



UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

**EMPLOYMENT OF CLAIMS AND NOTICING AGENTS
and
GUIDELINES FOR CLAIMS AND NOTICING AGENTS
Updated June 2026**

Employment of Claims and Noticing Agents

Appointment of a claims and noticing agent [“claims agent”] is required if there are 1,000 or more creditors in a case and may be required or authorized by the court in other circumstances. An application seeking to retain a claims agent under 28 U.S.C. § 156(c) [“Section 156(c) Application”] should be limited in scope to those duties that would be performed by a Clerk of Court [“Clerk”] with respect to providing notice and processing claims (see below Guidelines). The Section 156(c) Application should exclude those duties that would *not* be performed by a Clerk, for example, duties involving the preparation of schedules, acting as balloting and tabulation agent, or distributing assets pursuant to a confirmed plan of reorganization; such services should be the subject of a *separate* application to and order of the Court.

To ensure the use of a competitive process in the selection of claims agents, the following protocol has been established for this Court:

1. A debtor or trustee seeking to retain a claims agent under chapter 7, 11, or 15 shall obtain and review engagement proposals from at least three claims agents, or show cause why the solicitation of three bids was not employed in any particular circumstance.
2. An application for retention of a claims agent shall contain an affirmative statement – under penalty of perjury and Fed. R. Bankr. P. 9011 – that the applicant chose the claims agent after the review and competitive comparison of at least three proposals, unless the debtor or trustee shows cause for not soliciting three bids as set forth in paragraph one above.

3. Claims agents should be a disinterested person as that term is defined in section 101(14) of the Bankruptcy Code with respect to the matters upon which it is to be engaged.
4. As a condition of retention, the claims agent has a duty to comply with all relevant statutory provisions and rules of procedure, including local rules of procedure, general orders, and applicable guidelines.
5. As a condition of retention, the claims agent shall agree to maintain records of all services which, at a minimum, will show dates, categories of services, fees charged, and expenses incurred.
6. The fee structure shall be included in the engagement agreement. The engagement agreement shall be annexed to the application for retention.
7. Debtor's counsel shall notify both the Clerk's Office and the claims agent within seven (7) days of an order of dismissal or conversion of the case.
8. At the end of a case or upon termination of the claims agent's services, the debtor or the trustee must obtain a termination order to terminate the services of the claims agent.

Guidelines for Claims and Noticing Agents

- A. Upon application and order, the services of a claims agent may be employed to perform services for the court under the direction of the Clerk to include among other things:
 1. Serve as the court's notice agent to mail notices to the estates' creditors and parties in interest.
 2. Provide expertise, consultation, and assistance in claim processing and with other administrative matters with respect to the debtor's bankruptcy cases.
 3. Process, image, and docket all proofs of claim filed in the debtor's case(s) **ONLY** on the court's electronic docketing system or the court's Electronic Proof of Claim (ePOC) system within 48 hours of receipt (the same standard used in the Clerk's office). The Court's claim register and claim numbers serve as the **OFFICIAL** court record, and language to this effect should also be posted on the claims agent's website. The Court's assigned claim numbers should be the only claim numbers used in reference to court pleadings.
 - a. All proofs of claim should be electronically docketed and images attached to such docket entries using the court's Case Management/Electronic Case Filing system (CM/ECF) or the court's ePOC system to ensure that all

claims received and filed in the debtor's case(s) are recorded and available for public reference.

- B. The second phase of claims processing is reconciliation of the claims to the debtor-provided creditor information. To ensure that the creditors are treated fairly, the claims agent handling the docketing of proofs of claim will be an independent party not providing legal or financial advice about the interpretation or settlement of the claims.
- C. Since the Clerk is responsible for the security and integrity of all of the bankruptcy court's records and dockets, including claims registers, mailing matrices, and other case papers maintained by claims agents, the following guidelines are set forth to help ensure the security of official information. The claims agent shall:
1. Relieve the Clerk's office of all noticing under any applicable bankruptcy rules and processing of claims. This language must be included in the order authorizing the claims agent, and a copy of these Guidelines must be attached to the order.
 2. At any time, upon request, satisfy the court that the claims agent has the capability to efficiently and effectively notice, image proofs of claim, docket (in the court's CM/ECF system or the court's ePOC system) and securely maintain the proofs of claim.
 3. Prepare and serve required notices, including but not limited to:
 - a. notice of all creditors of the filing of the bankruptcy petition and of the setting of the first meeting of creditors, pursuant to 11 U.S.C. § 341(a), under the proper provision of the Bankruptcy Code;
 - b. notice of the claims bar date;
 - c. notices of objections to claim;
 - d. notices of any hearings on a disclosure statement and confirmation of a plan of reorganization;
 - e. notice of filing official transcript;
 - f. notice of judgments or orders pursuant to local rule 9022; and
 - g. notice any other matters as required by the order retaining the claims agent.
 4. Furnish a last date for the filing of a proof of claim and a form for filing a proof of claim to each creditor notified of the filing.

5. Keep an up-to-date copy of debtor's schedules that list the creditors and the amounts owed and maintain an accurate and up-to-date mailing list.
6. Provide the creditor with the scheduled amount and classification. In jointly administered cases, the entity in which the creditor is scheduled should also be provided.
7. File with the Clerk a certificate of service within 10 days, which includes a copy of the notice, a list of persons to whom it was mailed (in alphabetical order by last name or company name), and date mailed.
8. Image the proofs of claim and all attachments in PDF format (not to exceed 5 MG in size per image), make the electronic docket entry into the court's CM/ECF docketing system of each proof of claim including the entry of the creditor's name and address, if necessary, and attach that image to the appropriate proof of claim docket entry to enable the electronic viewing of the documents by court personnel, counsel, and the public.
9. Have all proofs of claim and transfer of claims forwarded from the office of the Clerk to the claims agent through a messenger service or postage paid envelopes. Pre-addressed, postage paid envelopes can be mailed to the Clerk's office at:

Clerk of Court
U.S. Bankruptcy Court
District of Rhode Island
380 Westminster Street, 6th Floor
Providence, RI 02903
10. Once imaged, maintain any hard copies of proofs of claim originally received in paper format for the life of the case, or until otherwise ordered by the court:
 - a. in correct claim number order; and
 - b. in an environmentally secure area to protect the integrity of these original documents from theft and/or alteration.
11. Maintain an official claims register in CM/ECF by docketing all proofs of claim on a claims register including, but not limited to, the following information:
 - a. the name and address of claimant and the agent, if agent filed proof of claim;
 - b. the date received;

- c. the claim number assigned (CM/ECF assigns a claim number automatically; the assigned claim number is to be written on the hard copy of the claim in the lower right hand corner); and
 - d. the amount and classification asserted by such claimant.
- 12. Have the option to send at the discretion of the debtor or Clerk an acknowledgment letter to the creditor when its claim is processed.
- 13. Maintain a telephone staff to handle inquiries related to procedures about filing proofs of claim.
- 14. Ensure electronic filing (in court's CM/ECF docketing system) and processing of all Assignment and Transfer of Claim pursuant to FRBP 3001(e):
 - a. by electronically filing and docketing all transfers of claim in the court's CM/ECF docketing system;
 - b. provide notice of the transfer as required by FRBP 3001(e) and electronically file and docket the notice of transfer; and
 - c. after said electronic docketing, write the document number in the lower right hand corner of the document, and deliver the original document to the Clerk's office by hand delivery or by mail for filing with other original non-proof of claim paper document.
- 15. Make changes in claims register pursuant to court order.
- 16. Make all original documents available to the Clerk on an expedited basis.
- 17. Not employ any past or present employees of the debtor for work on the particular case involving that debtor.
- 18. Provide notices, at the expense of the debtor's estate, to any entities, not limited to creditors, that the debtor or the court deems necessary for an orderly administration of the case.
- 19. At the end of a case, case conversion, or when the claims agent is terminated for any reason:
 - a. The claims agent will file a notice of termination of claims agent. If the claims agent is terminated, the order terminating their services should be attached to the notice of termination of claims agent.

- b. There is a need for the Clerk's office to assume responsibility of the claims register using the claims register functionality in CM/ECF. The Clerk's office may use a mass claims upload feature, but the claims agent may have to first make some formatting modifications to the claims register before turning it over to the Clerk's office for uploading.
 - c. The claims agent will send the court the final version of the claims register in PDF format so the final version can be docketed in the lead case in CM/ECF.
 - d. The claims agent will box and ship all original documents in proper format, as provided by the Clerk's office, to the office address of the Clerk. Documents must not be sent to the National Archives and Record Administration.
 - e. Failure to do the steps listed above may result in an Order to Show Cause.
20. Ensure that no notices or forms are sent on behalf of the debtor without prior approval of the Clerk.
21. Be responsible for regular contact with the debtor's counsel to ensure any changes in the claims that appear on the docket, i.e., withdrawals, transfers, etc. be transmitted to the claims agent for electronic recordation on the claims register and the case docket, as appropriate.
- D. In the exercise of any authority granted by these guidelines, the claims agent shall comply with all applicable provisions of Title 11 of the U.S. Code, the Federal Rules of Bankruptcy Procedure, and any other applicable bankruptcy and non-bankruptcy laws or regulations of other appropriate governmental agencies.
- E. The claims agent shall promptly comply with such further conditions and requirements as the Clerk may hereafter prescribe.
- F. The claims agent is not employed by the federal government or U.S. Bankruptcy Court. Any appointed claims agent is not an official representative of the United States and is not acting on behalf of the United States. Any appointed claims agent shall not misrepresent its authority to any person, entity, or government agency.
- G. Orders to Show Cause may be issued against the debtor for failure to monitor the claims agent following these Guidelines.