



UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK ECF NEWSLETTER

JANUARY 2012

VOLUME 12 ISSUE 2

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CM/ECF VERSION 4.2 HIGHLIGHTS

The United States Bankruptcy Court for the Eastern District of New York upgraded to CM/ECF Version 4.2 December 1, 2011. This upgrade enhances the Electronic Case Filing system to include new bankruptcy events and forms relative to Bankruptcy Rules, 1004.2, 2003, 3001, 3002.1.

- To view the amendments and new rules that became effective December 1, 2011, go to the court's website at:
http://www.nyeb.uscourts.gov/announcements/Proposed_Amendments_to_Federal_Rules.pdf.
- To view the amended and new bankruptcy forms, go to the court's website at:
<http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms/BankruptcyFormsPendingChanges.aspx>.
- To view the new fee schedule, go to the court's website at:
http://www.nyeb.uscourts.gov/ecf/fee_schedule.pdf.

Bankruptcy Rule 3002.1 New Events

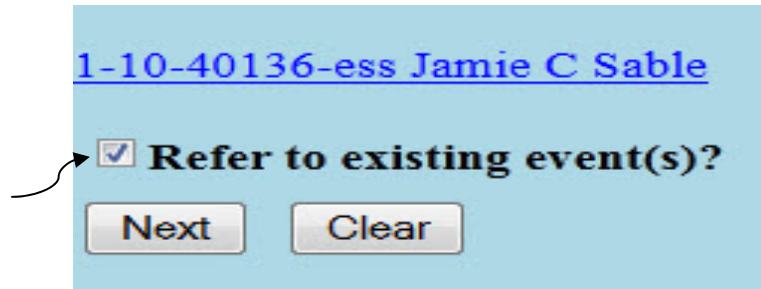
Bankruptcy Events	Filer	Bankruptcy Sub-menu or Category	View Report
Notice of Mortgage Payment Change (Supplement 1 to Proof of Claim)	Limited Creditor Creditor	Other Events Claim Actions	History on Claims Register History on Claims Register
Notice of Postpetition Mortgage Fees, Expenses and Charges (Supplement 2 to Proof of Claim)	Limited Creditor Creditor	Other Events Claim Actions	History on Claims Register History on Claims Register
Determine Mortgage Fees and Expenses	Debtor Trustee	Motion Motion	Docket Docket
Notice of Final Cure Mortgage Payment <i>The debtor may file and serve this notice if the debtor contends (1) that final cure payment has been made and all plan payments have been completed and (2) the trustee does not timely file and serve the required notice.</i>	Debtor Trustee	Notices Trustee/US Trustee	Docket Docket
Response to Final Cure Payment	Limited Creditor Creditor	Other Events Claim Actions	History of Claims Register History of Claims Register
Determine Final Cure Payment and Rule 3002	Debtor Trustee	Motion Motion	Docket Docket
Affidavit/Certificate of Service in re: Rule 3002 Only <ul style="list-style-type: none"> • Notice of Mortgage Payment Change • Notice of Postpetition Mortgage Fees, Expenses and Charges • Response to Notice of Final Cure Payment 	Limited Creditor Creditor	Other Events Claim Actions	History on Claims Register History on Claims Register

TIP OF THE MONTH

Relating or Linking Documents

A recommendation from the *Court/Bar Strategic Planning Committee on Attorney Education* is to create a tip of the month for ECF filers. For December 2011, the Tip of the Month describes the importance of and the process of relating or linking documents. Relating a document allows the filer to create an association between documents in a case. This allows for quicker and easier access to related documents on a matter.

If the document you are filing refers to an existing document on the case, relate it or link it! Relating a document is simple. When filing your document, check the box “Refer to existing event(s).”



Common examples of documents that should be related to existing events include:

- Answers/Responses
- Amended Pleadings and Motions
- Letters referring to a particular matter
- Letters of Adjournment
- Proposed Orders docketed separately

The following events should not be related:

- Amended Schedules
- Statements
- Chapter 11 Plans
- Chapter 13 Plans

We encourage you to share the Tip of the Month with those on your staff that assist with e-filing. The Electronic Learning Module (ELM) on the process of linking or relating documents is on the court’s website at: http://www.nyeb.uscourts.gov/elms/relating_linking_documents/tip_of_month_1211.pdf . After viewing the ELM, if you have any questions, call our Help Desk before filing that document.

AFFIDAVIT PURSUANT TO LR 1009-1(a)

ECF filers are reminded to docket and upload the **Affidavit Pursuant to LR 1009-1(a)**, to disclose the purpose for filing Amended Schedules D, E, or F.

EMAIL NOTIFICATION

Email Information

You do not need to register for an ECF password more than once but account holders **must** keep their email profile and email address current. You must request a new password if you change firms. To update your email address, view electronic learning module:
http://www.nyeb.uscourts.gov/elms/maintain_user_account/MAINTAIN_YOUR_ECF_ACCOUNT.htm .

ELECTRONIC LEARNING MODULE (ELM)

Electronic Learning Modules have been created to help ECF filers comply with docketing procedures and guidelines. To learn more about the ELMs, visit the court's website at:
http://www.nyeb.uscourts.gov/main_attny/usbc_content.php?id=ecf_elm .

U.S. BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF NEW YORK ADOPTS NEW YORK STATE BAR STANDARDS OF CIVILITY TO GOVERN PRACTICE IN ALL CASES BEFORE THE COURT

“...as lawyers, judges and court employees, we are all essential participants in the judicial process. That process cannot work effectively to serve the public unless we first treat each other with courtesy, respect and civility...”

Upon the resolution of the Board of Judges, the United States Bankruptcy Court for the Eastern District of New York adopted the New York State Standards of Civility for the legal profession as guidelines for practice in all bankruptcy proceedings. These guidelines govern all attorneys admitted to practice in the Courts of the State of New York and are designed to set a standard of practice in the Court that will promote the professional, efficient, and effective practice of law, management and administration of cases in the bankruptcy process. As stated in the Preamble, “they are . . . intended to encourage lawyers, judges and court personnel to observe principles of civility and decorum, and to confirm the legal profession’s rightful status as an honorable and respected profession where courtesy and civility are observed as a matter of course.”

The adoption of these guidelines is intended to supplement the Bankruptcy Rules, the Federal Rules of Civil Procedure, and particularly Federal Rule of Civil Procedure 11 and Bankruptcy Rule 9011, that govern the conduct of parties and participants in matters pending before the Court. These guidelines are also intended to supplement the Local Bankruptcy Rules for the

Eastern District of New York, including LBR 1007-3(b), 1073-2(c), 2017-1, 2090-2, 3015-3, and 9011-1. The Federal, Bankruptcy, and Local Rules continue to apply to practice before the Court and the remedies set forth therein remain unchanged.

These guidelines were developed by the Commercial and Federal Litigation Section of the New York State Bar Association, adopted by the New York State Bar House of Delegates, and incorporated as Appendix A to the Disciplinary Rules of the Code of Professional Responsibility at N.Y. Court Rules, Part 1200, Appendix A and are available in its entirety on the Court's website at: http://www.nyeb.uscourts.gov/admin_orders/ord_568.pdf.

CASE FILINGS FOR 2011

As of November 30, 2011

Chapter 7 -	16,968
Chapter 9 -	1
Chapter 11 -	202
Chapter 13 -	1,549
Chapter 15 -	1
Total Case Filed -	18,721

COST SAVING MEASURES

As a cost saving measure, Official Form B10 Proof of Claim will no longer be sent with the following:

- Notice of Meeting of Creditors for Chapter 11, 12, and 13 cases.
- Notice of Discovery of Assets.
- Notice of Reopening Case and Discovery of Assets.

Prior to these cost saving measures, the court did not send a Proof of Claim form with the Notice of Meeting of Creditors for Chapter 7 cases. Proof of Claim forms can be found on the court's website at: http://www.uscourts.gov/uscourts/RulesAndPolicies/rules/BK_Forms_Current/B_010.pdf.

As a cost saving measure, the Bankruptcy Noticing Center (BNC) will no longer send the following orders to the Trustee. The Notice of Electronic Filing (NEF) will be sent as the official court notice.

- Order to Close Dismissed Case
- Order to Close Automatically Dismissed Case
- Final Decree for Chapter 7, 12, 13 Cases
- Order to Close Reopened Case

ELECTRONIC TRAINING CLASS SCHEDULE

The Electronic Case Filing training classes for attorneys and their support staff will be held at the Brooklyn Courthouse on January 13, 2012, January 27, 2012, February 10, 2012 and February 17, 2012 from 9:30 a.m. to 1:00 p.m. Evelyn Torres is the presenter for these classes. The training room is in a secured area so attendees are asked to comply with the directions given by the Court Security Officers until Ms. Torres escorts them to the training room.

The Electronic Case Filing training classes in Central Islip are scheduled for January 20, 2012 and February 3, 2012 from 9:30 a.m. to 1:00 p.m. Dwayne Cox is the presenter for these classes. The training room is in a secured area so attendees are asked to wait by the kiosk in the lobby area of the courthouse until Mr. Cox escorts them to the training room.

It is important that attendees be on time for class. However, if you arrive late, go to the Clerk's Office on the second floor of the Bankruptcy Court in Central Islip and first floor in Brooklyn, to speak to the Intake Deputy who will announce your arrival or escort you to the training room. Participants must register before attending the class. If you register for a class and must cancel, call as soon as possible so someone else can use the slot.

The classroom training dates are also posted on the Court's website at:
http://www.nyeb.uscourts.gov/main_attorney/ecf_training_schedule.php.

CONTACT INFORMATION

United States Bankruptcy Court
Eastern District of New York
Conrad B. Duberstein United States
Bankruptcy Courthouse
271 Cadman Plaza East
Suite 1595
Brooklyn, NY 11201
347-394-1700
Help Desk: (347) 394-1700, press 6

United States Bankruptcy Court
Eastern District of New York
Alfonse M. D'Amato United States
Courthouse
290 Federal Plaza
Post Office Box 9013
Central Islip, NY 11722
631-712-6200
Help Desk: (631) 712-6200, press 6

The Voice Case Information - 866-222-8022

The Court's website address is: <http://www.nyeb.uscourts.gov/>

This newsletter and previous issues are available for online viewing. [Click here](#) to visit the ECF Newsletter Archive.

Contact Margaret_Merritt@nyeb.uscourts.gov with your ideas, articles and topics for the newsletter.