



Bankruptcy Bits & Pieces

June/July 2017

Bankruptcy Bits & Pieces is published by the Clerk's Office of the U.S. Bankruptcy Court for the Central District of Illinois as an information service for the practitioners in our court. Suggestions and comments are always welcome. Please email us at: attorney_newsletter@ilcb.uscourts.gov.

CourtSpeak

All Divisions in the U.S. Bankruptcy Court for the Central District of Illinois are now using CourtSpeak to add audio files of court proceedings to the docket. Selected matters heard by Judge Perkins and Judge Altenberger and all matters heard by Judge Gorman will be uploaded to CM/ECF, unless a hearing is specifically ordered to be sealed or restricted.

The audio files are available through PACER. A PACER user is charged \$2.40 for each access, however, attorneys who receive the PDF with the embedded audio with their NEFs are entitled to one free listen.

Please Note: If information subject to the judiciary's privacy policy is stated on the record, it will be available in the audio file. Parties are advised to avoid introducing personal data identifiers and other sensitive information into the record in the first place, unless absolutely necessary to prove an element of the case. Electronic Court Recording Operators (ECROs) cannot redact audio files before they are uploaded to CM/ECF.

Our Mission Statement:

We take pride, as the keeper of the official court record, in providing exceptional service, accurate and timely case processing, procedural information and access to records.

Hearing Calendars

Hearing calendars are now posted on our website. These calendars include the tentative dates for hearings, but will not include some emergency settings. To view the calendars select Court Info and then proceed to Docket & Hearings. They can also be viewed using the following link [Calendars](#).

In This Issue

Page 1:

- CourtSpeak
- Hearing Calendars
- Mission Statement

Page 2:

- Amended Schedules
- Chapter 13 Model Plan

Page 3:

- Amended Matrix

Page 4:

- ePOC Program
- Attorney Contact Information

Page 5:

- First Meeting Notices
- Court Locations
- Court Closures

ECF Filing Tip

Amended Schedules

As a reminder, please note the following when filing amended schedules:

- All amended schedules must be on the most current Official Forms (12/15).
- Amended schedules (Schedules A/B, D, E/F, I, J and Forms 122A-C) require a **Summary of Your Assets and Liabilities and Certain Statistical Information (individuals only)**. Amended schedules filed without the required Summary of Assets may be stricken.
- The amended schedule must be docketed using the applicable amended schedule docket event, and the "amended" box must be checked on the PDF.
- The amended schedule, Summary of Assets and Liabilities, Declaration, and Certificate of Service can be combined as a single PDF and docketed using the appropriate amended schedule docket events.
- The clerk's office docketed 1,620 Amendment Deficiency Notices between 12/15 – 8/16 . The most common deficiency was the proof of service. The proof of service must identify the document that was served, and reflect that service was specifically made on those creditors listed on the amended schedule/list of post-petition creditors who were added or modified.

As you are aware, revisions to the Federal Rules of Bankruptcy Procedure and Official Bankruptcy Forms took effect on December 1, 2015. Most of the forms were replaced with substantially revised, reformatted and renumbered versions. **Documents should be filed in accordance with the Federal Rules of Bankruptcy Procedure.** Official forms can be located at <http://www.uscourts.gov/forms/bankruptcy-forms>.

Ch. 13 Model Plan

Amendments to the Bankruptcy Rules and Forms are expected to take effect December 1, 2017. Among the new forms is Official Form 113 ("National Plan"), which will be the required form for all Chapter 13 plans unless a local form is adopted within the district.

After careful consideration, the judges for the Central District have decided to adopt a local form which will be required district-wide. An Announcement(s) regarding the local form, which will include a public notice and comment period, will be posted later this summer.

Amended Matrix

[Fed. R. Bankr. P. 1007\(a\)\(1\)](#) requires the debtor to file a list containing the names and addresses of each entity included or to be included on Schedules D, E/F, G and H as prescribed by the Official Forms. The creditor mailing list is an important tool for the court to use in performing its noticing functions and for delegating noticing functions to other parties. Maintaining an up-to-date mailing list of creditors is required to ensure all creditors and interested parties receive notice. The following chart explains the different events and the procedure for filing an Amended Creditor Matrix (Fee) or Amended Schedules (Fee) (Schedules D, E/F):

| <u>EVENT</u> | <u>PROCEDURE</u> |
|--|---|
| Bankruptcy > Miscellaneous > Amended Creditor Matrix (Fee) | This event should only be used when creditors were listed on the schedules and not included on initial creditor mailing matrix (e.g., “short filing” with an incomplete matrix). |
| Bankruptcy > Miscellaneous > Address Change (Text-only event) Bankruptcy > Miscellaneous > Address Change - Multiple Addresses (PDF Required) | These events should only be used to change the address of a creditor listed on the creditor mailing matrix. When docketing these events, you must also list both the old and new addresses of the creditor (s). If the creditor is listed on the schedule and doesn’t appear on the mailing matrix, an amended creditor matrix must be filed (see the above event). |
| Bankruptcy > Miscellaneous > Amended Schedules (Fee) (Schedules D, E/F - new creditors or modified debt amounts) | This event should be used to add or modify creditors on a previously filed schedule. The clerk’s office will add the creditor(s) to the creditor mailing matrix prior to processing the amended schedule. |
| Bankruptcy > Motion to Remove Creditor from Matrix (fee) | This event should be used to remove or delete a creditor from the matrix (e.g., incorrect creditor listed on the mailing matrix). |

Electronic Proof of Claim (ePOC) Program

The proof of claim and other claim related documents can be filed electronically from this court's website without a CM/ECF login using our ePOC program <http://www.ilcb.uscourts.gov/electronic-proof-claim-epoc-program>.

The following events are available through our ePOC program:

- **Proof of Claim**
- **Amended Proof of Claim**
- **Withdrawal of Claim**
- **Response to Notice of Final Cure Payment**
- **Notice of Mortgage Payment Change**
- **Notice of Postpetition Mortgage Fees, Expenses and Charges**

Attorney Contact Information

Please check the CM/ECF docket sheet for your cases for accurate mailing and email address information. Please ensure that your email system is functioning properly. Failure to maintain updated and accurate information, can result in you not receiving the Notices of Electronic Filing (NEF) for your cases.

Common causes of NEF delivery failure are:

- (1) failure to keep a current email address on file,
- (2) the recipient's email system rejects the NEF as spam, or
- (3) the recipient's inbox is full.

Many NEF delivery failures occur because inactive addresses or disabled secondary email addresses are attached to the primary CM/ECF account. When NEF delivery failures occur, the Clerk's Office will remove the inactive email address associated with the CM/ECF account.

To update your mailing address or your email address in your CM/ECF account, go to: Maintaining Your CM/ECF Account in the electronic case filing system.



Court Locations

Springfield

2nd Floor Room 226

600 E. Monroe Street

Springfield, IL 62701

(217) 492-4551

Office Hours: 8 am–5pm

Peoria

2nd Floor Room 216

100 N.E. Monroe Street

Peoria, IL 61602

(309) 671-7035

Office Hours: 8 am–5 pm

Urbana

Room 203

201 S. Vine Street

Urbana, IL 61802

(217) 974-7330

Office Hours: 8 am–5 pm

First Meeting Notices

The first meeting of creditor notices (Official Form 309A through 309H) have been modified on page 2 to highlight the date, time, and addresses of the meeting of creditors. Parties should always refer to the notice for correct meeting locations.

| | | |
|-------------------------------------|---|---|
| 6. Bankruptcy clerk's office | 226 US Courthouse 600 E Monroe Street Springfield, IL 62701 Documents in this case may be filed at this address. You may inspect all records filed in this case at this office or online at www.pacer.gov . | Hours open 8:00 am – 5:00 pm Contact phone 217-492-4551 Date: 6/7/17 Visit www.ilcb.uscourts.gov for this court's mandatory electronic filing policy. |
| 7. Meeting of creditors | July 10, 2017 at 09:30 AM | LOCATION: 607 E Adams St, 1st Floor, Illinois Building, Springfield, IL 62701 |
| 8. Presumption of abuse | The presumption of abuse does not arise. If the presumption of abuse arises, you may have the right to file a motion to dismiss the case under 11 U.S.C. § 707(b). Debtors may rebut the presumption by showing special circumstances. | |
| 9. Deadlines | File by the deadline to object to discharge or to challenge whether certain debts are dischargeable: The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines. | Filing deadline: 9/8/17 You must file a complaint: |



Court Closures

The Clerk's Office will be closed the following days:

Monday, July 3, 2017

Tuesday, July 4, 2017

Monday, September 4, 2017