

## Oregon Bankruptcy Court Frequently Asked Questions about NextGen

This information is available at <http://www.orb.uscourts.gov/nextgen-cmecf>. Please check for frequent updates.

|   |            |
|---|------------|
| 1. PACER View Access and Electronic Filing.....   | <u>-3-</u> |
| Will I use my upgraded PACER account for case searches in other courts?.....  | <u>-3-</u> |
| Will I use my upgraded PACER account to electronically file in Oregon District Court?<br>.....  | <u>-3-</u> |
| How do I login to a non-NextGen Court?.....   | <u>-3-</u> |
| If I've been through the process in the 9 <sup>th</sup> Circuit, what do I have to do for Oregon<br>Bankruptcy Court?.....  | <u>-3-</u> |
| What if I need to file in Oregon Bankruptcy Court after September 28 but I haven't<br>upgraded my PACER account?.....   | <u>-3-</u> |
| 2. Using Stored Payment Information.....  | <u>-4-</u> |
| We have a designated credit card for bankruptcy filing fees that is paid out of our trust<br>account. We have a different credit card for PACER fees. Is this a problem?<br>..... | <u>-4-</u> |
| 3. NextGen Testing.....   | <u>-4-</u> |
| Have software vendors been made aware of NextGen? Are they testing?.....  | <u>-4-</u> |
| If we test in the Train database and encounter issues, how do we report them?.....  | <u>-4-</u> |
| 4. Filing Agents and Paralegals.....  | <u>-4-</u> |
| I am a filing agent for several attorneys. Will this work in NextGen?.....  | <u>-4-</u> |
| Does a paralegal log in using his/her own PACER account or the attorney's?.....   | <u>-4-</u> |
| Is a person prevented from using another person's PACER login/password?.....  | <u>-5-</u> |
| 5. PACER Firm Billing Accounts (aka PACER Administrative Accounts).....   | <u>-5-</u> |
| How do I link an individual PACER account to a PACER Administrative Account?..  | <u>-5-</u> |
| How does a firm avoid multiple PACER bills?.....  | <u>-5-</u> |
| 6. Upgrading the PACER Account.....   | <u>-5-</u> |
| Does upgrading a PACER account cut off a user from an old (legacy) PACER account?<br>.....  | <u>-5-</u> |
| Once upgraded, is that the PACER account that allows e-filing?.....   | <u>-5-</u> |
| Can I upgrade PACER anytime?.....   | <u>-6-</u> |
| Should I select "law firm" or "individual" when upgrading my account?.....  | <u>-6-</u> |

|  |                            |
|--|----------------------------|
| 7. Linking Upgraded PACER Account to CM/ECF.....   | <a href="#"><u>-6-</u></a> |
| Do I have to wait until September 28 to link my upgraded PACER account to CM/ECF?<br>.....   | <a href="#"><u>-6-</u></a> |
| After you link ECF and PACER, how does PACER know if you are viewing documents<br>or e-filing?.....  | <a href="#"><u>-6-</u></a> |
| What if I have problems linking my accounts?.....  | <a href="#"><u>-6-</u></a> |
| 8. Trustees.....   | <a href="#"><u>-6-</u></a> |
| Do trustees need to do anything special?.....  | <a href="#"><u>-6-</u></a> |
| What does a trustee who also practices as an attorney need to do?.....   | <a href="#"><u>-7-</u></a> |
| 9. Logging Into CM/ECF after Accounts are Linked. ....   | <a href="#"><u>-7-</u></a> |
| How do I log into CM/ECF to file after my accounts are linked?.....  | <a href="#"><u>-7-</u></a> |
| 10. Updating Your Email Address for Notices of Electronic Filing (NEFs). ....  | <a href="#"><u>-7-</u></a> |
| If I put a different email address in my PACER account than I put in my CM/ECF<br>account, will the email address in PACER be used for Notices of Electronic Filing<br>in CM/ECF?..... | <a href="#"><u>-7-</u></a> |
| 11. New Attorneys.....   | <a href="#"><u>-7-</u></a> |
| We will have a new attorney joining our firm in early October. How does she get an ECF<br>account?.....  | <a href="#"><u>-7-</u></a> |
| 12. NextGen New Functionality.....   | <a href="#"><u>-8-</u></a> |
| Does NextGen bring any new functionality for attorneys, trustees, or creditors?.....   | <a href="#"><u>-8-</u></a> |

## **1. PACER View Access and Electronic Filing**

### ***Will I use my upgraded PACER account for case searches in other courts?***

Yes, you will use your upgraded PACER account to view case records in all courts and to electronically file in NextGen Courts.

### ***Will I use my upgraded PACER account to electronically file in Oregon District Court?***

No, not in the foreseeable future. You must maintain your current CM/ECF logins and passwords to electronically file in all federal courts until they go onto NextGen, at which time you will use your PACER account to electronically file in those courts. At this time, NextGen has been made available to only a few courts who have agreed to pilot the software.

Pilot courts that have already gone live on NextGen are the 2<sup>nd</sup> Circuit Court of Appeals, the 9<sup>th</sup> Circuit Court of Appeals and Bankruptcy Appellate Panel, the Alaska Bankruptcy Court, and the Kansas District Court. Oregon Bankruptcy will be the next pilot court to go live. Oregon District Court is not a NextGen pilot court.

In October and November, the remaining pilot courts will go live: Minnesota District, New Jersey Bankruptcy, California Southern Bankruptcy, and Florida Northern District. After the pilot courts have successfully operated for a few months, NextGen will be offered to the remaining courts.

### ***How do I login to a non-NextGen Court?***

You need to use the CM/ECF login and password assigned to you by that court.

### ***If I've been through the process in the 9<sup>th</sup> Circuit, what do I have to do for Oregon Bankruptcy Court?***

You already have an upgraded PACER account, so you don't need to do anything until September 28. On or after that date, you need to go to Oregon's CM/ECF system and link your PACER account to your Oregon CM/ECF account. After you have linked, you will no longer need your Oregon CM/ECF login and password.

### ***What if I need to file in Oregon Bankruptcy Court after September 28 but I haven't upgraded my PACER account?***

When you try to log into ECF, you will be redirected to log into PACER. If you haven't upgraded your account, you will need to do so before you can link your PACER account to your ECF account and use ECF.

## **2. Using Stored Payment Information**

***We have a designated credit card for bankruptcy filing fees that is paid out of our trust account. We have a different credit card for PACER fees. Is this a problem?***

PACER allows you to store multiple credit cards or ACH payment information and to designate each card as the default method for PACER fees, filing fees, and/or attorney admissions fees, if you so desire. You can give each card a nickname to help you remember which is which. When paying a filing fee, the payment screen will automatically select any default, but you can choose another card that you previously entered, or enter card information that is not stored in PACER.

## **3. NextGen Testing**

***Have software vendors been made aware of NextGen? Are they testing?***

The bankruptcy pilot courts have invited all petition software vendors to test in their databases. A trustee software provider is also testing.

***If we test in the Train database and encounter issues, how do we report them?***

At the bottom of the court website ([www.orb.uscourts.gov](http://www.orb.uscourts.gov)), there is a “Contact Us” button. The contact form has a list of categories which includes NextGen Questions/Issues. Please report any issues via email and be sure to include:

- Your phone number
- What browser and version you were using (e.g., IE 11, Firefox 39)
- What case number you were working in
- What you were trying to accomplish
- What issue(s) you encountered - screen shots are helpful
- The date and time you were testing, so we can check system logs

## **4. Filing Agents and Paralegals**

***I am a filing agent for several attorneys. Will this work in NextGen?***

Yes. Filing agents need to get their own PACER accounts and link to their CM/ECF accounts after the Court goes live on NextGen. Their attorneys or trustees need to do the same. The link between the filing agent and the attorney or trustee will remain intact in NextGen.

***Does a paralegal log in using his/her own PACER account or the attorney's?***

Paralegals can log in using their attorney's PACER username or password, as they have always done. Alternatively, electronic filers may wish to set up their staff as filing agents. Instructions are available on the Court's website under Electronic Filing - ECF Procedures.

***Is a person prevented from using another person's PACER login/password?***

A PACER user can share his/her username and password with legal assistants, associates, etc. More than one user can be logged into PACER at the same time to efile or view documents. Anyone with access to your PACER account could change your username, password, and personal information, but they cannot see all 16 digits of any credit card associated with your account, and they cannot see the security questions and answers you previously entered.

**5. PACER Firm Billing Accounts (aka PACER Administrative Accounts)**

***How do I link an individual PACER account to a PACER Administrative Account?***

Click on [www.pacer.gov/documents/paausermanual.pdf](http://www.pacer.gov/documents/paausermanual.pdf) to access a 7-page manual with step-by-step instructions.

***How does a firm avoid multiple PACER bills?***

The firm should apply for a PACER Administrative Account. On the PACER website, click on Register and then click on "Firm billing". To ensure this process goes smoothly, we recommend that you retain your firm's legacy PACER account, apply for a Firm Billing Account, have each of your users apply for a new PACER account, link the new accounts to the firm billing account, and then instruct your users to start using their new PACER accounts. You can deactivate your legacy PACER account when you are sure all the new PACER accounts are functional.

**6. Upgrading the PACER Account**

***Does upgrading a PACER account cut off a user from an old (legacy) PACER account?***

Yes, once a PACER account is upgraded, you must use the new username and password to access the account. If several people in your office are sharing a PACER account, the best strategy might be to leave the legacy PACER account in place and have everyone in the office apply for a new PACER account. That will ensure that no one gets inadvertently cut off from PACER access.

***Once upgraded, is that the PACER account that allows e-filing?***

Yes, you must have an upgraded account in order to electronically file in a NextGen court. You will also use this PACER account to view court records in any federal court.

***Can I upgrade PACER anytime?***

Yes, if you have a legacy PACER account, you can upgrade it at any time, before or after the Court goes live. You are strongly encouraged to upgrade before the Court goes live so you can “beat the rush”. You have a legacy PACER account if the username has two letters and four numbers (e.g., rl4232).

***Should I select “law firm” or “individual” when upgrading my account?***

You are free to select either one. If you choose law firm, you will be required to put in a Tax ID number.

**7. Linking Upgraded PACER Account to CM/ECF**

***Do I have to wait until September 28 to link my upgraded PACER account to CM/ECF?***

Yes. You cannot link your PACER account to your CM/ECF account until the Court has installed NextGen, which it will do the weekend of September 26-27.

***After you link ECF and PACER, how does PACER know if you are viewing documents or e-filing?***

If you have electronic filing privileges in a NextGen court and you log into that court using your PACER login, you will see all the menus (Bankruptcy, Adversary, Query, Reports, and Utilities) and be able to either view documents or file. If you do not have electronic filing privileges, you will see only Query, Reports, and Utilities, and you will not be able to e-file.

***What if I have problems linking my accounts?***

If you have problems with your PACER username and password, call the PACER Service Center at 800-676-6856. If you have forgotten your CM/ECF login or password, call the Court at 503-326-1500 or 541-431-4000, or send us an email via the “Contact Us” feature at the bottom of the website. If you are unsure what your problem is, contact either the PACER Service Center or the Court.

**8. Trustees**

***Do trustees need to do anything special?***

Trustees need to upgrade their PACER accounts. After September 28, trustees need to link their PACER accounts to their CM/ECF accounts.

If a trustee has an employee with a separate ECF account (i.e., a filing agent), the employee must apply for a separate PACER account and then after September 28, link to the employee's ECF account. The filing agent relationship will remain intact.

If a trustee decides to add a filing agent, the trustee must have the employee apply for an upgraded PACER account, then notify the Clerk about the new PACER account so the Clerk can request exempt usage.

***What does a trustee who also practices as an attorney need to do?***

The trustee needs to upgrade both the trustee PACER account and the attorney PACER account. After September 28, the trustee must link each PACER account to the corresponding CM/ECF account.

**9. Logging Into CM/ECF after Accounts are Linked**

***How do I log into CM/ECF to file after my accounts are linked?***

You can either go directly to the Court's ECF site at <https://ecf.orb.uscourts.gov/>, or go to [www.pacer.gov](http://www.pacer.gov), click on the E-File heading, and select the Court. Either way, you must log in using your upgraded PACER credentials.

**10. Updating Your Email Address for Notices of Electronic Filing (NEFs)**

***If I put a different email address in my PACER account than I put in my CM/ECF account, will the email address in PACER be used for Notices of Electronic Filing in CM/ECF?***

Adding an email address in the process of registering for a new PACER account, or changing the email address in PACER when upgrading your PACER account, will not change the email address in your CM/ECF account.

To change the primary email address in your CM/ECF account, log into PACER at [www.pacer.gov](http://www.pacer.gov), click on Manage My Account, and go to the Maintenance tab. You will see an option entitled **Update E-Filer Email Noticing and Frequency**.

**11. New Attorneys**

***We will have a new attorney joining our firm in early October. How does she get an ECF account?***

After she has applied for admission to the Oregon District Court, she will need to register for a PACER account at [www.pacer.gov](http://www.pacer.gov). You may want to associate her PACER account to a firm billing account. Then she will apply for ECF registration for Oregon Bankruptcy Court in

PACER by going to **Manage My Account**, clicking on the **Maintenance** tab, and selecting **Attorney Admissions/E-File Registration**.

## **12. NextGen New Functionality**

*Does NextGen bring any new functionality for attorneys, trustees, or creditors?*

The first release of NextGen CM/ECF in bankruptcy courts brings very few changes for public users. The login process, the ability to store payment information at PACER for the payment of filing fees, and the requirement in Oregon Bankruptcy Court to pay any petition filing fees at the time of filing are the only changes in this initial release.