

United States Bankruptcy Court
Eastern District of New York



NOTICE TO APPROVED PERSONAL FINANCIAL MANAGEMENT COURSE PROVIDERS

Effective December 1, 2013, Federal Rule of Bankruptcy Procedure 1007(b)(7) has been amended to permit an individual debtor the option of having an approved personal financial management course provider ("Course Provider") notify the court directly that the debtor has completed a post-petition instructional course concerning personal financial management¹. **Please note that this rule change applies to debtor education certificates only, not to credit counseling certificates.**

Approved course providers can electronically file the *Certificate of Debtor Education* under Rule 1007(b)(7) electronically using the *Electronic Financial Management Course Certificate Filing Program* (eFinCert), <https://ecf.nyeb.uscourts.gov/cgi-bin/autoFinMgt.pl>.

Pursuant to Federal Rule of Bankruptcy Procedure 1007(c), the debtor must file a statement that he or she completed the personal financial management course within 60 days after the first date set for the meeting of creditors under § 341 of the Code in a chapter 7 case. In a chapter 11 or 13 case, the statement must be filed no later than the date when the last payment was made by the debtor as required by the plan or the filing of a motion for discharge under § 1141(d)(5)(B) or § 1328(b) of the Code. Failure by the Course Provider to timely file the certificate in accordance with Federal Rule of Bankruptcy Procedure 1007(c) will result in the debtor's case being closed without a discharge. See, Federal Rule of Bankruptcy Procedure 4004(c)(1)(H).

Use of this electronic filing program constitutes certification that the filer is a United States Trustee-approved provider of a personal financial management instructional course.

Penalty for filing fraudulent certification: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§152 and 3571.

Dated: December 1, 2013
Brooklyn, New York

¹ An amendment to Official Form 23 (Debtor's Certification of Postpetition Instructional Course Concerning Personal Financial Management) will instruct the debtor to complete and file the form only if the course provider has not already notified the court of the debtor's completion of the course.