



United States Bankruptcy Court District of New Jersey

Honorable Kathryn C. Ferguson, Chief Judge
Jeanne A. Naughton, Clerk

BENCH BAR SPECIAL EDITION

The purpose of this notice is to advise attorneys who regularly practice before the New Jersey Bankruptcy Court of new 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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PROPOSED CHANGES TO LOCAL RULES - COMMENT PERIOD

Attorneys are advised that the Board of Judges of the United States Bankruptcy Court for the District of New Jersey has approved for publication for a thirty day public comment period, proposed 2018 amendments to the Court's Local Rules and Forms as highlighted below:

D.N.J. LBR 2016-5. Application for Compensation of Debtor's Attorney in a Chapter 13 Case

- *Chapter 13 Disclosure of Debtor's Attorney Compensation*
- *Chapter 13 Debtor's Attorney Fee Application Cover Sheet*

D.N.J. LBR 4001-4. Status of Automatic Stay

- *Application for Order Confirming Automatic Stay is Not in Effect*

D.N.J. LBR 4002-1. Certification in Support of Discharge

- *Certification in Support of Discharge*

D.N.J. LBR 9013-4. Motions: Proposed Order

- *Certification Concerning Order to be Submitted*

D.N.J. LBR 9024-1. Reinstatement

- *Order Reinstating Case*

Comments will be accepted up to and including March 31, 2018, and may be submitted to the Court's email address: local_rules@njb.uscourts.gov.

CHAPTER 13 PLAN AND MOTIONS

The Court's mandatory local form, *Chapter 13 Plan and Motions* was revised effective December 1, 2017. Failure to file the most version form of this form will result in the issuance of an *Order to Show Cause Why Case Should Not be Dismissed for Failure to File Missing Documents*.

INSTALLMENT PAYMENTS

Efilers are reminded that it is very important to use the correct event, both in terms of chapter and sequence, when paying installment payments. The following events are available to attorneys who are paying installment payments electronically.

First Installment Payment – Ch. 7 (Only to be used if IFP granted)

Second Installment Payment – Ch. 7

Third Installment Payment – Ch. 7

Final Installment Payment – Ch. 7

Second Installment Payment – Ch. 11

Third Installment Payment – Ch. 11

Final Installment Payment – Ch. 11

Second Installment Payment – Ch. 13

Third Installment Payment – Ch. 13

Final Installment Payment – Ch. 13

AMENDMENT TO SCHEDULES

Under D.N.J. LBR 1009-1, amendments to the debtor's schedules must be filed on the corresponding Official Form. Please be reminded that in addition to the Official Form, the debtor must also file as part of the amendment a:

Individual debtor

- Declaration About an Individual Debtor's Schedules [Bankruptcy Form 106Dec]
- Summary of Your Assets and Liabilities and Certain Statistical Information [Bankruptcy Form 106Sum], if Schedule A/B, D, E/F, I or J are being amended.

Non-Individual Debtor

- Declaration Under Penalty of Perjury for Non-Individual Debtors [Bankruptcy Form 202]
- Summary of Assets and Liabilities for Non-Individuals [Bankruptcy Form 206Sum], if Schedule A/B, D, or E/F are being amended.

Failure to file the above forms with the debtor's amendment will result in the Clerk issuing a *Notice of Failure to File Supplemental Documents Concerning Schedules*.

IMPORTANT: When amending a schedule to add a creditor or party, a list of creditors containing only the added creditor/party must also be filed.

CERTIFICATION IN SUPPORT OF DISCHARGE

Attorneys are advised that Certifications in Support of Discharge must be signed and filed AFTER the Chapter 13 Standing Trustee has filed a Plan Complete Letter. Discharges will not be entered in cases where the *Certification* is signed or filed PRIOR to the Plan Complete Letter. Rather, the debtor will be required to refile a completed *Certification in Support of Discharge* after the Chapter 13 Standing Trustee's Plan Complete Letter has been filed, or upon completion of plan payments in a chapter 12 case.

NOTE: All *Certifications in Support of Discharge* must indicate the status of the debtor's domestic support obligations and must contain the date the document was signed by the debtor.

ORDERS TO BE SUBMITTED

Orders submitted when the Court has instructed the filer to submit a new order to reflect its ruling, or when a matter is marked "order to be submitted," will be held for a 7-day objection period. If the parties seek to have the order entered immediately, they must file new local form, *Certification Concerning Order to be Submitted*.

Related Event: A new event located in the Misc. Events category has been created: *Certification Concerning Order to be Submitted*.

LIST OF CREDITORS

Efilers are reminded that all efiled petitions must include a PDF of the list of creditors, AND the list of creditors must be uploaded electronically when filing a petition.

Please be advised that the Court will enter an *Order to Show Cause Why Sanctions Should Not be Imposed for Failure to Properly File List of Creditors* when an attorney does not upload a list of creditors with a petition and/or include a PDF of the List of Creditors.

The Order to Show Cause will require the attorney's appearance before the Court, and sanctions may be imposed.

LIST OF CREDITORS REPORT

Pacer users and efilers are advised that an accurate list of creditors for each case is available in PACER or CM/ECF by accessing Reports > List of Creditors. This report includes all parties listed by the debtor on the list of creditors, any party/attorney that has filed a Notice of Appearance, and any party who has filed a document in the case. Addresses on the list are also replaced with a preferred address if a party has so requested under § 342(f) of the Bankruptcy Code.

There is no PACER fee when accessing the report.

POWER OF ATTORNEY

When a document filed with the Court is signed by a Power of Attorney, the document creating the Power of Attorney relationship must also be filed.

MOTION TO CANCEL AND DISCHARGE MORTGAGE OR LIEN

Parties seeking to cancel and discharge a mortgage or lien must do so by motion. Related local forms, *Certification in Support of Motion to Cancel and Discharge Mortgage Lien* and *Order on Motion to Cancel and Discharge Mortgage or Lien* are available on the Court's web site under Local Forms.

STATEMENT OF SOCIAL SECURITY NUMBER

Efilers are reminded that when filing missing documents, the Statement of Social Security Number must be filed using the *Statement of Social Security Number* event located in the mlsc. Events category. Doing so will ensure that the debtor's social security number is restricted from public view.

COURT HOLIDAY SCHEDULE

Please be advised that the Court will be closed on the following days:

Friday, March 30, 2018

Monday, May 28, 2018

Wednesday, July 4, 2018

Monday, September 3, 2018

HELP DESK INFORMATION

CM/ECF Helpdesk:

NextGen Helpdesk:

By telephone:

973-645-3930

Camden: 856-361-2301

Newark: 973-645-3366

Trenton: 609-858-9401

By email:

cmecf_help_desk@njb.uscourts.gov

EMAIL ALERTS

NEVER MISS A COMMUNICATION FROM THE COURT !

- Do you know that you can follow the Court on Twitter or Facebook?
- Do you know that you **AND** your support staff can sign up to receive email alerts from the Court?

To follow us on Twitter or Facebook, select the link for the appropriate social media platform on our home page. To sign up to receive email alerts, click the red envelope shown below.

