



United States Bankruptcy Court District of New Jersey

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

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

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DECEMBER 1, 2019 CHANGES IN LOCAL RULES AND PROCEDURES DUE TO FEDERAL BANKRUPTCY RULE AMENDMENTS

On November 21, 2019, the Court entered a [Notice to the Bar and Public](#) and related [General Order Pending Adoption of Local Rule Changes Due to December 1, 2019 Amendments to the Federal Rules of Bankruptcy Procedure](#). The General Order made the following Local Rule revisions effective December 1, 2019, pending adoption under the Court's Annual Local Rule Making Cycle.

D.N.J. LBR 3011-1. Unclaimed Funds in a Chapter 7, 12, or 13 Case

This local rule has been amended due to adoption of Director's Form 1340 *Application for Payment of Unclaimed Funds*. The new process to request unclaimed funds requires use of the mandatory Local Form [Application for Payment of Unclaimed Funds](#). A motion and hearing date are no longer required; if no objection is received within 21 days of the filed date of the application, the request will be considered without hearing.

The application will not be processed if this mandatory form is not filed, or if the *Motions/Applications > Payment of Unclaimed Funds* event is not selected when efilng the application. The filer will receive a docketing correction advising that the application must be resubmitted.

Supporting documentation containing personal identifiers must be efiled using the new event *Misc. Events > Unclaimed Funds Supporting Documentation* once the application and other attachments have been filed. This new event is restricted from public view. See [Instructions for Applications for Payment of Unclaimed Funds](#) for complete requirements related to these applications.

A new webpage for all unclaimed funds information can be found on the Court's website www.njb.uscourts.gov

D.N.J. LBR 5005-1. Filing and Service of a Document

Service by electronic means is now addressed in FRBP 9036, prompting modifications to this local rule.

D.N.J. LBR 6007-1. Abandonment

Due to the modification of FRBP 6007(b), this local rule has been modified to take into account additional service requirements on a motion brought by a party in interest.

D.N.J. LBR 9013-2. Motions: Filing and Service; Hearing Date

Service by electronic means is now addressed in FRBP 9036, prompting modifications to this local rule.

DECEMBER 1, 2019 CHANGES IN LOCAL RULES AND PROCEDURES DUE TO FEDERAL BANKRUPTCY RULE AMENDMENTS (Continued)

D.N.J. LBR 9037-1. Privacy Protection for Transcripts (revised title)

FRBP 9037(h) is a new subsection addressing redactions of previously filed documents containing personal identifiers. A process for filing an application for redaction of a document was previously included in Local Rule 9037-1(a). Due to the inclusion of a process in FRBP 9037, the local rule has been modified to remove the local process in favor of the national rule.

Please note important changes in the process such as: service requirements, filing of a motion with hearing date, specifying in motion the docket entry or claim number of unredacted document or claim to be restricted from public view, and attaching the redacted document(s) or claim(s) as an attachment to the motion.

The *Motions/Applications > Requesting Redaction* event continues to be restricted from public view upon entry on the docket. Once the motion is received by the Clerk's Office, the unredacted document or claim will be restricted, pending outcome of the motion.

If the redacted document or claim is not included as an attachment to the motion, the filer will receive a docketing correction advising that the motion may be denied if the document or claim is not submitted prior to the hearing date.

If the motion is granted, the redacted document or claim will be entered by the Clerk's Office on the public docket or claims register, unless the redacted document or claim was submitted on the docket or claims register by the filer after filing of the motion.

If the motion is denied, the restriction on the unredacted document or claim will be removed.

The Local Forms *Application Requesting Redaction of Personal Information* and *Order Directing Redaction of Personal Information* will be removed from the Court's local forms menu on December 1, 2019, as a motion will be required.

DECEMBER 1, 2019 CHANGE TO OFFICIAL BANKRUPTCY FORM 122A-1

The change to Official Form 122A-1 adds an instruction to line 14a to remind a debtor that if there is no presumption of abuse, Official Form 122A-2 should not be filled out or filed.

MOTION TO SELL / MOTION TO SELL FREE AND CLEAR OF LIENS UNDER § 363(f) / NOTICE OF PROPOSED PRIVATE OR PUBLIC SALE

Efilers are reminded that pursuant to Local Rule 6004-1, all motions to sell must include a notice of proposed sale, unless the motion is being requested on shortened time. The notice of proposed sale must be filed separately from the motion, using either the Notice of Proposed Private Sale or Notice of Proposed Public Sale found in the Misc. Events category (or Trustees may use the Trustee Events category).

Motions to sell that do not include an application for shortened time and do not include a notice of proposed sale filed separately on the docket will not be processed. A docketing correction will be entered by the Clerk's Office and the motion will be removed from the Court's calendar, until both the motion and notice are filed.

AMENDMENTS TO SCHEDULES

REMINDER: Pursuant to Local Rule 1009-1, a debtor seeking to amend Schedules D through H or the List of Creditors must file the corresponding Official Form. If the amendment adds a creditor to Schedule D, E, F, G, or H, the debtor must also file an Amended List of Creditors, and include only the added creditor.

Use of Local Form Amendment to Schedule D, E, F, G, H or List of Creditors was discontinued by local rule change in 2016.

COURT HOLIDAY SCHEDULE

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

Thursday, November 28, 2019

Friday, November 29, 2019

Wednesday, December 25, 2019