

Courthouse Connection



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Fall 2012

New Online Chapter 13 Plan Payment Option

On June 5, 2012, the Court amended Local Bankruptcy Rule 3070-1 to allow the Chapter 13 Trustee to accept payments made by electronic means. See [12-GO-01](#).

The Office of the Chapter 13 Trustee is still requiring wage deduction orders where practicable, but is excited to announce an electronic payment option for those cases in which wage

deduction orders are not possible. The Chapter 13 Trustee has chosen to use TFS, a specialized Chapter 13 electronic payment service, to facilitate on-line payments for cases in this District.

Payments from TFS are accepted by the Office of the Chapter 13 Trustee; however, the Trustee is not affiliated with TFS and does not receive any portion of the fees associated

with the service. All support and information will be provided directly by TFS.

For more information about this electronic payment service, please contact TFS directly at www.TFSbillpay.com or call 888-PAY-CH13.



Email Link Added to Request for Entry of Order Event

When filing a Request for Entry of Order in CM/ECF, there is now a new link to click on to email a proposed order to the Judge assigned to the case. This link has been added as a convenience for attorneys and will eliminate the need to complete the filing of the Request, and then email the Judge separately.

Increase in Chapter 11 Filing Fees

Congress recently passed the Temporary Bankruptcy Judgeships Extension Act of 2012 (Pub. L. No. 112-121) which was signed into law by the President on May 25, 2012. This law includes a provision that increases the fee for

filing a bankruptcy case under Chapter 11 of the Bankruptcy Code. **This fee increase will apply to all new Chapter 11 cases filed on or after November 21, 2012.** On that date, the statutory filing fee for a Chapter 11 case will increase to \$1,167.

The total fee for filing a Chapter 11 case will increase to \$1,213 (statutory fee of \$1,167 under 28 U.S.C. § 1930(a)(3) plus the administrative fee of \$46 under Item 8 of the Bankruptcy Court Miscellaneous Fee Schedule).

Internet Connection in the Boulder Federal Building

Internet access is now available on all floors of the Boulder federal building. Attorneys should feel free to check emails or do any type of appropriate web research while at the courthouse.

To access the wireless, go to your wireless setting and select "c224."

Once selected, users will be asked to review the "Public Wireless Access Acceptable Use Policy". Please read the

policy, and if acceptable, click the Accept button at the bottom of the page. As a reminder, this access is not restricted, so please take care in protecting any type of sensitive data.



Centralized Processing of Returned Mail

"The service will eliminate nearly all manual processing of returned mail currently performed by court personnel and will provide timely notification to debtors' attorneys of returned notices."

On October 15, the Judiciary's Bankruptcy Noticing Center (BNC) contractor will begin accepting, processing and securely disposing of notices that would otherwise be returned to the bankruptcy courts by the United States Postal Service (USPS). The service will eliminate nearly all manual processing of returned mail currently performed by court personnel and will provide timely notification to debtors' attorneys of returned notices.

Currently, BNC returned mail goes either to the court or to debtors' attorneys. As a cost-savings and efficiency measure, bankruptcy courts have been strongly urged to have most returned mail sent to the debtor's

attorney, which provides notice that a better address for such recipient should be provided to the court. This procedure is not changing. What does change, however, is that those pieces of mail that are currently directed for return to the bankruptcy courts will now be handled in one facility through the new centralized return mail program.

Under the terms of the revised contract, the BNC contractor will have two business days from receipt to process the returned mail, and the contractor's system will auto-generate a Notice of Returned Mail email notification to the debtor's attorney, with a copy of the notice as a PDF attachment, advising of the returned mail by the USPS. If no

attorney email address is available or if the debtor is pro se, the Notice of Returned Mail will be sent by U.S. mail to the attorney or pro se debtor, as appropriate.

Starting this month, debtors' attorneys will begin receiving returned mail in bankruptcy cases in two different ways: regular USPS mail for the majority of items where the return address is the debtor's attorney, and email Notices of Returned Mail for returned mail that would have been sent back to the bankruptcy court.

A sample [Notice of Returned Mail](#) can be found at www.oknb.uscourts.gov/ClerksOffice/CourtInfo/Return_mail.pdf.

Helpful Reminders for Filing

Case Numbers on Pleadings

The Clerk's office has seen an increase of filings recently which do not contain a complete caption, specifically, documents filed without a case number or with an incorrect case number.

All filings must contain a complete and accurate caption of the case (see [Local Rule 9004-2](#)). You've put so much effort into your pleading, take that extra step to double

"That quick double check may just save your hard work from being stricken from the docket."

check the case caption. That quick double check may just save your hard work from being stricken from the docket.

Changing a Debtor name or SSN

Once a petition has been filed with the court, attorneys are required to submit a Motion in order to change any spelling, change an aka, fka, etc or social security numbers. An Amended Petition with this information will not suffice and the Clerk's office will take no action until an Order is entered approving the change. Once the change is made, the attorney for the debtor will be responsible for serving all parties.



Proposed Amendments Published for Public Comment

The Judicial Conference Advisory Committees on Appellate, Bankruptcy, Criminal, and Evidence Rules have proposed amendments to their respective rules and forms, and requested that the proposals be circulated to the bench, bar, and public for comment. The proposed amendments, Rules Committee reports explaining the proposed changes, and other information are posted on the Judiciary's website at <http://www.uscourts.gov/RulesAndPolicies/rules/proposed-amendments.aspx>. The public comment period ends February 15, 2013.

Office Hours:

Monday, Wednesday, Thursday Friday

8:30a.m. - 4:30p.m.

Tuesday

8:30a.m. - 3:00p.m.

Closed on Federal Holidays

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