



The Docket Electric CM/ECF Newsletter

U.S. Bankruptcy Court, Northern District of Oklahoma

Winter 2011

New Deadlines for Submission of Financial Management Certification; New General Order 10-GO-06

Effective December 1, 2010, new General Order 10-GO-06 addresses the amendment to Rule 1007 of Federal Rules of Bankruptcy Procedure and the corresponding amendment to Interim Bankruptcy Rule 1007-I. The rule amendments provide that the time to file the statement of completion of a course in personal financial management in a Chapter 7 case filed by an individual debtor has been extended from 45 days to 60 days after the first date set for the meeting of creditors. To view General Order 10-GO-06, go to: <http://www.oknb.uscourts.gov/ClerksOffice/Rules/GeneralOrders.shtml>

BNC Undeliverable Notice; New General Order 10-GO-07

A debtor may be notified by the Bankruptcy Noticing Center (“BNC”) that mail sent to a creditor or party in interest listed on the mailing matrix has been returned as “undeliverable.” New General Order 10-GO-07 provides that when a debtor is notified by the BNC that its creditor mailing list includes a creditor with an undeliverable mailing address, the debtor may amend its mailing list by filing a copy of the BNC’s “Undeliverable Notice” on which the debtor has provided an updated address for the creditor. This document should be filed in CM/ ECF as a “Notice of Change of Address of Creditor (BNC Undeliverable Notice).” To view General Order 10-GO-07, go to: <http://www.oknb.uscourts.gov/ClerksOffice/Rules/GeneralOrders.shtml>

Updated State Median Family Income Figures

The U.S. Census Bureau released updated median family income data, now posted at: <http://www.justice.gov/ust>

These new figures will be applied to petitions filed on or after November 1, 2010.

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New Address & Fax Number for IRS Effective January 1, 2011

Bankruptcy notices and all correspondence pertaining to bankruptcy cases should be sent to a new address for the Internal Revenue Service ("IRS") starting January 1st. In addition, while the IRS toll-free telephone number will remain (800) 913-9358, the number for facsimile transmission will change to (267) 941-1015.

The new noticing address is as follows:

Internal Revenue Service
PO Box 7346
Philadelphia, PA 19101-7346

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:

January 12, 2011
February 9, 2011
March 9, 2011
April 6, 2011
May 11, 2011

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

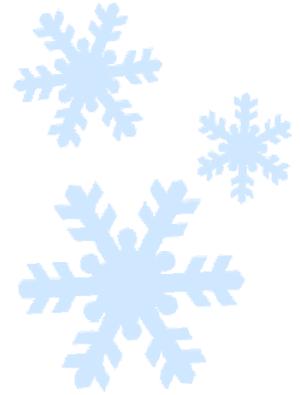
<http://www.oknb.uscourts.gov/cmreg/default.asp?cdate=1/1/2011>

Accommodations in Courtrooms for Hearing Impaired

If you represent a debtor, a creditor, or other interested party to a bankruptcy case and your client is deaf, hearing impaired or has other communication disabilities, a sign language interpreter or assistive listening device is available upon request for hearings scheduled in both courtrooms.

Sign language interpreters - To request a sign language interpreter for a hearing or trial set before one of our bankruptcy judges, contact Sherrie Bridges at: (918) 699-4014, **no later than five business days prior to the scheduled hearing.**

Assistive Listening Devices- Both Judge Michael's and Judge Rasure's Courtrooms are equipped with infrared emitters and receivers for individuals who are hard of hearing or have hearing aids that are compatible with induction loops. Please give advance notice to the Courtroom Deputy if you need this service. For Judge Michael's Courtroom, please call Sue Haskins at (918) 699-4068. For Judge Rasure's Courtroom, please call Brenda Nickels at (918) 699-4085. Also, please feel free to call the Clerk's Office at (918) 699-4000 or email the clerk's office at: helpdesk@oknb.uscourts.gov.



Amendments to Bankruptcy Rules Effective December 1, 2010

Several changes to the Federal Rules of Bankruptcy Procedure became effective December 1, 2010. The following are the most substantial changes:

Rule 1007 is amended to shorten the time for debtors to file a list of creditors after the entry of an order for relief in an involuntary case. The rule also extends the time to 60 days for individual Chapter 7 debtors to file a statement of completion of the personal financial management course.

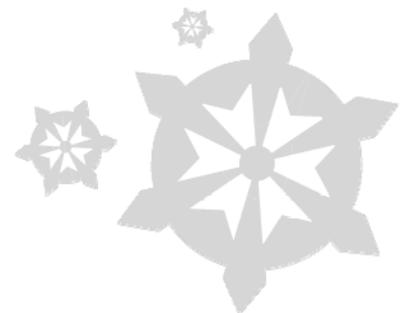
Rule 1019 is amended to, with some exceptions, provide a new time period to object to a claim of exemption when a case is converted to Chapter 7 from Chapter 11, 12, or 13.

Rule 4001 is amended to include a technical and conforming amendment on the computation of time.

Rule 4004 is amended to: (a) include a new deadline for the filing of motions (rather than complaints) under Rule 7001(b) objecting to a debtor's discharge; (b) direct the court not to grant a discharge if a motion or complaint objecting to discharge has been filed unless the objection has been decided in the debtor's favor; and (c) direct the court in Chapter 11 and 13 cases to withhold the entry of the discharge if the debtor has not filed with the court a statement of completion of a course concerning personal financial management (Form 23).

Rule 5009 is amended to add new subdivisions (b) and (c). Subdivision (b) requires the clerk to provide notice to individual debtors in Chapter 7 and 13 cases that their cases may be closed if they fail to file a statement of completion of the financial management course. Subdivision (c) requires a foreign representative in a Chapter 15 case to file and give notice of the filing of a final report.

Rule 7001 is amended to provide that specified objections to a discharge in Chapter 7 and 13 cases are not treated as adversary proceedings.



U.S. Bankruptcy Court Electronic Notices Increasingly Save Time, Money

News Release from UScourts.gov, Inside the Judiciary, December 9, 2010

Federal law requires U.S. Bankruptcy Courts to send notices to all interested parties when a bankruptcy case is filed and when certain subsequent events occur in that case. Increasingly, those notices are sent faster and less expensively electronically.

The use of Electronic Bankruptcy Noticing (EBN), a free service, grew by about 5 percent in 2010, and now accounts for some 25 percent of the 170 million notices sent out this year.

“The courts have been converting the delivery of bankruptcy notices from paper to electronic for some time, an important, ongoing initiative that benefits both the Judiciary and the creditor community,” said Glen Palman, chief of the Administrative Office’s Bankruptcy Court Administration Division.

He said more than 20,000 companies now receive electronic notices, adding, “Bankruptcy courts are encouraging all businesses to make the switch from paper to EBN. We hope to see the number of recipients continue to rise.”

Electronic notices, sent by courts the same day they are produced by a court, offer greater efficiency for recipients because they are received faster than postal service delivery times and are accessible anytime – 24 hours a day, seven days a week. “Whether you receive two or 150 notices a month, the free EBN service is something from which any business can benefit,” Palman said.

Electronic notices also save money managed by the government. “We can drastically reduce printing and postage costs,” Palman said. “The more people who go paperless, the more money saved.”

Other benefits of electronic notices:

- They can be routed to a centralized email address. Notices formerly sent to multiple locations can be directed to a recipient’s central place designated to process bankruptcy case information.
- Their use virtually eliminates the risk of not receiving a notice or losing it once received. Notices stored on a computer are easily backed up, easier to find when needed, and are never lost or mistakenly thrown away.
- They easily can be forwarded to others who need to be informed.

Those interested in making the switch from paper to free electronic notices can learn more or start the enrollment process at <http://ebn.uscourts.gov>

To view the article from its source go to: <http://www.uscourts.gov/News>

Time Delay when using PACER Case Locator

The PACER Case Locator is a national index for U.S. district, bankruptcy, and appellate courts. The system serves as a search tool for PACER, which allows you to conduct nationwide searches to determine whether or not a party is involved in federal litigation. New case filing information is not guaranteed to be available immediately upon case filing, but is generally available within 48 hours after the case is filed.

BAP Pilot Mediation Program Extended

On September 30, 2010, the U. S. Bankruptcy Appellate Panel of the Tenth Circuit (“BAP”) entered General Order No. 6. The General Order announces that the BAP has voted to modify and extend the Pilot Mediation Program for an additional twelve-month period, effective for appeals filed on or after October 1, 2010, until September 30, 2011. All appeals filed on or after October 1, 2010, other than those filed by *pro se* parties, shall be referred to the Circuit Mediator. For more information, visit the BAP’s website at: <http://www.bap10.uscourts.gov/news.php>



Court Holidays:

The Court will be closed the following Dates:

- *Monday, January 17, 2011, in observation of Martin Luther King Jr.’s Birthday.
- *Monday, February 21, 2011, in observation of President’s Day.

Official Forms Changes Effective December 1, 2010

Several changes to the Official Forms became effective December 1, 2010.

The form changes include:

Meeting of Creditors Notice (Official Forms B9A, B9C, B9I): Amended to include objections to discharge by motion and include a deadline for objections to discharge in Chapter 13 for the first time.

Statement of Current Monthly Income and Means Test Calculation (Chapter 7) (Official Form B22A): “Household” and “household size” changed to “family size” or “number of persons” in several places on 22A. The form also instructs that regular payments by another person for household expenses should not be reported twice. Just one of the joint debtors should report the payment.

Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Chapter 13)(Official Form B22C): “Household” and “household size” changed to “family size” or “number of persons” in several places on 22C. The form also instructs that regular payments by another person for household expenses should not be reported twice. Just one of the joint debtors should report the payment.

Statement of Current Monthly Income (Chapter 11)(Official Form B22B): The form instructs that regular payments by another person for household expenses should not be reported twice. Just one of the joint debtors should report the payment.

Debtor's Certification of Completion of Instructional Course Concerning Financial Management (Official Form B23): Amended to reflect the new time frame for Chapter 7 debtors to file a statement of completion of the personal financial management course.