



Bankruptcy Bits & Pieces

Sept/October 2013

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

Model Chapter 13 Plan

Since April, 2013, a model Chapter 13 Plan has been available in the Springfield Division. The plan, available in the forms section on our website, is a fillable document and is compatible with current versions of Adobe Acrobat. The purpose of the plan is to provide clear language for the treatment of various classes of creditors which should lead to quicker confirmations and less confusion post confirmation about the terms of the confirmed plan. We recommend that debtor's attorneys review the plan and consider using it in all new cases. The model plan is optional at this time, but will become mandatory in Springfield soon. For more information – see the News and Announcements section on our website.

What's in a Case Number... A Key to the Divisional Office

The case numbers assigned to every bankruptcy and adversary case contain information specific to the divisional office that the case relates. Here's a key to helping you quickly determine the divisional office based on the case number:

Example: 3:13-bk-70001

1 – Peoria
2 – Danville
3 – Springfield

7 – Springfield
8 – Peoria
9 – Danville

Reminder: Maintaining Your User Account

Please ensure that your user account information (address, telephone, email) is up-to-date. The Clerk's Office does not maintain this information. The email address needs to be correct should you need to reset your password. Please view the CM/ECF Filing Tips>Maintain User Information which is available on our website at www.ilcb.uscourts.gov.

Help Desk

The Central District of Illinois no longer has a centralized help desk phone number for the Danville, Peoria and Springfield offices. If you need assistance, please call the divisional office relating to your case.

Enhancements to ECF

There is a new feature to CM/ECF that will assist trustees and attorneys with service of papers. The feature identifies who will receive electronic notice from CM/ECF. Any party listed on the Mailing Matrix Case Report that has a plus sign + at the end of the name line indicates that person receives notice electronically in CM/ECF and therefore service by mail is not required. For example:

U.S. Trustee +
Office of Nancy J. Gargula U.S. Trustee
401 Main St. #1100
Peoria, IL 61602-1241

WiFi

The Bankruptcy Court is now providing free wireless access in the Springfield, Peoria, and Rock Island courtrooms. Individuals can now use the service during court proceedings to check emails, view documents, and communicate with fellow employees and clients.

See the Wireless Internet Policy on our website.

ECF Filing Tips of The Day...

Curing a Deficiency

When receiving a deficiency notice, it is important to review the notice to determine what corrective action is needed to cure the deficiency. Often, a deficiency notice is sent to request additional documents in relation to what has already been filed. In those instances, it is not necessary to re-file your motion, amended schedule, etc., if we are only requesting a certificate of service, declaration, etc. You only need to re-file the original document if the deficiency notice specifically states that you should. For instance, if you receive a deficiency on an amended schedule to file the declaration, you only need to file the declaration. Likewise, if a deficiency is sent to request a certificate of service on your motion, you only need to file the certificate of service—you do not need to file the motion again with the certificate of service.

Amendments

An amendment is a change in (commonly an addition or deletion) or a correction to a previously filed pleading. Per Bankruptcy Rule 1009, it is the debtor's responsibility to give notice of an amended schedule or statement to the trustee and to any party affected thereby. Nevertheless, the Clerk's Office will **Send** a Notice of Amendments to Schedules of Liability D, E, or F.

We will **Send** a Notice of Correction to Debtor(s) Name or SSN, if the Amended Voluntary Petition was filed to correct the debtor(s) name and the 341 Notice was previously docketed. Note: An amendment listing a creditor without an address would not have a Proof of Service and would therefore be deficient.

Per Bankruptcy Rule 1008, the debtors must file a signed unsworn declaration or verification to all amended statements, schedules, petitions, and lists. This includes the Statement of Financial Affairs.

A request by the debtor to remove a creditor from the mailing matrix must be filed as a Motion to Remove Creditor from Mailing List (fee).

There is a fee for each amendment to the debtor's liability schedules or list of creditors. However, if the PDF contains more than (1) amended schedule or an amended schedule and an amended matrix, there is a single fee.



Court Locations

Springfield
2nd Floor Room 226
600 E. Monroe Street
Springfield, IL 62701
(217) 492-4551
Office Hours: 8 am–5pm

Danville
1st Floor Room 130
201 N. Vermilion Street
Danville, IL 61832
(217) 431-4820
Office Hours: 7:30 am–4:30 pm

Peoria
2nd Floor Room 216
100 N.E. Monroe Street
Peoria, IL 61602
(309) 671-7035
Office Hours: 8 am–5 pm

Court Closures

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

Monday, October 14, 2013