

**MOTION TO AVOID LIEN
(WITHOUT PASSIVE HEARING NOTICE)
Updated 12/01/2009**

Description: There are two processes that may be utilized to file a “Motion to Avoid Lien.”

Process 1, as outlined in the Participant’s Guide, “**Motion to Avoid Lien (with passive hearing notice)**,” should be used for the filing of a lien avoidance motion as to one creditor only and allows for entry of passive hearing notice information. If this event is used for multiple creditors, it requires multiple entries of the motion to avoid lien, including passive notice hearing information and an attached proposed order, for each creditor.

Process 2, as outlined in the Participant’s Guide, “**Motion to Avoid Lien (without passive hearing notice)**,” should be used for the filing of lien avoidances(s) as to multiple creditors and, requires preparation of one “pdf” including the names of all creditors listed in the motion. Docket this “pdf” using the event “Motion to Avoid Lien (without passive hearing notice),” separately for each creditor, then enter a “Notice of Possible Hearing 28” once, using the same “pdf,” and link it to all of the motions entered. This process will allow passive notice hearing information to be entered only once, with only one attached proposed order (referencing all creditors). To utilize the first process, see the specific section of the Participant’s Guide Re: “Motion to Avoid Lien (with passive hearing notice).”

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.
- Enter the case number for the appropriate case.
- Click the **[Next]** button.
- For further information on each of these categories, click the yellow help (?) icon in the upper right hand corner.

STEP 3 – The AVAILABLE EVENTS screen displays.

- Scroll to select **Avoid Lien (without passive hearing notice)** from the events list or start typing

- “Avoid” in the text box to find the event.
- Click the [**Next**] button.

STEP 4 – The JOINT FILING screen displays.

- Click in the box to associates filing attorney with the filing party.
- Click the [**Next**] button.
- Select any additional attorneys if applicable.
- Click the [**Next**] button.

STEP 5 – 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. For this instance, the party will usually be the trustee or debtor.
- Click the [**Next**] button.

STEP 6 – The ASSOCIATION screen displays.

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

STEP 7 – The SELECT PDF screen displays.

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

STEP 8 – The LIEN HOLDER screen displays.

- Lien with Whom? Enter the name of the creditor to which the lien avoidance is referenced.

NOTE: Only **one** creditor may be entered in this field. For multiple creditors, docket this “Motion to Avoid Lien (without passive hearing notice)” Event for each creditor. Then docket the event: “Notice of Possible Hearing 28” found under the “Notices” category of Bankruptcy Events and link the document to each motion.

- Click the [**Next**] button.

STEP 9 – The REFERENCE AMENDED MOTION screen displays.

- Is this Motion Amending a Previous Motion? Select either Yes or No. (**NOTE:** It is necessary to select the box in order to establish the correct linkages). If Yes is selected, continue with Step 10. If no is selected, skip to Step 11.
- Click the [**Next**] button.

STEP 10 – The SELECT RELATED EVENTS screen displays.

- If Yes was selected, select the appropriate event(s) to which your event relates.
- Click the [**Next**] button.

STEP 11 – The VERIFICATION screen displays.

- Verify case name and number is correct.
- 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

Motion to Avoid Lien With ABC Mortgage Filed by Bill Attorney on behalf of Joe Debtor. (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?

Sample Docket Text: Final Text – Amended

Amended Motion to Avoid Lien With ABC Mortgage Filed by Bill Attorney on behalf of Joe Debtor (related document(s)[7]). (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 14 – 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.