

CLARIFICATION RE: FILING FINANCIAL MANAGEMENT CERTIFICATE FORM 23
2/2/12

As you may recall, with the implementation of CM/ECF v. 4.1 in November 2011, changes were made to the way the Financial Management Certificate (Form 23) is filed electronically.

Since the implementation of CM/ECF v. 4.1, we are finding that attorneys are incorrectly filing Form 23 on joint cases. This is not only causing the Discharge of Debtor to be delayed, but also additional work for the clerk's office staff in monitoring these cases.

To avoid errors and delays, please read and discuss the following tips and instructions with pertinent office staff:

IMPORTANT INFORMATION WHEN FILING FORM 23 FOR SINGLE DEBTOR OR JOINT DEBTOR PETITIONS:

1. Prior to filing, ensure the Form 23 contains the debtor(s) holographic signature, or if electronic signatures are appended, it must be accompanied by the Electronic Filing Declaration, which must contain the debtor(s) holographic signature.
2. DO NOT select either of these event codes simultaneously with any other events, including each other, i.e, Financial Management Course - Joint Debtor and Declaration of Electronic Filing; or Financial Management Course - Debtor and Financial Management Course - Joint Debtor.

Doing so creates multiple PDFs on the case and does not properly set or terminate case flags and deadlines, which prevents the timely issuance of the debtor's discharge

3. On Joint Petitions, each event must be docketed separately with its individual Financial Management Certificate Form 23.

CODES AND FUNCTIONALITY:

Below are the event codes and their functionality to file the Financial Management Certificate Form 23:

A. Bk - Other > Financial Management Course – Debtor:

This event must always be used to file the Form 23 for the **Debtor**, regardless if the case is a joint filing.

In joint cases, the Debtor's Form 23 must always be filed first. When selecting this event code, the following reminder message will display: "DO NOT use this event to file the Certificate for the JOINT DEBTOR!!!"

Additionally, the user is prompted to answer the question: "Have you already filed the certificate for the **Joint Debtor**?" Y/N.

Select **No** if you will be filing the Joint Debtor's Form 23 next or at a future date. This will ensure that the case flag and deadline for the joint debtor's Form 23 remains on the case until the document is filed.

Select **Yes** if the Joint Debtor's Form 23 was previously filed, i.e. both Debtor and Joint Debtor's Form 23 were previously filed, but due to an error, the Debtor's Form 23 needs to be re-filed.

B. BK - Other > Financial Management Course – Joint Debtor:

This event must only be used to file the **Joint** Debtor's Form 23.

NOTE: Ensure that the Debtor's Form 23 is filed with its own event code prior to filing the Joint Debtor's Form 23.

The user will be prompted to answer the question: "Have you already filed the certificate for the **Debtor?**" Y/N.

Select **Yes** if the Form 23 was previously filed for the debtor, but due to an error, the Joint Debtor's Form 23 needed to be re-filed.

Select **No, STOP!** The **Debtor's Form 23** must be filed before the Joint Debtor's Form 23. To file Form 23 for the Debtor, select Bankruptcy > BK - Other > Financial Management Course - Debtor.