



UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK ECF NEWSLETTER

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SPECIAL EDITION OFFICIAL BANKRUPTCY FORMS CHANGES EFFECTIVE DECEMBER 1, 2015

Most Official Bankruptcy Forms (except six of the existing forms) are scheduled to be replaced with substantially revised, reformatted and renumbered versions effective December 1, 2015.

The new forms are part of the Advisory Committee's ongoing forms modernization project to make bankruptcy forms easier to read, and to understand, and more likely, generate complete and accurate responses.

The biggest change is with the case opening forms. The new forms introduce different versions of case opening forms for individual debtors and non-individual debtors under three categories of bankruptcy petition - Voluntary Petition, Involuntary Petition, and Petition for Recognition of Foreign Proceeding. The forms for non-individuals eliminate questions that pertain only to individuals and vice-versa and use a more open-ended response format. Questions of a similar nature are grouped together and multiple-part instructions have been replaced that are more specific questions. In addition, where possible, the forms for non-individuals parallel how businesses commonly keep their financial records.

The use of these Official Forms will be mandatory beginning December 1, 2015. The Clerk's Office will issue a deficiency notice for any outdated forms filed on or after December 1, 2015. Therefore, attorneys are advised to contact their software vendors to update their software to meet the new form requirements so that the forms can be in place for December 1, 2015, filings. To keep you further abreast of

the new forms changes, an email will go to all attorney filers around mid-November 2015, with a link to Adobe Captivate Learning Modules (ELMs) giving an overview of the changes and updating current ELMs.

AMENDMENTS TO BANKRUPTCY FORMS AND FED. R. BANKR. P. 1007

In addition to the changes to the bankruptcy forms, the Supreme Court adopted amended Rule 1007 of the Federal Rules of Bankruptcy Procedure. Like the form changes, amended Rule 1007 is scheduled to be effective on December 1, 2015, subject to approval by Congress. Rule 1007 was revised to address changes to several form designations referenced in the rule.

E-Z FILING

Since many ECF filers use E-Z filing bankruptcy software, we wanted to let you know that CINgroup will no longer update or support E-Z filing after November 30, 2015, due to the extensive changes to the bankruptcy forms.

NEW BANKRUPTCY FORMS AND INSTRUCTIONS

Select the hyperlink to view the new forms and instructions:

-  [Instructions for Individual Debtors \(pdf\)](#)
-  [Instructions for Non-Individual Debtors \(pdf\)](#)
-  [Forms Number Conversion Chart \(pdf\)](#)
-  [Official Bankruptcy Forms and Committee Notes \(pdf\)](#)
-  [Director's Forms \(pdf\)](#)
-  [Instructions for Official Form 410 \(pdf\)](#)
-  [Instructions for Official Form 410A \(pdf\)](#)

Check Official Bankruptcy Forms Link for Updates: <http://www.uscourts.gov/rules-policies/pending-rules-amendments/pending-changes-bankruptcy-forms>

You and your staff who assist with e-filing are encouraged to review the information given at the above links, as the changes are substantial

2015 BANKRUPTCY FORMS GROUPED BY CATEGORY

Official Bankruptcy Forms used by this Court are listed below:

CASE OPENING INDIVIDUAL	
101	Voluntary Petition for Individuals Filing Bankruptcy
101A	Initial Statement About an Eviction Judgment Against You
101B	Statement About Payment of an Eviction Judgment Against You
103A	Application for Individuals to Pay the Filing Fees in Installments
103 B	Application to Have the Chapter 7 Filing Fee Waived
104	For Individual Chapter 11 Cases: The List of Creditors Who Have The 20 Largest Unsecured Claims Against You Who Are Not Insiders
105	Involuntary Petition Against an Individual
106Sum	A Summary of Your Assets and Liabilities and Certain Statistical Information
106A/B	Schedule A/B: Property (<i>combines real and personal property</i>)
106C	Schedule C: The Property You Claim as Exempt
106D	Schedule D: Creditors Who Have Claims Secured By Property (<i>against individuals</i>)
106E/F	Schedule E/F: Creditors Who Have Unsecured Claims (<i>against individuals, combines priority and non-priority</i>)
106G	Schedule G: Executory Contracts and Unexpired Leases
106H	Schedule H: Your Codebtors
106I	Schedule I: Your Income
106J	Schedule J: Your Expenses
106J-2	Schedule J-2: Expenses for Separate Household of Debtor 2
106Dec	Declaration About an Individual Debtor's Schedules
107	Statement of Financial Affairs for Individuals Filing for Bankruptcy
108	Statement of Intention for Individuals Filing Under Chapter 7
119	Bankruptcy Petitioner's Notice, Declaration, and Signature
121	Statement About Your Social Security Numbers
CASE OPENING NON-INDIVIDUAL	
201	Voluntary Petition for Non-Individuals Filing for Bankruptcy
201A	Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11
202	Declaration Under Penalty of Perjury for Non- Individual Debtors (<i>For Petition, Schedules, Statement of Financial Affairs, etc.</i>)
204	For Chapter 11 Cases: The List of Creditors Who Have the 20 Largest Unsecured Claims Against You Who Are Not Insiders
205	Involuntary Petition Against a Non-Individual
206Sum	Summary of Your Assets and Liabilities for Non-Individual
206A/B	Schedule A/B: Real and Property (<i>combines real and personal property, non-individuals</i>)
206D	Schedule D: Creditors Who Have Claims Secured By Property (<i>against non-individuals</i>)
206E/F	Schedule E/F: Creditors Who Have Unsecured Claims (<i>against non-individuals, combines priority and non-priority</i>)
206G	Schedule G: Executory Contracts and Unexpired Leases
206H	Schedule H: Your Codebtors
207	Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy
CASE OPENING FOREIGN PROCEEDING	
401	Chapter 15 Petition for Recognition of a Foreign Proceeding

2015 BANKRUPTCY FORMS GROUPED BY CATEGORY

Official Bankruptcy Forms used by this Court are listed below:

FEES	
2800	Disclosure of Compensation of Bankruptcy Petition Preparer
2030	Disclosure of Compensation of Attorney for Debtor
NOTICES OF COMMENCEMENT	
309A	Notice of Chapter 7 Bankruptcy Case – No Proof of Claim Deadline <i>(For Individuals or Joint Debtor)</i>
309C	Notice of Chapter 7 Bankruptcy Case – No Proof of Claim Deadline Set <i>(For Corporation or Partnership)</i>
309E	Notice of Chapter 11 Bankruptcy Case <i>(For Individuals or Joint Debtor)</i>
309F	Notice of Chapter 11 Bankruptcy Case <i>(For Corporations or Partnership)</i>
309G	Notice of Chapter 12 Bankruptcy Case <i>(For Individuals or Joint Debtors)</i>
309H	Notice of Chapter 12 Bankruptcy Case <i>(For Corporations or Partnerships)</i>
309I	Notice of Chapter 13 Bankruptcy Case
OPERATIONS	
3180F	Discharge of Debtor After Completion of Chapter 12 Plan
3180FH	Discharge of Debtor Before Chapter 12 Plan <i>(Hardship Discharge)</i>
318DI7	Discharge of Debtor <i>(For Chapter 7)</i>
318JO1	Discharge of One Joint Debtor in a Chapter 7 Case
3180RI	Discharge of Individual Debtor in a Chapter 11 Case
3180W	Discharge of Debtor/s After Completion of Chapter 13 Plan
3180WH	Discharge of Debtor Before Completion of Chapter 13 Plan <i>(For Hardship Discharge)</i>
423	Certification About a Financial Management Course
2010	Notice Required by 11 U.S.C. §342(b) for Individuals Filing for Bankruptcy
2710	Final Decree <i>(Chapter 7)</i> and <i>(Chapter 13)</i>
318DF7	Discharge of Debtor and Order of Final Decree <i>(Chapter 7)</i>
2830	Chapter 13 Debtor’s Certifications Regarding Domestic Support Obligations
PROOFS OF CLAIM	
410	Instructions for Proof of Claim
410	Proof of Claim
410A	Instructions for Mortgage Proof of Claim Attachment
410A	Mortgage Proof of Claim, Attachment A
410S1	Notice of Mortgage Payment Change
410S2	Notice of Postpetition Mortgage Fees, Expenses, and Charges
MEANS TEST	
122A-1	Chapter 7 Statement of Your Current Monthly Income
122A-1Supp	Statement of Exemption from Presumption of Abuse Under § 707(b)(2)
122A-2	Chapter 7 Means Test Calculation
122B	Chapter 11 Statement of Your Current Monthly Income
122C-1	Chapter 13 Statement of Your Current Monthly Income and Calculations of Commitment Period
122C-2	Chapter 13 Calculation of Your Disposable Income

NEW ECF EVENTS FOR NEW or REVISED FORMS

It is important to note that the process of opening a new case, whether it is a complete, or somewhat deficient or “bare bones” petition, where most of the case opening documents are to be filed at a later date, the process for opening a new case has not changed. Few of the screens in the ECF Live Database have had information deleted or added, and the process of uploading a new petition remains the same.

OFFICIAL FORM #	FORM NAME	ECF EVENT	CATEGORY IN CM/ECF
_____	Voluntary Petition for Individual Filing for Bankruptcy	In the event the voluntary petition must be refiled, the ECF filers must use the event Refiled Petition Re: Forms Modernization 2015 (Pgs. 1-8). All eight pages must be refiled.	Other
101A	Initial Statement About an Eviction Judgment Against You	Initial Statement of Eviction Judgment	Other
101B	Statement About Payment of an Eviction Judgment Against You	Statement About Payment of Eviction Judgment	Other
104	For Individual Chapter 11 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims Against You and Are Not Insiders	20 Largest Unsecured Creditors Form 104 or Form 204	Other
106Sum	Summary of Your Assets and Liabilities and Certain Statistical Information	Summary of Assets and Liabilities and Certain Stat Information	Other

OFFICIAL FORM #	FORM NAME	ECF EVENT	CATEGORY IN CM/ECF
106Dec	Declaration About an Individual Debtor's Schedules	Declaration About Individual Debtor's Schedules	Other
107	Statement of Financial Affairs for Individuals Filing for Bankruptcy	Statement of Financial Affairs for Individuals	Other
201A	Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11	Attachment to Voluntary Petition - Non-Individuals Ch 11	Other
202	Declaration Under Penalty of Perjury on Behalf of a Corporation or Partnership	Declaration Under Penalty of Perjury for Non-Individual Debtors	Other
204	Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims And Are Not Insiders	20 Largest Unsecured Creditor Form 104 or Form 204	Other
206Sum	Summary of Assets and Liabilities for Non-Individuals	Summary of Assets and Liabilities for Non-Individuals	Other
207	Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy	Statement of Financial Affairs for Non-Individuals	Other
423	Certification About a Financial Management Course	Certificate of Financial Management Course	Other

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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.

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