



UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK ECF NEWSLETTER

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IN THIS ISSUE

Tip of the Month pp. 2-3

Filing Amended Schedules
p. 4

Certification of Domestic
Support p. 4

Pay Statement p. 4

Motion and Presentment
Hearing Information p. 5

Amended Adversary
Complaint p. 5

Case Filing Statistics p. 6

Quarterly Reminders pp. 6-7

- Keeping Your ECF Account Current
- Electronic Courtroom Appearance Program (eCAP)
- Chapter 11 Lawyers' Advisory Committee p. 7
- Logins and Passwords p. 7
- Standards of Civility p. 8
- Training Class Schedule p. 7
- Provide Your Feedback p. 8
- Contact Information p. 9

UPDATED MEANS TEST INFORMATION FOR CASES

As of May 15, 2015, the Internal Revenue Service Data and the Census Bureau Data as they pertain to Official Bankruptcy Forms B22A and B22C have been updated. For details, click the link below:

http://www.nyeb.uscourts.gov/sites/nyeb/files/Means_Testing_May_2015.pdf

SUMMARY STATEMENT OF THE UNITED STATES TRUSTEE'S FINAL REPORT AND APPLICATIONS FOR COMPENSATION

The United States Trustee will no longer file a **Summary Statement of the United States Trustee Regarding Trustee's Final Report and Applications for Compensation**. When the Chapter 7 Trustee files the Final Report and Proposed Distribution and Application for Compensation for one or more professionals in an asset case, the United States Trustee will make one of the two virtual docket entries (no document attached) listed below.

UST Statement of No Objection Re: Professional Fee Application(s)

The United States Trustee has reviewed the time records submitted by the Trustee and the fee application(s) submitted by the professional(s) retained by the Trustee on behalf of the estate. The United States Trustee does not intend to file an objection.

UST Statement of Objection Re: Professional Fee Application(s)

The United States Trustee has reviewed the time records submitted by the Trustee and the fee application(s) submitted by the professional(s) retained by the Trustee on behalf of the estate. The United States Trustee has an objection which will be filed and docketed separately.

OFFICIAL BANKRUPTCY FORM	FORM NAME	ECF EVENT	NOTES	OFFICIAL FORM REVISED
B 22A2	Chapter 7 Means Test Calculation	Chapter 7 Means Test Calculation Form 22A-2 - 12/1/14	To be completed only by those chapter 7 debtors whose income is above the applicable State median	12/14/2014
B 22B	Chapter 11 Statement of Your Current Monthly Income	Chapter 11 Statement of Your Current Monthly Income Form 22B - 12/1/14 (Means Test)	To be completed by individuals in Chapter 11. This form was revised so that it would be accurately completed	12/14/2014
B 22C1	Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period	Ch. 13 Statement of Your Current Monthly Income and Calc of Commitment Prd Form 22C-1 - 12/1/14 (Means Test)	To be completed by all Chapter 13 debtors	12/14/2014
B 22C2	Chapter 13 Calculation of Your Disposable Income	Chapter 13 Calculation of Your Disposable Income Form 22C-2 - 12/1/14 (Means Test)	To be completed by Chapter 13 debtors only if their current monthly income exceeds the applicable median. This form calculates disposable income under 11 U.S.C. § 1325(b)(3)	12/14/2014

**Resource: The Official Bankruptcy Forms via the United States Bankruptcy Court website.

We encourage you to share this document with those on your staff who assist with e-filing. If you have any questions, please call our help desk before filing. The numbers are 347-394-1700 then press 6 (Brooklyn) and 631-712-6200 then press 6 (Central Islip).

FILING AMENDED SCHEDULES

When filing Amended Schedule D, E, or F, the following documents must be filed.

- Affidavit Pursuant to LR 1009-1(a).
- The Amended Schedule with the original creditors and any additions or deletions.
- The Supplemental Matrix listing only the added or deleted creditors with complete name and address.

It is the responsibility of the Clerk's Office to add or delete creditors in the ECF system when schedules are amended. The Case Administrator makes the applicable changes based on the information in the Affidavit in re: LR 1009-1(a).

At the bottom of the Affidavit in re Local Rule 1009-1(a), it is stated that *No amendment of schedules is effective until proof of service in accordance with EDNY LBR 1009-1(b) has been filed with the Court.* When filing proof of service use the event **Certificate/Affidavit of Service**.

Click the links for the Electronic Learning Modules (ELMs) that take you through the steps of filing Amended Schedules

Amending Schedules D, E or F Pursuant to LR 1009-1(a) (printable version)

Amending Schedules A, B, C, G, H, I & J (printable version)

CERTIFICATION OF DOMESTIC SUPPORT

When filing the Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q) after the Plan has been completed, if the case has a joint debtor, file two certificates and select, Debtor and Joint Debtor when asked, **For Whom Is the Certificate being filed?** When uploading these two certifications as one docket entry, the docket entry must reflect that you are filing on behalf of both debtors. Therefore, select both debtors you are representing when you get to the party screen.

<http://www.uscourts.gov/forms/bankruptcy-forms/chapter-13-debtors-certifications-regarding-domestic-support-obligations-and>

PAY STATEMENT

If a debtor has no Pay Statement, the filer must use the event, Employee Income Records, Copies of Pay Statement. In the free text box, where filer may modify the docket entry, type "Affidavit in lieu of"

Motion and Presentment Hearing Information Screen

The screenshot shows the ECF system interface for filing a motion. The top navigation bar includes 'Bankruptcy', 'Adversary', 'Query', 'Reports', 'Utilities', 'Search', and 'Logout'. Below this, there are links for 'Claims Register', 'List of Creditors', 'Deadlines/Hearings', 'Calendar Events' (dated 6/9/2015), 'Associated Cases', and 'Written Opinions'. The main heading is 'File a Motion:'. The case information is: '8-15-70001-reg Alessandro DeLucia and Emily Jane DeLucia Closed 03/31/2015'. Case details include: Type: bk, Chapter: 7 v, Office: 8 (Central Islip), Assets: n, Debtor disposition: Standard, Joint debtor disposition: Standard, Discharge, Discharge, Judge: reg, Case Flag: MEANSNO, CLOSED. There is a checkbox for 'Refer to existing event(s)?'. The 'Hearing Information' section contains a dropdown for 'Please select from the following hearings' with a 'Chambers Presets' link, 'Hearing Date' and 'Hearing Time' fields, a 'Location' dropdown, and a 'Hearing Judge' dropdown (Grossman, Robert E.). The 'Presentment Information' section includes 'Order to be presented for signature on:', 'Objections to be filed by:', and 'Date and time of hearing on objections, if any:' fields. 'Next' and 'Clear' buttons are at the bottom.

The hearing information screen imaged above is dedicated to motions and presentments. When docketing the hearing on a motion, complete only the first part of the hearing information screen. When filing the motion or presentment for the first time do not check the box in front of “Refer to existing event.” When docketing a presentment, complete the latter part of the hearing information screen. Do not complete both the hearing and presentment information of the screen. Complete only one.

Make sure you have the correct courtroom. Do not leave blank.

AMENDED ADVERSARY COMPLAINT

The screenshot shows the ECF system interface for filing an amended complaint. The top navigation bar is identical to the previous screen. Below the navigation bar, there are links for 'Claims Register', 'List of Creditors', 'Deadlines/Hearings', 'Calendar Events' (dated 6/9/2015), 'Associated Cases', and 'Written Opinions'. The main heading is 'Complaint/Summons:'. The case information is: '8-15-08001-las Zimmerman of NY, LLC individually and as a member v. O'Connor et al'. The question 'How has the Complaint been Amended?' is followed by a text input field. 'Next' and 'Clear' buttons are at the bottom.

When amending a complaint, the filer must give qualifying details of the changes. For example, when the question, *How has the Complaint Been Amended?* is asked on the screen; the response should specifically indicate the reason for filing an amended complaint. For example, if one of

the Nature of Suits is being amended, the filer could say: The Nature of Suit has been changed from **FRBP 7001(6) – Dischargeability**

61 – Dischargeability - § 523(a) (5), domestic support to 65 – Dischargeability – other.

FILING STATISTICS

May 2015

Chapter 7	=	879
Chapter 9	=	0
Chapter 11	=	26
Chapter 12	=	1
Chapter 13	=	152
Chapter 15	=	0

Total Cases Filed May 2015 = 1,058

Total Adversary Proceedings Filed May 2015 = 29

January – May 2015

Chapter 7	=	4,035
Chapter 9	=	0
Chapter 11	=	100
Chapter 12	=	3
Chapter 13	=	886
Chapter 15	=	0

Total Cases Filed January - May 2015 = 5,024

Total Adversary Proceedings Filed January - May 2015 = 265

QUARTERLY REMINDERS

Keeping Your ECF Account Current

Attorneys are responsible for keeping their information current regarding firm affiliation, address, telephone, fax and/or email. This information can be electronically updated by accessing your CM/ECF account under the Utilities menu and selecting “Maintain Your ECF Account.” Should you have a reason to believe that your password has been compromised, you must immediately notify the Court in writing.

Electronic Courtroom Appearance Program (eCAP)

The Court has made the sign-in appearance program accessible on computer terminals in the anterooms of the courtrooms and on the attorneys' tables. In the Brooklyn Courthouse, you will also find a computer terminal at the Public Service area. You may enter your appearance from any of these terminals.

If you are in Court on behalf of the attorney of record, or if you are Of Counsel, you are required to enter **your** appearance and not that of the attorney who asked you to appear. It is not sufficient only to hand in a business card for your appearance but you must sign in, and you must inform the Electronic Court Recorder Operator (ECRO) that you have done so.

Your electronic appearance is part of the court's official record. Accuracy and full disclosure of your name, firm or company name, address and phone number, on the right case are absolute.

If you need assistance using the program, we strongly encourage you to ask the Electronic Court Recorder Operator. Most importantly, do not leave the courtroom without putting in your appearance in eCAP.

Chapter 11 Lawyers' Advisory Committee

The Court has posted the minutes of the Committee meeting held January 14, 2015 to its website at <http://www.nyeb.uscourts.gov/chapter-11-lawyers%E2%80%99-advisory-committee>.

The Chapter 11 Lawyers' Advisory Committee was created to provide a forum for communication between the Court and the bar regarding chapter 11 practice and procedure in the District. Also posted to the Court's website are the Committee's Mission Statement, Members List and By-Laws.

Members of the Bar may contact the Committee via email at CH11LAC@nyeb.uscourts.gov

Logins and Passwords

If you have **forgotten** your ECF password, use the Court's Reset Password Program to change your password. The link to reset your password is on the **CM/ECF Filer or PACER Login** screen just above the **Authentication** text box. **Do not** re-submit an Attorney Password Application.

In order to receive a login and password, first time e-filers must submit, by conventional mail, an original Attorney Password Application with an original signature. When notarizing the Attorney Password Application, make sure all information is legible.

ECF logins and passwords are issued within three to five business days from the date the application is received.

If you did not update your email address in the ECF system, you will be required to fax a signed letter on your office letterhead requesting that the login and password be sent to your current email address. All logins and passwords will be sent to the primary email address.

If you have not received your login and password by email and it appears that you should have, check your Trash and Spam folders before calling the Court.

New York State Standards of Civility

The Board of Judges for 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 cases and proceedings in this Court. For more information, click on the link: http://www.nyeb.uscourts.gov/admin_orders/ord_568.pdf.

Electronic Training Class Schedule

The next Electronic Case Filing training classes for attorneys and their support staff will be held at the:

- Central Islip Courthouse - Friday, July 10, 2015 from 9:30 to 12:30 p.m.
- Brooklyn Courthouse - Friday, September 11, 2015 from 9:30 a.m. to 12:30 p.m.

Attendance is no longer required to receive an ECF password to docket. However, first time users of the ECF system are strongly encouraged to attend the training class with their support staff. **It is important that attendees be on time for class.** Those arriving late must 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 Public Service 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, notify the Court as soon as possible.

The training room is in a secured area so attendees are asked to wait by the kiosk in the lobby area of the Central Islip and Brooklyn Courthouse.

The classroom training dates are also posted on the Court's website at: <http://www.nyeb.uscourts.gov/ecf-training-class-schedule>.

PROVIDE YOUR FEEDBACK

ECF Users are asked to comment on the court's website using the link, [Provide Your Feedback](#). This link is also located in the upper left-hand corner of the court's home page.

CONTACT INFORMATION

United States Bankruptcy Court
Eastern District of New York
Conrad B. Duberstein United States
Bankruptcy Courthouse
271-C Cadman Plaza East, Suite 1595
Brooklyn, NY 11201-1800
(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
Central Islip, NY 11722
(631) 712-6200
Help Desk: (631) 712-6200 press 6

The Voice Case Information System (VCIS) - 866-222-8029
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.

In order to cut down on the number of error emails sent to filers each year, we would like to hear from you as to how we can best assist in making docket entries consistent with the requirements of this Court.

Contact Margaret_Clarke@nyeb.uscourts.gov with your suggestions, articles, and topics for the newsletter.