

§ 1301 MOTION – RELIEF FROM CO-DEBTOR STAY
Updated 12/01/2009

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 yellow help (?) icon in the upper right hand corner.

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 text box 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.

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 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 9 – 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 10 – The CO-DEBTOR/CERTIFICATE OF SERVICE screen displays.

- Type the name of the co-debtor in the available text box.
- Is the Certificate of Service included? Select the radio button **Yes** or **No**.
- Click the **[Next]** button.

STEP 11 – The MODIFY DOCKET TEXT screen displays.

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

STEP 12 – 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 13 - 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.