



# The Docket Electric CM/ECF Newsletter

U.S. Bankruptcy Court, Northern District of Oklahoma

FALL 2010

## New Chapter 13 Plan Payment Address; New General Order Regarding Plan Payments:

Effective October 1, 2010, all Chapter 13 plan payments should be sent to a new address as follows:

Lonnie D. Eck  
Chapter 13 Trustee  
P.O. Box 613407  
Memphis, TN 38101-3407

A centralized payment processing service will now handle all plan payments, whether made under Wage Deduction Order or directly by the debtor. In fact, General Order 10-GO-03 officially amends all Wage Deduction Orders previously entered with respect to the payment address. To view a copy of General Order 10-GO-03 go to the Court's website or click here:

<http://www.oknb.uscourts.gov/ClerksOffice/Rules/GeneralOrders.shtml>

## Attorney Address and Information Changes:

Whenever an attorney's address or other contact information changes, it is the responsibility of the attorney to update the information in CM/ECF. No motion or pleading is required. Instead, the attorney should log into CM/ECF, and go to "Utilities." Then, go to "Maintain Your ECF Account." The attorney's address and phone number may be updated on the initial screen, and any new email address may be entered under the "Email Information" tab. When all information has been updated, click the "Submit" button so that all the updated information will be saved in the system.

## Court Holidays:

The Court will be closed the following dates:

- Monday, October 11, 2010, in observation of Columbus Day.
- Thursday, November 11, 2010, in observation of Veterans Day.
- Thursday, November 25, 2010, in observation of Thanksgiving.

### Inside this issue:

New Chapter 13 Plan Payment Address/ General Order 10-GO-03	1
Attorney Address & Information Changes	1
Court Holidays	1
Proposed Rule Amendments & Form Changes	2
CM/ ECF Training Dates	2
New Noticing Policy for Undeliverable Creditor Addresses	2
New Privacy Notice for Chapter 7's & 13's	3
New General Order 10-GO-02	3
New Case Administrators	4
Submitting Statements of Social Security Number	4



## Proposed Rule Amendments & Form Changes Published for Public Comment:

The Judicial Conference Advisory Committee on Bankruptcy Rules has proposed amendments to the bankruptcy rules and corresponding changes to the Official Forms. The proposed changes are open for public comment until **February 16, 2011**.

The changes affect the following:

- Bankruptcy Rules 3001, 7054, and 7056
- Official Forms 10 and 25A

The proposed amendments, Rules Committee reports explaining the proposed changes, and other information are posted on the U.S. Courts website at: <http://www.uscourts.gov/Home.aspx> Go to: "Rules & Policies" and then "Federal Rulemaking."



## CM/ECF Electronic Filing Training:

- Who:** Attorneys and/ or Staff may attend  
**What:** Basic training on filing for debtors and creditors in CM/ECF  
**Where:** The Federal Building at 224 S. Boulder Ave./ Bankruptcy Court Training Room  
**When:** 1:00 pm to 4:30 pm on:

**October 20, 2010**  
**November 17, 2010**  
**December 8, 2010**

Please register online on the Court's website or by clicking here:

<http://www.oknb.uscourts.gov/cmreg/default.asp?cdate=10/1/2010>

## New Noticing Policy for Undeliverable Creditor Addresses:

When the Court mails notices to a creditor, the Court is required to use the address the debtor provides on its creditor mailing list, unless a creditor has provided the Court with a different address. The Court uses the Bankruptcy Noticing Center (the "BNC") to mail notices. Effective July 12, 2010, the BNC no longer mails notices to a creditor if the creditor's address is undeliverable. Reasons for undeliverable mail may include: incomplete address; moved to a foreign address; moved and left no forwarding address; post office box closed; and forwarding order expired.

The BNC will now mail a notification to the debtor for all notices that are bypassed because a creditor's address is undeliverable. Debtor's counsel will only receive notice by mail if a First Meeting of Creditors notice is bypassed. The bypass notification will: (1) include a copy of the notice that the BNC did not mail to the undeliverable address; (2) identify the creditor and the undeliverable address; (3) instruct the debtor to immediately mail the undelivered notice to the creditor; and (4) inform the debtor that the BNC will not mail future notices to the undeliverable address.

If an address is undeliverable, it is up to the debtor or creditor to update the address with the Court. A creditor may notify the Court of a change in address by filing the Notice of Change of Address of Creditor form (Local Form COACR (2/10)). When this form is filed by a creditor or its attorney, the Clerk's office will change the creditor's address on the Official Mailing List. A debtor may change the address of a creditor (or supplement it with an additional address) only by filing an amendment to the Creditor List and a Verification of Amendment to Creditor List pursuant to Local Rules 1009-1(D) and 1007-1(D).

## **New Privacy Notice for Chapter 7's & 13's:**

A new privacy notice will now be sent by the Court to creditors with the "Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, & Deadlines" and with the "Notice to File Claims" docketed in Chapter 7 asset cases. The privacy notice may also be included on other notices generated by the Court regarding filing proofs of claim.

The purpose of the privacy notice is to remind filers that confidential information filed with proofs of claim is viewable by the public on CM/ECF, and that filers have a duty to redact certain information. The Notice is as follows:

### **Notice to Creditors of Duty to Redact Personal Information and Limit Disclosure of Confidential Health Care Information**

All claims (and any attachments thereto), whether submitted by mail or filed electronically, are public records that are available for ONLINE viewing by the public. To prevent identity theft and other misuse of personal information and/or the disclosure of confidential medical information, PLEASE BE ADVISED:

#### **(A) Privacy Protection**

A claim (and any attachments thereto) that contains one or more of the following types of personal identifying information must limit the disclosure of such information to:

- (1) the last four digits of a social security number or taxpayer identification number;
- (2) the year of an individual's birth;
- (3) a minor's initials; and
- (4) the last four digits of a financial account number.

See Federal Rule of Bankruptcy Procedure 9037 and Local Bankruptcy Rules 1007-1(H) and 5005-1(F).

#### **(B) Confidential Medical Information**

If a claim is based on the delivery of health care goods or services, the claim (and any attachments thereto) shall not disclose the goods or services provided, or otherwise disclose confidential medical information. See Official Form B10, Instructions for Proof of Claim Form, at page 2.

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## **New Privacy Notice for Chapter 9's & 11's;**

### **New General Order Supplementing Local Bankruptcy Rule 3003-1:**

Effective September 8, 2010, General Order 10-GO-02 requires that the Debtor- in- Possession or the Trustee include and serve the specified privacy notice in the order fixing time within which to file claims for both Chapter 9 and Chapter 11 cases.

The purpose of the privacy notice is to remind filers that confidential information filed with proofs of claim is viewable by the public on CM/ECF, and that filers have a duty to redact certain information. The required content of the privacy notice is included in General Order 10-GO-02, which is available on the Court's website or by clicking the following link:

<http://www.oknb.uscourts.gov/ClerksOffice/Rules/GeneralOrders.shtml>

## Clerk's Office Welcomes New Case Administrators:

The Clerk's office is pleased to announce the addition of five new Case Administrators as follows: Renee Deck, Jeannie Taylor, David Kulp, Karen Delashaw, and Sheryl Coast. Case assignments are based on the last two digits of a case number, referred to as "terminal digits." Should you need to contact a case administrator, the current terminal digit distribution and phone numbers are as follows:

<u>Case Administrator</u>	<u>Terminal Digits</u>	<u>Phone Number</u>
Trish M.	00-24*	699-4015
Amy G.	25-49*	699-4004
Jeannie T.	00-49	699-4046
Renee D.	50-74*	699-4011
Sharon W.	75-99*	699-4017
David K.	50-99	699-4006
Karen D.	New Cases	699-4016
Sheryl C.	New Cases	699-4021

\*Primary Contact for digit range

As digit distributions change, the Clerk's office maintains a current list of digits and phone numbers on the Court website under "Telephone Directory" at:

<http://www.oknb.uscourts.gov/ClerksOffice/CourtInfo.shtml>

## Submitting Statements of Social Security Number:

The attorney's duty to redact social security numbers raises questions about the appropriate way to submit a Statement of Social Security Number to the Court. This type of filing should be submitted to the Clerk's office on Official Form 21 by emailing the form to the following email address:

[cmecf@oknb.uscourts.gov](mailto:cmecf@oknb.uscourts.gov)

The Clerk's office will then docket and correct the social security number within the CM/ECF system without revealing any private information. The docket report will note that an "Amended" Statement of Social Security Number has been received, but Form 21 will not be attached as a PDF in order to protect the debtor's privacy. The docket event will also note that pursuant to Bankruptcy Rule 1009(c), the debtor, not the Court, must give notice of the amendment to the required parties.

A Statement of Social Security Number should not be filed using CM/ ECF because the debtor's full social security number will then be available to the public. If you have mistakenly filed a Form 21 in CM/ECF, a Motion to Redact or Seal may be filed.

## Time Change Reminder:

The time change is November 7, 2010. Remember to set your clocks back one hour.

