

Motion for Relief from Stay

This guide shows how to file a Motion for Relief from Stay. Although this example specifically shows the steps to file a relief from stay, the same steps would be followed for other motions, applications, and stipulations.

1. Click the Bankruptcy hyperlink on the CM/ECF Main Menu.
2. The Bankruptcy Events screen displays.
 - a. Click the Motions/Application/Stipulations hyperlink.
3. The Case Number screen displays.
 - a. Enter the correct case number (yy-nnnnn), including the hyphen.
 - b. Click Next.
4. The Event screen displays.
 - a. Scroll down to display the Relief from Stay (Fee Due) event.
 - b. Highlight that selection and Click Next to continue.
5. The Party Selection screen appears.
 - a. Select the filer from the Select the Party box.
 - b. If the party name is not displayed in the Party Selection box, they need to be added to this case by clicking on Add/Create New Party button.
 - i. If adding a new party, make sure to select the proper Role Type.
 - c. Click Next to continue.
6. If the New Attorney/Party Association screen displays a red warning message "IMPORTANT: The following attorney/party association(s) will be created in this case..." then:
 - a. Review the list carefully to ensure that only the parties represented by the filing attorney are selected.
 - b. Click Next to continue.
7. The PDF document screen appears.
 - a. Click Browse, then navigate to the directory where the appropriate PDF file is located.
 - i. For quality assurance, right-click with the mouse and select Open from the picklist that is displayed.
 - b. Verify that this is the correct PDF file for this case. Close or minimize the Adobe Acrobat reader by clicking on "X" in the upper right-hand corner.
 - c. If correct, double-click the PDF file to select it or click on the Open button to attach the PDF file to the case.
 - d. Click the Yes radio button to the right of the Attachments to Document prompt to attach any attachments.
 - i. Please note that the PDF file for the Motion for Relief from Stay is not an attachment. It is considered the main or associated document. An attachment is another supporting document such as an Affidavit of Disinterestedness, Certificate of Service and Proposed Orders.
 - e. An attached document will be referenced in the docket text separately, and the attached image will be accessible clicking on the hyperlink within the docket text.

- f. Click Next.
- 8. Is this motion combined with additional relief to Compel the Trustee to Abandon? Select yes or no from the drop-down menu.
 - a. Click Next.
- 9. Was this Motion Served on Notice and Opportunity to Object? Select yes or no from the drop-down menu.
 - a. Click Next.
- 10. The Fee screen displays.
 - a. Click Next.
- 11. The Collateral Information screen displays.
 - a. Enter a brief description of the collateral in the box.
 - b. Click Next to continue.
- 12. The Modify Docket Text screen displays edit if necessary.
 - a. You will see a drop-down box with additional options. These are for only the specific criteria (Corrected, Emergency, Ex Parte, Omnibus, Stipulated or Supplemental). If this applies, please select the appropriate choice. If not, leave the blank line highlighted.
 - b. Click Next to continue.
- 13. The Final Text screen displays.
 - i. This is the last opportunity to make any changes before the document is officially opened.
 - b. Proof this screen carefully! This is what will print on the docket sheet.
 - c. If the docket text is incorrect, click the browser Back button at the top of the screen one or more times to find the screen to be modified.
 - d. To abort or restart the transaction, click on the Bankruptcy Events hyperlink on the CM/ECF Main Menu Bar. Although this can be done at any time, this is your last opportunity to change the event.
 - e. If the docket text is correct, click on the Next button to file the proceeding.
- 14. Summary of Current Charges
 - a. The motion fee can be paid now or later.
- 15. The Notice of Electronic Filing is produced and displayed.
 - a. To print a copy of this notice, click the browser Print icon, or right click on the screen and select Print.
 - b. To save a copy of this notice, click the internet options icon on the browser menu bar and select File, Save As.
 - c. Description of Notice of Electronic Filing.
 - i. Date and time stamp information
 - ii. Case Name: Debtor's Name
 - iii. Case Number: Hyperlink to docket sheet
 - iv. Document Number: Hyperlink to the PDF file of the attached document
 - v. Docket text: Annotated text in italics. Text produced from docket event
 - vi. Document Description: Label of Document
 - vii. Original filename: the path and name of file that was attached to this entry

- viii. Electronic document Stamp.
- ix. Notice will be electronically mailed to:
 - 1. Any party on the case who has registered their e-mail address with the court will be listed here with their current e-mail address, not their street address.
- x. Notice will not be electronically mailed to:
 - 1. Names of other parties on the case who have not furnished their e-mail addresses to the court.