

§ 1301 MOTION – RELIEF FROM CO-DEBTOR STAY

Updated 10/26/2022

Description: This process shows the steps required for an external user to complete a § 1301 Motion with Notice of Possible Hearing and Certificate of Service on CM/ECF.

STEP 1 – Click on the **Bankruptcy** hyperlink on the CM/ECF Main Menu Bar.

STEP 2 – The BANKRUPTCY EVENTS screen displays.

- Select the **Motions/Applications** hyperlink
- For further information on each of these categories, click the **Help** button located on the CM/ECF menu bar.

STEP 3 – The CASE NUMBER screen displays.

- Enter the case number for the appropriate case.
- Click the **[Next]** button.

STEP 4 – The AVAILABLE EVENTS screen displays.

- Scroll to select **Relief of Co-Debtor Stay** from the events list or start typing “relief” in the textbox to find the event.
- Once the event is selected, click the **[Next]** button.

STEP 5 – The JOINT FILING screen displays.

- Click in the box if document is being filed with another attorney.
- Click the **[Next]** button.

STEP 6 – The SELECT PARTY screen displays.

- Select the party that the filing attorney is representing from the list.
- If the correct party does not appear in the drop-down box, click **Add/Create New Party** and

complete the information.

- Click the [Next] button.
- The date filed screen appears, click [Next].

STEP 7 – The ASSOCIATION screen displays.

- Click in the box to associate filing attorney with the filing party.
- Click the [Next] box.

STEP 8 – The NOTICE screen displays.

- Read the requirements and if requirements are met, click the radio button and select [Next].

STEP 9 – The SELECT PDF screen displays.

- Select the .pdf file to associate with this event.
- Click the [Next] button.

NOTE: The .pdf file should include a motion, notice, and certificate of service.

STEP 10 – The HEARING INFORMATION screen displays.

- Enter the possible hearing date, time, and location. The objections due date and review to process order date will automatically appear. **If not, please tab over.**
- Click the [Next] button.

STEP 11 – The OBJECTION DUE screen displays.

- The date is auto generated. Confirm the date is correct.
- Click the [Next] button.

STEP 12 – The REVIEW TO PROCESS ORDER screen displays.

- Date is auto generated. Check the date to make sure it is correct.
- Click the [Next] button.

STEP 13 – The CO-DEBTOR/CERTIFICATE OF SERVICE screen displays.

- Type the name of the co-debtor in the available text box.
- Click the [Next] button.

STEP 14 – The CERTIFICATE OF SERVICE screen displays.

- Select Yes or No.
- Click the **[Next]** button.

STEP 15 – The AMENDING A PREVIOUS MOTION screen displays.

- Select Yes or No.
- Click the **[Next]** button.

STEP 16 – The MODIFY DOCKET TEXT screen displays.

- Modify docket text as necessary.
- Click the **[Next]** button.

STEP 17 – The FINAL DOCKET TEXT screen displays.

- This is the last opportunity to verify the accuracy of the information. Submission of this screen is final.
- If the final docket text is incorrect, click the browser **[Back]** button to find the screen needed to modify.

NOTE: If the **[Back]** button is used and case information is altered, you must use the **[Next]** button and resubmit for each screen or the changes will not take effect. In other words, do not use the **[Forward]** button on the browser if you alter information on a previous screen.

- To abort or restart the transaction, click the Bankruptcy hypertext link on the Menu Bar.
- Click the **[Next]** button if correct.

Sample Docket Text: Final Text

1301 Motion for Relief of Co-Debtor Stay, Co-Debtor: Jane Co-Debtor; Notice of Possible Hearing (21 days objection time given) with Certificate of Service Filed by Bill Attorney on behalf of ABC Company. Hearing scheduled for 1/4/210 at 01:00 PM at Charleston. Last day for objections is 12/21/2009. Review to Process Order on 12/23/2009. (Attorney, Bill)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

Have you redacted?

STEP 18 - The NOTICE OF ELECTRONIC FILING screen displays.

- The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the document filed is now an official court document. It is recommended that you print this screen for your records because it also includes the date, time, case number, and document number.