

Editor in Chief,
Kristen E. Batty

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND**



The Inner Workings: News & Advice
By: Susan M. Thurston, Clerk of Court

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Once again, the Rhode Island Bankruptcy Court is pleased to present this latest edition of our newsletter, *On the Docket*. Now in its third year of publication, we continue to report on current trends in the courts, improvements in information technology and recent case decisions of the Bankruptcy Court and the First Circuit Bankruptcy Appellate Panel. While this publication is produced quarterly, there always

seems to be so much new *Anews@* to tell the readers **B** this issue is certainly no exception.

Federal Agency Information Fair

Let me start by highlighting the Bankruptcy Court's participation in the Federal Agency Information Fair at the Warwick Mall on Thursday, May 10th. The Information Fair was held in celebration of national Public Service Recognition Week



Public Service Recognition Week — Big Hit at the Warwick Mall.

(PSRW). PSRW is a time set aside to educate Americans about the broad variety of services provided by government.

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• Customer Service Survey" attached on last page.

Customer Service: It's All About You !
By: Gail A. Kelleher, Chief Deputy Clerk

In 1993, President Clinton signed Executive Order 12862 which challenged Federal employees to develop a customer fo-

cus government that rivals the best in business. The first step in accomplishing this is for all employees to know that the customer is the

reason for the organization's existence. Quality customer service is more than answering the phone promptly, and dis-

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(News & Advice Cont. from page 1)

The event, co-sponsored nationally by the Public Employees Roundtable and the President's Inter-agency Council on Administrative Manage-



New Courtroom Upgrades coming this fall.

ment is dedicated to A[re]aching out to communities across the nation [to] not only ... build bridges between government and citizens but [to] also give public servants an opportunity to educate their neighbors. Sixteen federal agencies participated in the Information Fair covering a range of federal services within the State of Rhode Island including, in addition to the Bankruptcy Court, the U.S. Department of Labor - OSHA, U.S. Secret Service, Small Business Administration, Office of Veterans Affairs, U.S. Federal Highway Administration, U.S. Coast Guard, General Services Administration, Alcohol, Tobacco & Firearms, Social Security Administration, Internal Revenue Service, Na-

tional Marine Fisheries Service, R.I. National Guard, Corporation for National Service, John H. Chafee Blackstone River Valley National Heritage Corridor, and the U.S. Postal Service. The event was well attended and was a unique opportunity to educate the public about the types of service and programs available by the federal government. We hope to make this an annual event during Public Service Recognition Week each year.

Courtroom Technology and Modifications

The Bankruptcy Court is excited to announce plans to upgrade the automation technology in the courtroom and to expand the Judge's conference room. In order to accommodate future automation growth in the courtroom, the first step is to build out the court recording bench to include space for the courtroom deputy and then to install a raised floor. The raised floor will allow for all future cable wiring to be run under the flooring and will eliminate unsightly and potentially dangerous wires across the carpeting. Once the floor is installed (expected date of late summer, early fall), the

Court will be installing an evidence presentation system with computers on counsel tables to share documents, etc. An internet connection will also be available for attorneys and parties to access legal sites and the court's website with imaged documents and docket access. Also, sometime by the end of this year, the Court will be building out the Judge's conference room space to make it wider and able to accommodate a larger conference room table. This will allow for greater use of this space, which to date has been made difficult because of its small size and irregular shape.

Personnel Changes

Finally, let me just report on recent staffing changes within the Court and U.S. Trustee office. I am extremely pleased to announce that Gail Kelleher, a twenty-two year veteran employee of the Court, has been named Chief Deputy Clerk of the Bankruptcy Court. Gail officially commenced her new duties on April 9th. When visiting the Clerk's office, please take time to congratulate Gail on her well deserved promotion. Also, the First Circuit Bankruptcy Appel-

late Panel has a new Clerk of Court, Ms. Phoebe Morse. Ms. Morse was formerly the Clerk for the First Circuit Court of Appeals and thus comes with extensive appellate practice experience. Lastly, I would like to announce that Ms. Sheryl Serreze, Assistant U.S. Trustee in the Rhode Island office has retired from the Department of Justice for medical reasons. The Bankruptcy Court is sorry to lose Ms. Serreze as AUST, who was instrumental in establishing the Rhode Island office and is a very diligent and competent bankruptcy counsel. We wish Sheryl well in her future career plans and hope to continue to see her around the courthouse.

Please return your completed "Customer Service Survey" attached, to the Clerk's Office by JULY 9, 2001 , Attention: Gail

(Customer Service Continued from page 1)

providing the right information. It means providing better methods of in-person as well as electronic access, providing customers with choices and providing a means to address customer complaints.

AGreat! Customer Service® is a primary goal of our Clerk's Office. We continually assess our practices and offer staff training so that we may meet your needs in an efficient and pleasant manner. One of our greatest strengths is our highly motivated, front-line employees.

They are proud of the service they provide to members of the bar and the general public, and take the initiative to reinvent procedures based on your feedback or their own observations. Our second greatest strength is you! We encourage everyone who visits our office to give us feedback. Every idea you share is an opportunity to improve our service to you. Feel free to make your suggestions with any staff member, or use the Suggestion Box in the public area.

Now, we need your help. Our annual Employee Recognition Ceremony is approach-

ing, and your input is needed so that we may honor our staff members that you think have demonstrated exemplary customer-focused service. A short survey is attached to this issue of *On the Docket*; please take a moment to complete and return your nomination by **July 9, 2001**. Thank you for taking the time to share your thoughts, and letting a staff member know of a job well done.



Team Coach

By: Lucinda Cory, Courtroom Deputy

Below are the most common filing mistakes we encounter at the Court. We strongly encourage all filers to review these and to adjust your practice accordingly. Failure to comply with the court's local rules and procedures results in the rejection of documents as defective and delays the processing of cases/pleadings.

1. Motions to Amend to Add Creditors

A fee of \$20.00 is required whenever creditors are added to the case after the petition is filed. There is *no* fee to change the amount of debt owed to a creditor already listed on the schedules. If three or fewer creditors are being added to a petition, it is sufficient to list them (names and addresses) in the motion and not file a separate disk. However, if *more than*

three creditors are being added, a disk containing the name and addresses of *only* the added creditors must be filed with the motion, *see* RI LBR 1009-1. Please *do not* include on the disk creditors previously listed on the original disk matrix filed in the case -- this will only duplicate the database and result in redundant notices being sent.

A **Motion to Add Creditors** to

Schedules D, E and/or F, which always requires a \$20 fee, *must be filed separately* from a **Motion to Amend Schedules** (A, B, C, G, H, I, or J), which requires the signature of debtor(s). These motions are handled differently by the Clerk's Office and should be filed as separate documents.

2. Orders Granting Motions to Amend to Add Creditors Now Served

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Miscellaneous Fee Changes

By: Kristen E. Batty, Human Resource Administrator

The Judicial Conference, at its March 2001 session, approved changes to the miscellaneous fee schedule for the courts of appeals, the district courts, the Court of Federal Claims, the bankruptcy courts, and the Judicial Panel on Multidistrict Litigation. The changes for the bankruptcy courts, effective July 1, 2001, are as follows:

Fee for Reproduction of Recordings — This fee was modified to account for changes in technology that have occurred since this fee was originally established. Many courts today record proceedings using digital equipment rather than magnetic tape recordings. This fee of \$20 per request has been expanded to remove the reference to a particular medium. Thus, parties in Rhode Island who receive a CD of court proceedings must now pay the \$20

fee.

Amendment Fee — This fee has been amended to clarify that amendments to the matrices or to the mailing lists of creditors should also generate the \$20 fee.

Archived Record Retrieval Fee — The fee to retrieve a record from the Federal Records Center, National Archives, or other storage location has increased from \$25 to \$35.00.

Fee for Ancillary Filings in Bankruptcy Courts — The fee for filing an ancillary proceeding in a bankruptcy court will increase from \$500 to the amount of the fee for filing a Chapter 11, currently \$800.00.

The Judicial Conference also approved the creation of a separate Fee Schedule for Electronic Pub-

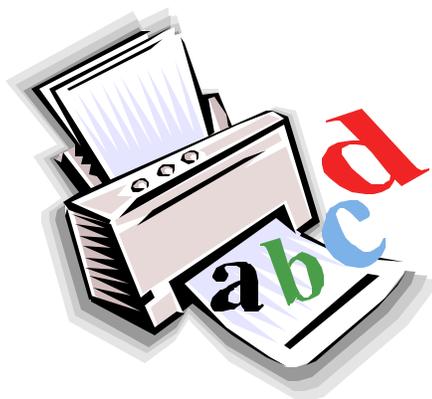


lic Access (EPA). The fees for electronic public access have been removed from the miscellaneous fee schedules for each court unit and have been placed in a new Fee Schedule for Electronic Public Access.

Copies of the amended documents are available at the Clerk's Office or on our website at www.rib.uscourts.gov

Automation NEWS

By: Michelle Torres, Database Administrator



The Automation Department has improved three areas of the Bankruptcy Court Website, thanks to feedback received from the Attorney Advisory Committee. The Committee expressed a need for an easier way of filling out court forms. In the past, attorney

and/or their paralegals or secretaries would have to print out the court forms from the website and type the required information onto the form using a typewriter. With the help of Adobe Acrobat Writer, court staff converted all the court forms into writeable pdf (portable docu-

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Upcoming Office Closings

The Clerk's Office will be Closed on the following dates:

July 4, 2001 in observance of Independence Day,
August 13, 2001 in observance of Victory Day,
September 3, 2001 in observance of Labor Day,
October 8, 2001 in observance of Columbus Day.



Mark your calendars !!

Please use the overnight drop box for any filings on the above days.

(Team Coach Cont. from page 3)

by Clerk's Office

Orders granting Motions to Amend to Add Creditors are mailed to all parties, including the added creditors, with a copy of the first meeting notice, by the Clerk's Office upon the granting of the motion. It is no longer necessary for the attorney for the debtor(s) to notify the added creditors or file a certificate of service with the Clerk's Office. Local Rule 1009-1(c)(2) will soon be amended to eliminate the noticing requirement by counsel.

3. Joint Pretrial Orders on Motions for Relief from Stay

Parties who file **Motions for Relief from Stay** are reminded that the **Joint Pretrial Order is due 3 business days prior to the trial date**. If an extension is necessary, it must be requested in writing, and not by telephone. Failure to timely file the Joint Pretrial Order or to otherwise comply with LBR 4001-1(g) will result in the motion being denied or the objection stricken, as appropriate. An affidavit of non-compliance should accompany any Pretrial Order signed by one party only.

4. Case Name and Number Required on All Signature Pages

Local Bankruptcy Rule 1005-1(a) requires that the case name, number and chapter appear on *the signature page* of all

documents filed with the court. This requirement ensures that papers do not get misfiled, aids the Clerk's Office with imaging pleadings and is an integral feature of electronic case filing. Despite several reminders in past editions of *On the Docket*, nearly 50% of documents filed with the Court still do not include the case number and name on the signature page. This requirement includes any schedules filed after the initial petition date, such as Schedule F with dates debts incurred. Each page of the schedule *must* have the case name and number affixed. ***In the future, the Clerk's office will be rejecting as defective documents filed that do not comply with LBR 1005-1(a).***

5. Division of Taxation Should be Included on All Creditor Disks filed with the Court

All petitions filed with the Bankruptcy Court should include the name and address of the Rhode Island Division of Taxation on the Creditor Matrix Disk. The address should read as follows:

State of Rhode Island
 Division of Taxation
 One Capitol Hill
 Providence, RI 02908



(Automation NEWS Continued from page 4)

ment format) documents. Users now have the ability of typing the required information directly from their computers onto the court forms and then printing them out. Navigation through the fields is a breeze since users can simply use the tab key instead of the mouse to fill in the necessary information. As an added benefit, users can either print the court form with the information on it and/or download the form into their computers to keep as a record. Completing court forms has never been easier!

We've also improved our court opinions page by adding an email notification mailing list on the website. This email list will be used to notify subscribers of new case decisions, changes, court news. Users searching for court opinions may now search by text and/or by month. The new user-friendly page includes detailed instructions for conducting text searches, a link to the Bankruptcy Appellate Panel opinions, an email notification sign-up capability and contact information for questions concerning the use of the opinion search engine.

Finally, we've created a general email mailing list where users will receive an email notifying them of recent court news. The email sent out by the court will include various subjects ranging from court opinions to new court technology. To sign-up for the email mailing list visit our website www.rib.uscourts.gov.

Intake Input

By: Anne O'Hara, Intake Clerk

Reminder to attorneys — please make your clients aware of the location of the Section 341 Meetings. Several people per week travel to the Clerk's Office for the meeting despite that that 341 Notice clearly states in bold the meeting location at

Dorrance Street.

Also, if you file a matrix on disk and do not enclose a self addressed stamped envelope for return — your disk will be recycled 10 days after filing by the Clerk's Office. Filers may re-

trieve blank disks at the Clerk's Office when submitting disks with their petitions.

As always, if there is anything you would like to see addressed, please let one of the Intake Clerks know.



2001 Employee Recognition Customer Service Survey

Customer service and your satisfaction is a primary goal of the Clerk’s Office. As we approach the occasion of our Annual Employee Recognition and Awards Ceremony, we are asking you, our valued customers, to assist in the selection process by nominating the employee whose efforts provide exemplary customer service. Please take a few moments to select the employee you believe should be honored, with a Customer Service Award. Choose one in each category by circling the name of your choice. After making your selection, please include a brief statement explaining your reasons for your nomination. Your participation in this survey is greatly appreciated.

Categories

1. Intake Customer Service Award Nominees:

Anne
Jody
Patrice
Statement in support of nomination: _____

2. Case Manager Customer Service Award Nominees:

Amy Susan RB Florence Linda
Carolyn Dana Holly Christine
Cindy Debby Jennifer
Statement in support of nomination: _____

3. Automation Customer Service Award Nominees:

Craig Nick Michelle T.
Systems Manager Automation Specialist/ Database Administrator
Programmer (website)
Statement in support of nomination: _____

4. Administration/Chambers Support Customer Service Award Nominees:

Joe=Prop. & Procurement April=Financial Michelle M.=Operation Super
Leah=Judicial Assist. Jonathan=Career Ann M.=Admin. Assistant
Kristen=HR Administrator law clerk
Statement in support of nomination: _____

(Please use a separate sheet for additional comments.)

TO PRESERVE THE INTEGRITY OF THE SURVEY, PLEASE REMAIN ANONYMOUS.

PLEASE RETURN THE COMPLETED SURVEY TO THE CLERK’S OFFICE BY:

JULY 9, 2001

U.S. Bankruptcy Court
380 Westminster Street, 6th Fl.
Providence, RI 02903
ATTENTION: GAIL

Or Fax to: Gail at (401) 528-4470

