



Bankruptcy Bits & Pieces

Jan/Feb 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

The Latest News...

Recent Changes to Official Bankruptcy Forms - 87, 810, 821

Reminder: Amendments to the Official Bankruptcy Forms took effect on December 1, 2012. The amended forms include Official Form 7 (Statement of Financial Affairs), Official Form 10 (Proof of Claim), and Official Form 21 (Statement of Social Security Number or Individual Taxpayer-Identification Number). In addition, Official Forms 9A-9I (Notice of Meeting of Creditors and Deadlines) have been updated.

The updated forms can be found on our website under the Forms menu.

Returned BNC Mail

On October 15, 2012, the processing of returned mail by the Clerk's Office was eliminated. The Judiciary's Bankruptcy Noticing Center is now processing notices that would otherwise have been returned to the court. The BNC will now send most returned mail to the debtor's attorney, with a notice that a better address for the recipient should be provided to the Clerk's Office. For more information, see the Centralized Processing of Returned Mail notice on our website.

Rule 7004(h) - Service on an Insured Depository Institution

Rule 7004(h) requires service on an insured depository institution to be made by certified mail addressed to an officer. This requirement applies to both adversary proceedings and contested matters. The FDIC maintains a directory of insured depository institutions accessible through its website:

<http://research.fdic.gov/bankfind/>

Once a financial institution is identified as a federally insured depository institution through the BankFind feature on that website, the "FDIC BankFind Details" tab includes an address for the headquarters of the institution and a link to its corporate website, which usually includes information on executive offices. If the institution has ceased doing business or has merged with or been acquired by a successor institution, that information is provided on the FDIC website.

Bankruptcy Statistics

Number of Cases filed in Dec 2012		Total Cases filed in 2012		Total Cases filed in 2011		Docket Entries by E-filers in Dec 2012	
Peoria	179	Peoria	2837	Peoria	3250	Peoria	3512
Danville	93	Danville	1876	Danville	2318	Danville	2142
Springfield	168	Springfield	2755	Springfield	3253	Springfield	3042
Total	440	Total	7468	Total	8821	Total	8696

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Changing CM/ECF Passwords

Every e-filer is responsible for maintaining the integrity and security of their CM/ECF account. The login assigned to an individual is one way to sign a document, but also creates a financial responsibility as well. It is recommended that your password be changed periodically.

You can change your password under the Utilities menu in CM/ECF:

Utilities>Change Your Password>enter new password>re-enter new Password.

ECF Filing Tips of The Day...

Motion to Continue Hearing

Attorneys may find it necessary to ask the court to reschedule hearings from time-to-time. When it is necessary to continue a hearing, parties may file a Motion to Continue using the appropriate Bankruptcy or Adversary Event > Motions/Applications> Continue Hearing.

Select the appropriate filing party when prompted and attach your PDF at the Browse button. Please open the PDF and view for accuracy/correct document before attaching the PDF. When prompted to "Refer to existing event(s)?" place a check mark in the box and select next. The next screen will bring up all the documents on the docket - select the appropriate pleading/document you wish to continue the hearing for (Note: do not link to the hearing notice). The final docket text will read as "Motion to Continue Hearing On (related document 455 Motion for Relief From Stay (Fee) Filed by...").

Docket Text & PDF—We Need to Match

We all rely on the docket text to accurately reflect the documents on file in a case. Therefore, the integrity of the court record is of utmost importance. Documents may be stricken by the court for not matching the docket entry if an incorrect docket event is used.

Changes to the docket should be kept to a minimum, and it must first be determined if there is a docket event that ap-

"Documents may be stricken by the Court for not matching the docket entry"

plies to your document. There are several docket events for amended filings, and those events must be used as applicable. If no such docket event for an amended document is available, then the filer may choose the regular event and edit the final docket text to include "amended," "first," etc. before clicking the final "Submit" button.

Deferring a Fee in an Adversary Proceeding

If an estate has no funds to pay the filing fee when a trustee or debtor in possession files an adversary proceeding, the court may defer payment by a trustee or debtor in possession until the estate secures funds. If qualified, the fee may be deferred by selecting 'y' at the deferred screen and then \$0.00 at the fee screen.

If the filer is an individual debtor, or the United States, no fee is due to initiate an adversary proceeding. If a child support creditor is the plaintiff and files the form required by Section 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

If they are not one of the above filers (individual debtor, child support creditor, United States, the Bankruptcy Trustee) the fee must be paid in full at the time of filing.

Court Closures

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

Monday, January 21

Monday, February 18

Reminder: The court may close or have a delayed opening in extremely inclement weather. For a recorded message regarding delays or closures, please call 217-492-4262. You can also visit our website for information about closures or delayed openings.

Court Locations

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

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

CM/ECF Help Desk: (217) 492-4114
or Toll Free (877) 678-1714