Courtroom H, Union Station. Response due by 5/10/2023. **Modified on 4/26/2023 (TAM).**

- **The NEF may indicate the incorrect party type was chosen.**

It is not unusual for the clerk's office to encounter filing errors related to the docketing of the Courtesy NEF event. In this situation, the docket entry is edited to advise the filer of the problem and instruct that the document must be re-docketed. Information as to the correct party type is included in the corrective entry. The entry also indicates that the party requesting to be added will not be added until the entry is docketed using the correct party type.

The docket text is modified from:

Request for Courtesy Notice of Electronic Filing. Filed by John Doe on behalf of Cornerstreet Bank.

to:

DOCKETED IN ERROR - *Wrong Party - Redocket and Select Courtesy NEF as Interested Party* Request for Courtesy Notice of Electronic Filing. Filed by John Doe on behalf of Cornerstreet Bank. Modified on 4/26/2023

- **The NEF can educate the filer to avoid providing an incorrect hearing location in the future.**

In the following example, the docket text was modified to use the more specific hearing location information for a 341 meeting. The NEF demonstrates the change so that the filer is aware and can use the correct location information in future docketing efforts.

The docket text was changed by the clerk's office from:

Statement Adjourning 341(a) Meeting of Creditors. Section 341(a) Meeting Continued on 5/2/2023 at 10:30 AM at *Telephonically*. Debtor absent.

to:

Statement Adjourning 341(a) Meeting of Creditors. Section 341(a) Meeting Continued on 5/2/2023 at 10:30 AM at *Telephonic Creditors Meeting Tacoma*. Debtor absent

- **NEFS are an important communication tool.**

By reading NEF corrective entries, either on the docket or reviewing the NEF emails, an ECF filer is alerted to docketing issues that need to be remedied. Sometimes the NEF includes the corrective information in the edit so that the filer learns how to improve their docketing going forward. Other times the NEF requires the filer to re-docket an event or re-notice a hearing. Failure to review and react to the latter type of NEF can be fatal to having the matter heard. If filers have questions about an NEF and whether additional action is required, they are encouraged to contact the clerk's office.