



# United States Bankruptcy Court District of New Jersey

**Honorable Gloria M. Burns, Chief Judge**  
**James J. Waldron, Clerk**

The purpose of this notice is to advise New Jersey Bankruptcy CM/ECF participants of new system and operational developments and to highlight issues that require immediate attention.

## Office Locations

### Newark

Martin Luther King, Jr. Federal Building  
50 Walnut Street  
Newark, NJ 07102  
Phone (973) 645-4764

### Trenton

Clarkson S. Fisher US Courthouse  
402 East State Street  
Trenton, NJ 08608  
Phone (609) 858-9333

### Camden


US Post Office and Courthouse  
401 Market Street  
Camden, NJ 08101  
Phone (856) 361-2300


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## NOTICE REGARDING CHAPTER 13 HEARINGS FOR JUDGE WINFIELD AND JUDGE GAMBARDELLA

### JUDGE GAMBARDELLA:

Commencing February, 2015, all Chapter 13 Motions and Applications will be heard on confirmation hearing dates only. The calendar for Ch. 13 days will commence with confirmation hearings and trustee motions at 9:00 am. It will be followed by Ch. 13 Motions and Applications at 11:00. All counsel are expected to appear timely at their scheduled hearings and to adhere to the Rules of Court. Please be guided accordingly.

### JUDGE WINFIELD:

Commencing February, 2015, all Chapter 13 Motions and Applications will be heard on confirmation hearing dates only. The calendar for Ch. 13 days will commence with confirmation hearings at 9:00 am and trustee motions at 10:00 am. It will be followed by Ch. 13 Motions and Applications at 12:00. All counsel are expected to appear timely at their scheduled hearings and to adhere to the Rules of Court. Please be guided accordingly.

## DECEMBER 1, 2014 CHANGES TO OFFICIAL BANKRUPTCY FORMS

The forms listed below were revised, effective December 1, 2014.

***IMPORTANT: Failure to file the revised forms will result in the issuance of a deficiency notice, and may result in dismissal of the debtor's case. E-filing attorneys who use petition preparation software are strongly encouraged to update their software to ensure that they are filing the most recent version of the forms.***

**B6** – *Summary of Schedules* – Revised to reflect line number changes on B22A-1, 22B and 22C-1 forms.

The “means test” forms have been substantially revised and renumbered. The revised versions present the information in a format different from the original forms. The new name and number of each form is set forth below.

**22A-1** – *Chapter 7 Statement of Your Current Monthly Income*

**B22A-1 SUPP** – *Statement of Exemption from Presumption of Abuse Under 707(b)(2)*

**B22A-2** – *Chapter 7 Means Test Calculation*

**B22B** – *Chapter 11 Statement of Your Current Monthly Income*

**B22C-1** – *Chapter 13 Statement of Your Current Monthly Income*

**B22C-2** – *Chapter 13 Calculation of Your Disposable Income*

## WEB SITE CHANGES CONCERNING FORMS

There are three types of bankruptcy forms:

**Official Forms** – These forms are promulgated by the Judicial Conference and their use is mandatory. They must be used to file a bankruptcy petition and take certain other actions in a bankruptcy case, such as filing a Proof of Claim or applying to pay a filing fee in installments.

**Procedural Forms** – These forms are developed by the Administrative Office of the U. S. Courts. Examples of procedural forms include the *Adversary Proceeding Cover Sheet* and *Transfer of Claim form*.

**Local Forms** – Local forms are drafted and approved by the Board of Judges for use in the District of New Jersey. They are divided into two categories: Mandatory and Recommended. Many of the mandatory local forms are included in the Court's Local Rules. Failure to utilize a mandatory form may result in a delay in the processing of a case. Examples of local mandatory forms include the *Certification of Service* and *Application for Retention of Professional*.

Recommended local forms have been drafted with an eye toward standardizing practices throughout the district. Examples of local recommended forms include the *Order Reopening Case* and *Order Vacating Stay*.

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In the past, frequently used Official and Procedural forms were included both on the AO list of Official and Procedural Bankruptcy Forms and on the court's web site under Local Forms. Effective immediately, Official and Procedural Forms will no longer be located in the Local Forms category unless they have been modified for local use, such as the *Summons and Notice of Pretrial Conference* and *Order Confirming Chapter 13 Plan*.

## TECH CORNER

**Q.** How do I make sure my fillable PDF cannot be edited by other users?

**A.** To prevent users from editing your form fields in a fillable PDF you must “flatten” or lock the form. Using Adobe Acrobat:

1. Open and complete a fillable form.
2. Click File > Print.
3. Select the Adobe PDF printer and click OK or Print.
4. In the pop-up window select where to save the flattened version of the form.
5. Click SAVE and file the form in CM/ECF.

**Q.** I have received a call from a courtroom deputy indicating that a proposed order I submitted cannot be processed due to incompatible fonts. What fonts are acceptable for use when drafting orders, and what fonts cannot be used?

**A.** Because of compatibility issues with our order processing software, we will process orders containing only the following fonts. Orders containing fonts other than those noted **will not be processed and will be returned to the filer.**

Times New Roman • Arial • Calibri • Helvetica

**Q.** Why can't I view a document in a case? Or, why do I receive a blank page when I view a document?

**A.** This may occur when viewing PDF's in a browser. It is always better to open PDF documents in Adobe Acrobat or Adobe Reader, rather than a browser. To do so:

1. On the Adobe Reader or Adobe Acrobat tool bar click **Edit > Preferences.**
2. Select **Internet** from the list of categories on the left.
3. Uncheck **Display PDF in Browser AND Allow Fast Web View**; click OK.

## EFILING GUIDANCE

### Filing the new Means Test forms

The new "means test" forms (listed on page 2 above) should always be filed as part of the petition PDF, or the Missing Documents PDF. They should NOT be filed as separate documents or by using separate events.

The only exception is the *Statement of Exemption from Presumption of Abuse (B22A-1 Supp)* in a chapter 7 case. This form must be filed separately when an individual chapter 7 debtor:

- Has primarily business debts.
- Is a disabled veteran and incurred their debt mostly while they were on active duty.
- Is or was a Reservist or member of the National Guard, is currently on active duty to perform a homeland defense activity, or was on active duty to perform a homeland defense activity after September 11, 2001, and was released from active duty fewer than 540 days before filing the petition.

The *Statement of Exemption from Presumption of Abuse Under Sec 707(b)(2) - Form 22A-1 Supp* event, located under Bankruptcy > Misc. Events category should be used to file the Statement.

**IMPORTANT: In a joint case where an exemption is claimed by both debtors, they must each file a separate *Statement of Exemption from Presumption of Abuse Under § 707(b)(2)* form.**

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### Transcripts regarding appeals

The following events have been created regarding the ordering and processing of transcripts related to appeals.

***Transcript Ordered Re Notice of Appeal*** – Parties ordering a transcript concerning in conjunction with an appeal may use this event, pursuant to Fed. R. Bankr. P. 8009(b)(1)(A), to file a statement indicating that they have ordered a transcript.

**IMPORTANT: Docketing of this event does not order the transcript. To do so, the party must contact the transcription service.**

***Certification of No Transcript Ordered*** – Parties to an appeal who do not intend to order a transcript may use this event to, pursuant to Fed. R. Bankr. P. 8009(b)(1)(B), file a statement indicating that they are not ordering a transcript.

***Acknowledgment of Request for Transcript of Testimony*** – This event may be used by the transcription company to acknowledge receipt of a transcript order by a party to an appeal pursuant to Fed. R. Bankr. P. 8010(a)(2)(A).

***Statement of Evidence in Lieu of Transcript*** – Parties to an appeal may use this event to file a statement of evidence when a transcript is unavailable pursuant to Fed. R. Bankr. P. 8009(c).

## GUIDANCE REGARDING FEES

### **Redaction Fee**

Efiling attorneys are reminded that a new fee became effective December 1, 2014:

- Motion to Redact a Record, \$25 per affected case.

NOTE: A reopening fee will not be charged if redaction, pursuant to Fed. R. Bankr. P. 9037, is the only reason for reopening the case.

Pursuant to D.N.J LBR 9037-1, parties moving to redact personal identifiers from documents other than transcripts must file a **Motion for a Protective Order**. The *Protective Order (Redact)* event is located in the Motions/Applications category under both Bankruptcy and Adversary and must be used to request redaction of personal identifiers from documents other than transcripts.

### **Payment of Filing Fees**

Effective immediately, the clerk will enter a Notice of Hearing for Failure to Pay the Filing Fee in cases where efilers file a petition and do not pay the filing fee in full within three (3) days, or file an Application for Individuals to Pay the Filing Fee in Installments or an Application to Have the Chapter 7 Filing Fee Waived. To avoid dismissal of a debtor's case efilers are strongly encouraged to pay filing fees on a timely basis.

## MEDIATOR GUIDANCE

Efilers appointed as mediators in cases in this district are reminded that pursuant to proposed D.N.J. LBR 9010-2(c)(1), upon their selection as mediator they must determine whether there is a basis for disqualification and, within five (5) days after receiving notice of their appointment, must file with the court either a statement accepting appointment or disclosing all of the mediator's connections with the parties and their professionals together with a statement that the mediator believes that there is no basis for disqualification, or a notice of withdrawal of the appointment.

### Information Regarding Notification of Appointment

Mediators are added to the case upon the entry of the order appointing them and will receive a Notice of Entry of that order via US Mail from the BNC. Once the mediator efiles an acceptance of appointment using the *Mediator's Acceptance of Appointment* event, located in the Misc. Events category – they will begin to receive Notices of Electronic Filing (NEF's).

## SOCIAL MEDIA

Please be advised that the Court is now using Facebook and Twitter to update the public with important news and announcements.

Follow us on Twitter @USBCNJ, and on Facebook

## HELP DESK INFORMATION

By telephone:

Camden: 856-361-2301

Newark: 973-645-3366

Trenton: 609-858-9401

By email:

cmecf\_help\_desk@njb.uscourts.gov