



UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK ECF NEWSLETTER

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LOCAL BANKRUPTCY RULES COMMITTEE SOLICITING COMMENTS

The United States Bankruptcy Court for the Eastern District of New York has formed a committee to review its Local Bankruptcy Rules. The Committee is soliciting comments from attorneys for suggested changes or additions to the existing Local Bankruptcy Rules. Please submit your comments or suggestions electronically to Localrules@nyeb.uscourts.gov, before April 28, 2017.

DISPUTED OWNERSHIP FUNDS

When there are conflicting claims of ownership over money or property, an interpleader (a non-owner third party) will deposit the money or property in the Disputed Ownership Funds of the Court's Registry until the Court makes a determination of ownership. As of April 1, 2017, the following docketing events were created in CM/ECF to track deposits and disbursements in the Disputed Ownership Funds:

- Motion for Interpleader Deposit
- Order Authorizing Interpleader Deposit
- *Sua Sponte* Order Authorizing Interpleader Deposit
- Motion for Interpleader Disbursement
- Order Authoring Interpleader Disbursement
- *Sua Sponte* Order Authorizing Interpleader Disbursements

REQUEST FOR LOSS MITIGATION

The document, Request for Loss Mitigation, must be filed as an individual document separate from the Chapter 13 Plan.

RETENTION OF A CLAIMS AND NOTICING AGENT

The Honorable Carla E. Craig, Chief United States Bankruptcy Judge, signed [Administrative Order #658](#) – Retention of a Claims and Noticing Agent Pursuant to 28 U.S.C. § 156(c) April 13, 2017. Click on the link for more details.

LOCAL BANKRUPTCY FORMS - SAMPLE ORDERS

When applicable, you are required to upload to the docket and email chambers, the sample orders with their case identifiers. The samples below are linked to the Court's website.

[Order Amending Caption to Correct Name - Per debtor's application \(4/11\)](#)

[Order and Notice of Automatic Stay Affecting Wage Garnishment or Execution \(12/18/07\)](#)

[Order Appointing Mediation Advocate](#)

[Order Directing Correction of SSN\(s\)/Other ITIN\(s\) - Attorneys & Pro Se Debtors \(12/1/07\)](#)

[Order Establishing Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof \(Brooklyn\) \(12/1/15\)](#)

[Order Establishing Deadline for Filing Proofs of Claim and Approving the Form and Manner of Notice Thereof \(Central Islip\) \(12/1/15\)](#)

[Order for Waiver of Chapter 7 Filing Fee \(Brooklyn\) \(12/1/15\)](#)

[Order for Waiver of Chapter 7 Filing Fee \(Central Islip\) \(12/1/15\)](#)

[Order Granting Application\(s\) for Allowance of Interim/Final Compensation and Reimbursement of Expenses](#)

[Order To Pay Filing Fee In Installments \(12/1/15\)](#)

AFFIDAVIT PURSUANT TO LBR, EDNY 1007-1(b), 1009-1(a)

When filing certain Schedules after the petition has been filed, or when amending certain Schedules, an Affidavit pursuant to LBR, EDNY 1007-1(b) or 1009-1(a) must be filed.

Rule 1007-1(b) - *Schedules and Lists Filed After Filing of Petition.*

Schedules D, E, and F which were not submitted at the time of filing of the petition but are filed thereafter shall be accompanied by (i) Local Form No. USBC-64 entitled "Affidavit Pursuant to Local Rule 1007-1(b)" and (ii) the applicable filing fee. The filing fee is \$31.00.

Rule 1009-1(a) - *Effectuation of Amendment*

.... Amendments to Schedules D, E, or F shall be accompanied by (i) Local Form No. USBC-63 entitled "Affidavit Pursuant to Local Rule 1009-1(a)" and (ii) the applicable filing fee. An amendment shall not be effective until proof of service in accordance with subdivision (b) of this rule has been filed. If a creditor is added or deleted, an amended mailing matrix shall also be filed.

SUMMARY OF SCHEDULES AND LIABILITIES AND CERTAIN STATISTICAL INFORMATION

In addition to the Affidavits identified above, the *Summary of Assets and Liabilities and Certain Statistical Information* totals from Schedules, A/B, E/F, I, J, Forms 106 and 122, are **required** at the time of filing of the Schedules and/or Amended Schedules.

FILING STATISTICS

January - April 2017

Chapter 7	=	2,263
Chapter 9	=	0
Chapter 11	=	82
Chapter 12	=	0
Chapter 13	=	1,238
Chapter 15	=	0

Total Cases Filed January – April 2017 – 3,583
Total Adversary Proceedings Filed January – April 2017 - 153

JUDGE LORD'S COURTROOM

Matters before the Honorable Nancy Hershey Lord are held in Courtroom 3577 on the 3rd floor of the United States Bankruptcy Court in Brooklyn.

REMINDERS

Means Test

[This is the link for the Updated Means Test Information for cases filed on and after May 1, 2017](#)

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 reasons to believe that your password has been compromised, you must immediately notify the Court in writing.

Notwithstanding the above, if you wish the Clerk’s Office to change information relating to an attorney profile, all requests must be on business letterhead and signed by the person holding the account. This letter can be faxed to 631-712-6209, or emailed as an attachment to the ECF_Helpdesk@nyeb.uscourts.gov, or mailed to the United States Bankruptcy Court, Eastern District of New York, Alfonse M. D’Amato U.S. Courthouse, 290 Federal Plaza, Central Islip, NY 11722.

The above procedures are also applicable to Limited Access users who have limited access passwords. Requests to change information relating to their limited access creditor profile, including deactivating a password, must be on the company’s business letterhead and signed by the employee’s supervisor.

ECF TRAINING CLASS

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

- **Central Islip Courthouse - Friday, May 19, 2017 from 9:30 a.m. to 12:30 p.m.**
- **Brooklyn Courthouse - Friday, June 2, 2017 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 Information Clerk 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 classroom training dates are posted on the Court's website at:
<http://www.nyeb.uscourts.gov/ecf-training-class-schedule>

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. Send me an email at Margaret_Clarke@nyeb.uscourts.gov letting me know how we can help.

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