



UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF NEW YORK ECF NEWSLETTER

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PASSWORD RESET PROGRAM

The United States Bankruptcy Court, Eastern District of New York announces the deployment of the ECF Password Reset Program. ECF users who have forgotten their password do not have to contact the Clerk's Office. ECF account holders can automatically change their password by selecting the *click here* hyperlink just above the **Authentication** text box on the **CM/ECF Filer** or **PACER Login** page.

Filers will be asked to enter their ECF login. As soon as you submit your ECF login, you will receive an email confirmation acknowledging your request. Click on the link sent to your primary email address. Enter and confirm your new password and select **Next** to complete the process.

If you do not receive the confirmation email in your Inbox within minutes, check your Spam before calling the Clerk's Office.

Passwords must have at least 8 characters, both uppercase and lowercase letters, and at least one digit and one special character (e.g., @, %, & etc.).

When you initiate a request to change your password you have 24 hours to complete the process.

Logins cannot be changed. If you do not know your login, you will have to contact the Clerk's Office.

ELECTRONIC COURTROOM APPEARANCE PROGRAM (eCAP)

Any attorney, creditor, or *pro se* debtor making an appearance before the Court must utilize the Electronic Courtroom Appearance Program to enter his or her appearance before Court begins.

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 Counter. You may put in your appearance from any of these terminals.

If you are in Court on behalf of the attorney of record, you are required to enter **your** appearance and not that of the attorney who asked you to appear.

Your electronic appearance is part of the court's official record. It cannot be stressed enough the importance of accuracy and full disclosure of your name, firm or company name, address and phone number.

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

TIP OF THE MONTH

Chambers Copies

Electronic filing eliminated the requirement for **some** chambers copies. Each bankruptcy judge in the Eastern District of New York has his or her chambers' rules. They are not all the same.

When unnecessary hard copies are sent to the Court, time is spent reviewing the documents and checking the dockets to make sure they are filed. To eliminate these unnecessary steps, filers must comply with the procedures the judge assigned to the case has instituted.

Before sending a copy of a document to the Clerk's Office go to the Court's website; hover the mouse over the tab **Information about Judges**; click **Judges' Procedure**; and select **Chambers Copies**. Look for the judge assigned to the case and comply with his or her instructions on chambers copies.

Required chambers copies are to be delivered to the Clerk's Office with a copy of the **Notice of Electronic Filing (NEF)** affixed to the front page of the filed document. This NEF serves as a receipt and an acknowledgement that the document was electronically filed.

We encourage you to share this document with those on your staff that 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).

AMENDMENTS TO THE BANKRUPTCY COURT MISCELLANEOUS FEE SCHEDULE AND OFFICIAL BANKRUPTCY FORMS

The Judicial Conference at its meeting in September 2014 approved amendments to the Miscellaneous Fee Schedule and the Official Bankruptcy Forms, to take effect December 1, 2014.

- There will be a \$25.00 fee for filing a motion to redact a record (**New fee**)

- B 3A Application for Individuals to Pay the Filing Fee in Installments
- B 3B Application to Have the Chapter 7 Filing Fee Waived
- B 6 Summary of Schedules
- B 17A Notice of Appeal and Statement of Election
- B 17B Optional Appellee Statement of Election to Proceed in District **(New form)**
- B 17C Certificate of Compliance with Rule 8015(a)(7)(B) and 8016(d)(2) **(New form)**
- B 22A-1 Chapter 7 Statement of Your Current Monthly Income
- B 22A-1 Supp Statement of Exemption from Presumption of Abuse Under §707(b)(2)
- B 22A-2 Chapter 7 Means Test Calculation
- B 22B Chapter 11 Statement of Your Current Monthly Income
- B 22C-1 Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period
- B 22C-2 Chapter 13 Calculation of Your Disposable Income

REMINDERS

Chapter 13 Plans

When electronically filing the Chapter 13 Plan or Amended Plan, fill in the date of the Plan when prompted.

Case Numbers Needed to Provide Case Information

When calling the Court to get case information, have the case number readily available so we can promptly assist you. Case information can be found on PACER as well as the Voice Case Information System (VCIS).

Summary of Schedules

The **Summary of Schedules** page that is included in the petition is duplicated in the ECF database and the same data entered on this form must be transposed into the ECF system. Filers are required to input totals in the white field boxes of the Summary of Schedules from **Schedules A, B, D, E, F, I, J, Current Monthly Income from the Means Test (Form 22A or Form 22C), and Form 6, Statistical Summary.**

If a Schedule or Form is not filed, the white field boxes should be blank. If the Schedules or the forms identified above were filed, the white field boxes must be completed.

Amended Statement of Current Monthly Income (Means Test)

An Amended Statement of Current Monthly Income (Means Test) must be filed as a single docket entry. Select the event, **Statement of Current Monthly Income**, and select from the prefix drop down box, the word “Amended”. Do not use any other prefix or event to docket an amended Means Test.

BROWN BAG BREAKFAST

The Central Islip Bankruptcy Judges will hold a brown bag breakfast on Wednesday, November 12, 2014, from 8:30 a.m. to 9:30 a.m., in the Joseph P. Hurley Training Room, at the Alfonse M. D'Amato U.S. Courthouse in Central Islip. The agenda will include a discussion lead by the United States Trustee on the **Means Tests** -- Lapses, Omissions and Misunderstandings.

UPDATED JUDGES' PROCEDURES

The Court has updated its Judges' Procedures to include those of the Honorable Louis A. Scarcella.

Judge Stong's procedure on telephonic hearings has been modified to request prior approval for telephonic hearings **by letter**. The letter must be **docketed** and a copy **sent to the email address**: ESS_hearing@nyeb.uscourts.gov at least two business days in advance.

REDACTING PERSONAL IDENTIFIERS FROM DOCUMENT

As a reminder, it is the responsibility of the filer to redact documents. When filers upload unredacted documents to the ECF Live database, the Clerk's Office will be directed by Order of Court to request that a redacted document as required by Bankruptcy Rule 9037 be re-filed by a fixed date. For example, if a petition is filed with the complete debtor's social security number, or Form 21 is within the petition, you will be asked to refile the document along with any accompanying attachments.

ATTORNEY CONTACT INFORMATION ON DOCUMENTS

When filing documents with the Court, it is important that you add your contact information to the documents. Pre-printed documents, such as reaffirmation agreements, must include contact information, such as name, address, phone number and an email address.

MODIFIED BANKRUPTCY EVENTS

The following Bankruptcy/Adversary events in bold are modified to encourage and reinforce correct usage of these events:

OLD	MODIFIED	DOS and DON'TS
Letter of Adjournment	Letter of Adjournment – (Do not use to adjourn 341).	This event is to be used to adjourn court hearings only. Always link this event to the document for which the request is made.
<i>In Forma Pauperis</i> (Application – Chapter 7 only)	Application to Have the Chapter 7 Filing Fee Waived (IFP)	This event is only to be used to file the Application to Waive Filing Fee for Chapter 7 Petitions. Do not use this event to waive any other filing fees. Use the event, <i>Waive Filing Fee (Use to Reopen Case/File Fee Related Documents on IFP Case)</i> when waiving other filing fees including fee-related documents (not a Petition) in an IFP case. Each request to waive the filing fee for a fee-related document in an IFP case must be individually waived by Application and Order of Court.

CASE FILINGS JANUARY- AUGUST 2014

Chapter 7 = 7,320
Chapter 9 = 0
Chapter 11 = 146
Chapter 12 = 3
Chapter 13 = 1,112
Chapter 15 = 6

Total Cases Filed January-August 2014 = 8,587
Total Adversary Proceedings Filed January-August 2014 = 396

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.

EMAIL ADDRESS

ECF filers receive their Notices of Electronic Filing from the Bankruptcy Court Live email account. Filers are asked not to respond to emails received from this email address BKECF_LiveDB@nyeb.uscourts.gov as any emails sent to this address will not be answered.

CHANGE IN CENTRAL ISLIP MAILING ADDRESS

All mail sent to the Bankruptcy Court at the Central Islip Courthouse **must** be addressed as follows. Failure to do so may delay delivery of mail to the Court.

United States Bankruptcy Court
Alfonse M. D’Amato United States Courthouse
290 Federal Plaza
Central Islip, New York 11722

DOCKETING TIPS

All filers are required to adhere to the redaction requirements under Bankruptcy Rule 9037(d) of the Privacy Act.

Filers are asked to use capital and lower case letters when inputting data or docketing in the ECF Live system. Filers should not use ALL CAPITAL LETTERS.

When filing a new petition, in addition to uploading the list of creditors in .txt format under Creditor Maintenance in the ECF system, you must also include a PDF list of creditors within the petition.

The Help Desk is available to filers who are having difficulty filing documents. We recommend that you and those on your staff who assist with e-filing attend the ECF training classes at the Court.

New filers to this Court are reminded that they are responsible for timely service of any documents and must not rely on the Electronic Case Filing system as a form of service. See Local Bankruptcy Rule 9036-2.

When requesting more than one relief for a motion, after selecting the first event from the list of Available Events, hold down the control (Ctrl) key on the keyboard to choose the second event. Do not type any event in the text box. The text box may be used to differentiate or uniquely describe the document filed.

The complete Social Security (SSN) or Individual Taxpayer-Identification Number (ITIN) is placed on Form 21. To be in compliance with Federal Bankruptcy Rule 9037, this form should be kept in your office with your clients records and should **not be uploaded to the docket**.

If you are unsure of the event or relief to use, check the Available Events list in the ECF system or the alphabetical listing of Docket Events at the link below on the Court's website: http://www.nyeb.uscourts.gov/sites/nyeb/files/docket_event_alph.pdf. If you cannot find an event/relief on either list, call the Help Desk. The Case Administrator will inform you of the best event to use. You may also use the ECF Search menu to find events.

Always link to an actual document. Do not link or relate documents to **any** hearing entries on the docket.

LOGINS AND PASSWORDS

If you have **forgotten** your ECF password, use the Court's new Reset Password Program to change your password. **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.

OFFICE SELECTION WHEN OPENING A BANKRUPTCY CASE

When selecting the **Office** in which the bankruptcy case should be filed, the **Office** assignment is generally based on the debtor's place of residence or the principal place of business. Filers are asked to **verify the Office selection** before advancing to the next field.

- The **Office** field defaults to Brooklyn. Keep the default selection when the debtor's county of residence or principal place of business is either Kings, Queens, or Richmond County; or
- Select the drop down arrow to change the **Office** selection to Central Islip only when the debtor's county of residence or principal place of business is either Nassau or Suffolk County.

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.

CHAPTER 11 LAWYERS ADVISORY COMMITTEE

The United States Bankruptcy Court for the Eastern District of New York announces the formation of a Chapter 11 Lawyers' Advisory Committee, to provide a forum for communication between the Court and the bar regarding chapter 11 practice and procedure in the District. The Committee meets quarterly. The last quarterly meeting was held on September 9, 2014. For more information click on the link: <http://www.nyeb.uscourts.gov/chapter-11-lawyers%E2%80%99-advisory-committee>.

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, November 14, 2014 from 9:30 to 12:30 p.m.
- Brooklyn Courthouse - Friday, December 5, 2014 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.

Margaret Clarke is the presenter for the classes in Central Islip and Brooklyn. 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>

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.

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