

# AMENDED PLEADINGS

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The following instructions will guide you through the general requirements of filing and docketing an amended voluntary petition, schedule, statement, list or pleading to the Electronic Case Filing (ECF) system.

***Refer to Filing a Document/Docketing for additional information regarding selection of party filer(s), selection of event and attaching pdf .document.***

At **Docket Text: Modify as Appropriate** screen, you are given additional elements for selection to modify entry which are referenced in the glossary as **Utility/Function**. Most of the events offered in the ECF docketing system contain a prefix box, for use in adding a modifier before the event's set text, and a text box for use in adding additional pleading description after the event's set text.

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## **General Requirements of Amended Petition, Lists, Schedules, Statements, Plan (Local Bankruptcy Rules 1009-1 and 3015-2)**

- Amendments may be filed at any time before the case is closed.
- Exceptions:
  - a. Additional creditors may be added in a closed no asset chapter 7 case (*see Certificate and Affidavit for Adding Creditors to Schedules in a Closed Case*).
  - b. Statement of intention must be amended before expiration of 45-day period after filing of statement of intention.
- Social Security number or tax identification number changes or corrections require the filing of an amended petition and should not be submitted in letter format.
- Debtor address changes do not require an amendment. (*see Change of Address form*).
- Pleading must be amended in its entirety; substitution of pages or partial pleading is not appropriate.
- Amendment coversheet required.
- Amended petition, list(s), schedule(s), statement(s), must be signed by debtor(s) under penalty of perjury.
- Notice to Additional Creditor(s) required if adding additional creditors.

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## **Docketing and Event Selection**

- STEP 1** Amended pleading prepared and placed into pdf format. Amendment cover sheet contained in pdf file with amended pleading
- STEP 2** Docket amended pleading using chart on Page 2
- STEP 3** If applicable, relate to original pleading previously filed. See detailed instructions on relating an amended entry to previously filed pleading on page 4, Step 4

**STEP 4**

If applicable, Notice to Additional Creditor(s)

- ◆ If saved in same pdf file as amended schedule, docket amended pleading using chart below and add additional text to reflect “*Notice to additional creditor(s)*”
- ◆ If Notice to Additional Creditor(s) is saved in separate pdf file, docket as an attachment to the amended schedule OR Notice to Additional Creditor(s) through Notices category hypertext link
- ◆ Add additional creditors to creditor database through Creditor Maintenance, Manually enter creditors

<b>Amended Pleading being filed</b>	<b>Category Hypertext Link</b>	<b>Event Selection</b>	<b>Utility/Function</b>
Amended Voluntary Petition/Exhibit A or B (Official Form 1)	Miscellaneous	Amended Voluntary Petition	Use text box to add additional description if needed, i.e. “ <i>to correct social security number of joint debtor</i> ”
Amended Exhibit A to voluntary petition	Miscellaneous	Exhibit A to Voluntary Petition	Use prefix box to select “Amended”
Amended Schedules, Amended Statement of Financial Affairs, and/or Amended Statement of Intention	Miscellaneous	Schedule(s) and/or Statement(s), lists	Use prefix box to select “Amended”. May use text box to add additional description, i.e., “ <i>and Summary</i> ” or “ <i>and Notice to additional creditors</i> ”, etc.
Amended Attorney Fee Disclosure	Miscellaneous	Attorney Fee Disclosure	Use prefix box to select “Amended”
Amended Declaration of Divisional Venue	Miscellaneous	Declaration of Divisional Venue	Use prefix box to select “Amended”
Amended Chapter 13 plan and related motions and notice	Plan	Chapter 13 plan and Related Motions and Notice	Relate amended plan to previously filed plan. Use prefix box to select “Amended”
Amended Chapter 12 Plan	Plan	Chapter 12 Plan Filed	Relate amended plan to previously filed plan. Use prefix box to select “Amended”
Amended Chapter 11 Plan	Plan	Chapter 11 Plan	Relate amended plan to previously filed plan. Use prefix box to select “Amended”

<b>Amended Pleading being filed</b>	<b>Category Hypertext Link</b>	<b>Event Selection</b>	<b>Utility/Function</b>
Amended Disclosure Statement	Plan	Disclosure Statement	Relate amended disclosure statement to previously filed disclosure statement. Use prefix box to select "Amended"
Amended List of Creditors holding 20 largest unsecured claims	Miscellaneous	List of Creditors Holding 20 Largest Unsecured Claims	Use prefix box to select "Amended"
Amended List of Equity Security Holders	Miscellaneous	List of Equity Security Holders (Filed)	Use prefix box to select "Amended"

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## Examples of Docket Text

**Text in *Italics* denotes use of text box to add additional information:**

<b>Filing Date</b>	<b>Entry #</b>	<b>Docket Text</b>
09/10/1999	9	Amended Schedule(s) and /or Statement(s), List(s) <i>Summary and Schedule F</i> filed by John Doe of Doe & Doe P.C. on behalf of Husband Debtor, Wife Debtor. (Doe, John)
09/10/1999	10	Notice to Additional Creditors <i>Styles Bi-Rite Food</i> filed by John Doe of Doe & Doe P.C. on behalf of Husband Debtor, Wife Debtor. (Doe, John)

<b>Filing Date</b>	<b>Entry #</b>	<b>Docket Text</b>
02/07/2000	22	Amended Chapter 13 Plan and Related Motions and Notice (related document(s) 16, 8) filed by Jane Doe of Jane Doe P.C. on behalf of Individual Debtor. (Doe, Jane)

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## General Requirements of Amended Applications/Motions, Notices, and Pleadings OTHER than Petition/Schedules

1. Amendments may be filed at any time before the case is closed  
Exceptions:
  - a. Additional creditors may be added in a closed no asset chapter 7 case (see Certificate and Affidavit for Adding Creditors to Schedules in a Closed Case)
  - b. Statement of intention must be amended before expiration of 45-day period after filing of statement of intention
2. Pleadings must be amended in their entirety. Substituted pages or partial pleadings are not acceptable.

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## Docketing and Event Selection

**STEP 1** Amended pleading prepared and placed into pdf format.

**STEP 2** Docket amended pleading by selecting appropriate category hypertext link and appropriate event code from pick list. (i.e. Amended Motion for Relief from Stay, select Motion for Relief from Stay from pick list; Amended Certificate of Service, select Certificate of Service from pick list; etc.)

*[Note: Events that set a fee flag will not be charged twice.]*

**STEP 3** Select the pdf file location, and upload.

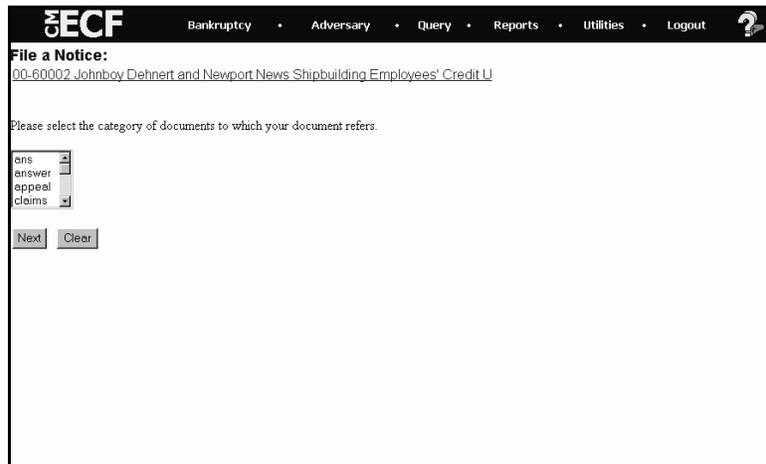
**STEP 4** Check the box next to **Does this filing refer to an existing document in this case?** to relate to pleading.

The screenshot shows the ECF (Electronic Case Filing) interface. At the top, there is a navigation bar with links for Bankruptcy, Adversary, Query, Reports, Utilities, and Logout. Below the navigation bar, the page title is "File a Notice:" followed by the case number "00-60002 Johnboy Dehnert and Newport News Shipbuilding Employees' Credit U". A checkbox is present with the text "Does this filing refer to an existing document in this case? (If yes, click on the box)". Below the checkbox, there is a note: "NOTE: If the event you are docketing is an answer/response, you will be prompted on a subsequent screen for its related motion. Therefore, do not click on this box to establish a relationship to the motion you are answering." At the bottom of the form, there are two buttons: "Next" and "Clear". An arrow from the text in Step 4 points to the checkbox.

- You may relate to more than one pleading.
- Amended Notice of Hearing - relate to motion to be heard AND the notice o hearing being amended.
- Events containing hearing information (Amended Notice of Hearing, Amended Notice of Rescheduled Meeting of Creditors) will allow you to enter hearing date, time and location.
  - ♦ Amendment to correct hearing date/time/location, enter using correct hearing date/time/location.
  - ♦ Amendment to correct something other than date/time/location, DO NOT enter date/time/location.
- Click on **Next**.

## STEP 5

The **Category selection** screen appears for you to select the category of the pleading to which the amended pleading is being related.



- Click on category of pleading to which you wish to relate amendment.
- You may select more than one category if amended pleading references more than one pleading by clicking on first choice, hold down <Ctrl> key on your keyboard and then click on additional category types (i.e. Amended Notice of Hearing is related to both the motion and notice of hearing being amended by selecting both motion and notice categories).
- Click on **Next**.

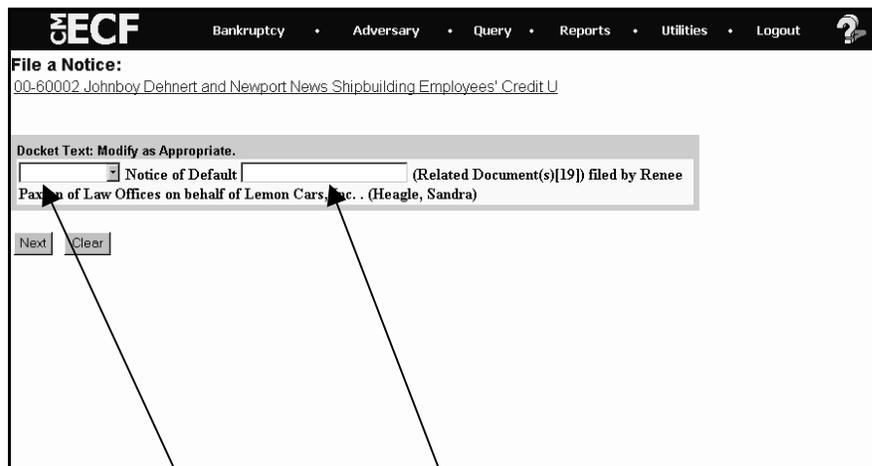
## STEP 6

**Selection of related docket event** screen appears corresponding to category or categories selected.

*[Note: Only pending motions/applications are offered.]*

- Check the appropriate box under *Include* column to select.
- You may check more than one box, if appropriate.
- Click on **Next**.

**STEP 7**      **Docket Text: Modify as Appropriate** screen appears.



**Prefix Box**

**Text Box**

- Use **Prefix Box** to select “Amended”.
- Use **Text Box** to add any additional text to further describe pleading being filed (i.e. “*and Notice of Motion*”, “*amended to correct caption*”, “*amended to include...* ”, etc.)

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## Examples of Docket Text:

Text in *Italics* denote use of text box to add additional information

Filing Date	Entry #	Docket Text
12/10/1999	17	Amended Motion for Relief from Stay <i>and notice</i> (related document(s) [8]) filed by Sam Spade of Spade & Shumaker P.C. on behalf of People’s National Bank. (Spade, Sam)

Filing Date	Entry #	Docket Text
03/21/2000	8	Amended Objection to Confirmation of Chapter 13 Plan (related document(s)[23], [11]) filed by Robert E. Hyman on behalf of Robert E. Hyman. (Manager, Case)

Filing Date	Entry #	Docket Text
02/07/2000	30	Amended Notice of Hearing <i>to correct date and location</i> (related document(s)[27], [22]) filed by Marshall & Lee LLP on behalf of American Express Services. Hearing to be held on 6/21/2000 at 09:00 AM at (Chief Judge Tice - Courtroom) 1100 East Main Street, Room 345 – Richmond, Virginia. (Doe, Jane)