



UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

NOTICE OF ADOPTION OF LOCAL RULE CHANGES , EFFECTIVE DECEMBER 1, 2014

On November 24, 2014, the Bankruptcy Court signed General Order 14-002 amending local rules and forms, which **changes take effect on Monday, December 1, 2014. The amended Local Rules include:**

Local Rule 1005-1(d) and (e) (amended)

Local Rule 4001-3 (amended)

Local Rule 7037-1 (amended)

Local Rule 7054-1 (new)

Local Rule 8010-1 (new)

Local Rule 9011-1 (new)

Local Rule 8001-1 (eliminate)

Local Form S (eliminate)

DECEMBER 1, 2014 AMENDMENTS TO BANKRUPTCY RULES

Monday, December 1, 2014 is the effective date for upcoming changes to Bankruptcy Rules, Forms and Fees.

The **amendments to the bankruptcy rules** address the following:

- Petitions involving the same debtors filed in different courts;
- Time limits for serving a summons and complaint;
- General pleadings and judgments and costs;
- Bankruptcy appeals (extensive changes); and
- New trials and relief from a judgment or order.

December 1, 2014 Bankruptcy Form Changes

Be sure to update your forms so a corrective action is not issued:

3A - Application for Individuals to Pay the Filing Fee in Installments

3B - Application to Have the Chapter 7 Filing Fee Waived

B6 - Summary

17A - Notice of Appeal and Statement of Election

17B - Optional Appellee Statement of Election to Proceed in District Court (new)

17C – Certificate of Compliance with Rule 8015(a)(7)(B) and 8016(d)(2) (new)

22A-1 - Chapter 7 Statement of Your Monthly Income (new)

22A-1 Supp - Statement of Exemption from Presumption of Abuse Under §707(b)(2) (new)

22A-2 - Chapter 7 Statement of Your Current Monthly Income (new)

22B - Chapter 11 Statement of Your Current Monthly Income (new)

22C-1 - Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (new)

22C-2 - Chapter 13 Calculation of Your Disposable Income (new)

DECEMBER 1, 2014 BANKRUPTCY FEE CHANGES

Two miscellaneous fee changes take effect on December 1, 2014:

1. Fee for a Direct Appeal to the Court of Appeals: **\$207**
2. New fee item 21 adds a fee for the filing of motions to redact a record: **\$25 per affected case.**

(No reopening fee is charged to redact a record already filed in a case if redaction is the only reason for the reopening).

TRAINING MATERIAL COVERING 12/1/14 RULE, FORM AND FEE CHANGES AVAILABLE ON COURT WEBSITE

The Court has posted several training documents on its website to explain the December 1 changes:

Bankruptcy Rule, Fee and Form Changes PPT

Attorney Reference Guide

Summary of December 2014 Rules

These can be accessed from the Rules and Forms menu link or on the News and Announcements page.

Search this site

For Attorneys | Filing Without an Attorney | Rules and Forms | Case Info | Office of the US Trustee

Home

Rules and Forms

Monday, December 1, 2014 is the effective date for upcoming changes to Federal and Local Rules, Forms and Fees.

The amendments to the federal bankruptcy rules can be accessed at: </files/announcements/congressional-package-for-congress-1.pdf>

The amendments to the local bankruptcy rules can be accessed at: <http://www.rib.uscourts.gov/?q=news/notice-adoption-amendments-local-rules-and-forms-effective-1212014>

The bankruptcy form changes can be accessed at: <http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms/BankruptcyFormsPendingChanges>

The bankruptcy fee changes can be accessed at: </sites/default/files/announcements/miscellaneous%20fee%20schedule%20dec%202014-1.pdf>

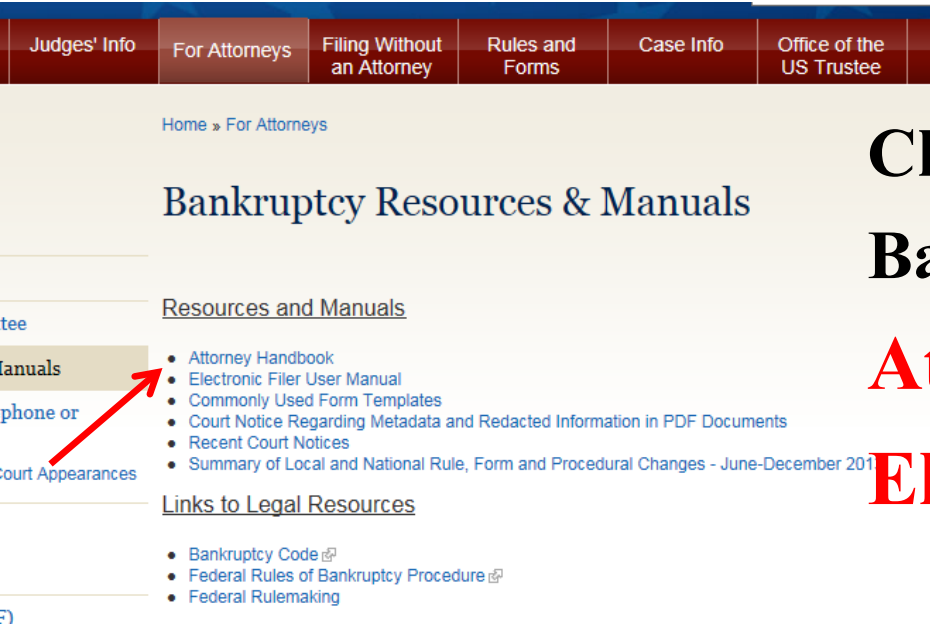
Training Materials: The court has created a Power-Point and reference chart summarizing these changes:

- [Bankruptcy Rule, Fee and Form Changes PPT](#)
- [Attorney Reference Chart](#)
- [Summary of December 2014 Rules](#)

DECEMBER 17, 2014 APPEALS TRAINING

- **The Bankruptcy Court and the 1st Circuit Bankruptcy Appellate Panel will be conducting a **joint training program on Wednesday, December 17, 2014**, immediately following the court motion calendar (estimated to be 11:00 AM)**
- **Counsel are strongly urged to attend this training session to learn about the new filing requirements, filing events and procedures related to bankruptcy appellate practice before the Bankruptcy Court, as well as before the BAP.**

NEW ATTORNEY BANKRUPTCY PRACTICE RESOURCES POSTED TO COURT WEBSITE



Check out our two new
Bankruptcy Resources:

Attorney Handbook

Electronic Filer User Manual

Posted on the For Attorneys>Bankruptcy Resources & Manuals page.

11/25/2014

TWO NEW MOBILE TECHNOLOGY RESOURCES

The Bankruptcy Court has added two new mobile technology resources for customer use:

- 1. An iPad system is set up in the courtroom corridor which provides direct access to the Court's ECF system. The iPad is an easy way to look up case information through the **ECF Query feature**. Instructions are posted.**
- 2. There is also a new iPad available in the Clerk's office intake counter to provide **language translation services**. The program is simple to use and can be set to any language. Please let your clients know of its availability, if needed, when transacting business in the Clerk's office.**

NOT SURE WHICH EVENT TO USE IN ECF? USE THE SEARCH FEATURE!

Did you know that ECF has an excellent Search feature that allows you to look up event names and locations by inserting key terms in the search field?

The screenshot shows the ECF website interface. At the top, there is a navigation bar with tabs for Bankruptcy, Adversary, Query, Reports, Utilities, and Search. The Search tab is highlighted. Below the navigation bar, a search box is open with the text 'lien' entered. A red arrow labeled 'Step 1' points to the Search tab, and another red arrow labeled 'Step 2' points to the search box. The search results are displayed below, showing 'Search results for 'lien'' and '1 menu item and 3 events found'. Under 'Menu Items', there is a link for 'Change Your Client Code'. Under 'Bankruptcy Events', there are three links: 'Avoid Lien (for Chs. 7, 11 and 12 only)', 'Avoid Lien on Household Goods (for Chs. 7, 11 and 12 only)', and 'Sell Property Free and Clear of Liens'. A red arrow labeled 'Step 3' points to the 'Avoid Lien (for Chs. 7, 11 and 12 only)' link.

Search results for 'lien'
1 menu item and 3 events found

Menu Items

Utilities → Your Account → [Change Your Client Code](#)

Bankruptcy Events → Motions/Applications

[Avoid Lien \(for Chs. 7, 11 and 12 only\)](#)
[Avoid Lien on Household Goods \(for Chs. 7, 11 and 12 only\)](#)
[Sell Property Free and Clear of Liens](#)

STEPS:

1. Click on Search Menu Tab
2. Insert key term and hit Enter
3. View Results

YOU MUST RETAIN ORIGINAL SIGNATURES OF DEBTORS ON BANKRUPTCY PETITIONS, SCHEDULES AND STATEMENTS FOR 2 YEARS AFTER CASE CLOSING

LBR 5005-4(j) requires all ECF filers to maintain the original documents containing debtors wet signatures for all documents electronically filed with the court which require verification under FRBP 1008 as well as unsworn declarations under 28 U.S.C. §1746 for two years after the case is closed.


This includes petitions, lists, schedules, statements, plans, amendments, affidavits, etc.

Several attorneys have recently been disciplined and had their ECF filing privileges suspended for failing to obtain signed original documents from their clients at the time of filing and failing to maintain these records for the required two year period.

Case trustees will examine debtors at the meeting of creditors to verify wet signatures are being given on these documents.



ANNOUNCING RI BANKRUPTCY COURT TWITTER PAGE

To improve court communications and provide an additional method of receiving court news, the Bankruptcy Court has launched an official Twitter page. To access the Court's Twitter site, look for the  icon in the center of the Court's website.

You may also access and become a follower of our Twitter page directly at <https://twitter.com/USBCDRI>

The Court will continue to disseminate news, information, and updates via Gov Delivery Email and on our website, in addition to **Facebook** and **Twitter**.

NEWLY RELEASED COURT OPINIONS AND FIRST CIRCUIT COA BANKRUPTCY RELATED DECISION

1. **October 17, 2014 – RI Bankruptcy Court – re bankruptcy abuse under §707(b) – In re Nadeau (BK 13-13098)**
2. **September 10, 2014 – RI Bankruptcy Court – re proposed treatment of private mortgage insurance in a Chapter 13 plan – In re Lanois (BK 13-13070)**
3. **August 4, 2014 - First Circuit COA - re finality of orders denying relief from stay –Pinpoint vs. Landrau Rivera (In re Atlas) (No. 13-9003)**