

United States Bankruptcy Court, District of Rhode Island

ON THE DOCKET



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Inner Workings: News and Advice

By Susan Thurston, Clerk of Court

Happy Fall and early Thanksgiving! We at the Rhode Island Bankruptcy Court have much to be thankful for – excellent and hardworking staff, modern resources to accomplish our work, a wonderful Bankruptcy Judge and supportive chambers, and of course, all of you who practice at the Court and deliver superb service to your clients, volunteer with the free Legal Clinic and exhibit professional interactions with the Clerk's office. We understand how process and deadline-driven bankruptcy practice is, and we hope that this newsletter can be one form of communication to help you stay up to date on the never-ending changes in this field of law.

First, let's start with the good news. On December 1, 2019, Appendix III to the Local Rules, which prescribes the Chapter 13 no look legal fees, will adjust upward to be more in-line with those in effect in Massachusetts. The new fees will change as follows:

| Chapter 13 No Look Fee, Effective 12/1/2019 | | |
|---|---------|-----------------|
| TYPE OF SERVICE | CURRENT | AS OF 12/1/2019 |
| Pre-confirmation work | \$3,500 | \$4,000 |
| Post-confirmation work | \$500 | \$1,000 |
| Loss Mitigation work | \$2,000 | \$3,000 |

Also, in the good news category is the Court's November 2019 launch of a new Telephone Interpreter Service program, thanks to the generosity of the Federal Bar Fund. Details about this program are described on [page 8](#) infra.

(continued on Page 2)

Inner Workings: News and Advice

(Continued from Page 1)

We are also pleased to invite the Bankruptcy Bar to another Open Meeting of the Bankruptcy Court, scheduled for Monday, December 9th at 3:45 PM. This is an excellent opportunity for members of the bar to provide feedback and suggestions on court procedures and services, as well as to ask non-case related questions to Bankruptcy Judge Finkle, myself, and members of the Clerk's office. We hope you will plan to join us.

In the neither good nor bad news category, are the recent bankruptcy law changes that went into effect in late summer as well as the Small Business Reorganization Act (SBRA), which becomes effective on February 19, 2020. Please see [page 12](#) for links to and detailed information on these four recent legislative changes. The SBRA establishes a new subchapter V within chapter 11 of the Bankruptcy Code under which small business debtors can reorganize using more simplified and expedited procedures. Also, you may have seen the Public Notice that the US Trustee program issued seeking applicants to serve as Subchapter V Trustees, which we posted on our website and sent out by email. The deadline for submissions was November 15, 2019 (which may likely have passed by the time you read this). In addition, the Standing Committee on Bankruptcy Rules also issued interim rules and forms to implement the SBRA, which comment period expired on November 13, 2019. The expectation is that each district will adopt the final interim rules through general order, pending the more formal three-year federal rule making process in order to be ready for the February 19, 2020 effective date. The Court is working with members of its Attorney Advisory Committee and court staff to put together an attorney training on the new SBRA and what those changes will look like for the Bankruptcy Bar in Rhode Island. We expect to deliver this training in late January or early February just before the effective date and will have CLE credit available as well.

Lastly, the bad news. Well, for us and you anyway. Judge Finkle's long time courtroom deputy Holly D'Agostino is retiring at the end of the calendar year, December 31, 2019. Holly has worked at the Rhode Island Bankruptcy Court for 29 years, in numerous capacities and for two resident bankruptcy judges – the Honorable Diane Finkle and the late Honorable Arthur N. Votolato – as well as serving numerous visiting bankruptcy judges over the years including the Honorable Frank Bailey (MAB), the Honorable Melvin Hoffman (MAB), the Honorable Joan Feeney (MAB), the Honorable William Hillman (MAB), the Honorable Jim Haines (MEB), the Honorable Louis Kornreich (MEB), and many, many others. Holly has certainly earned her upcoming retirement and we are excited for her to enjoy this next chapter of her life. To help celebrate this milestone, we are having a party for Holly on Friday, December 6 from 4:00-7:00 PM at the Black Sheep Restaurant, immediately across from the court. Please see [the attached invitation](#) for details and if you are able, we would love for you to stop by and congratulate Holly in person!

25th Annual Employee Recognition Ceremony

by Kristen Batty, Chief Deputy Clerk

September 18, 2019 marked the 25th anniversary of our Annual Employee Recognition Awards Program. This year's recipient of our most prestigious award, *Sustained Superior Performance*, was Craig Balme, our Manager of Information Technology.



This year's award was in recognition of 2019 as a year of major automation initiatives at the Court and Craig was responsible for overseeing all of them. Among the many projects Craig and his team tackled, the *Unify Project* encompassed numerous components including Office 365, Lotus Notes to Microsoft Exchange migration, the implementation of Skype for Business, and introduction of OneDrive. The *Unify Project* has given court staff the ability to use Microsoft Office applications from any location, in addition to ensuring that we have the most up to date versions available. Craig and his team also successfully implemented the *Mobile Workforce Project* to allow greater on-line mobility for staff, as well as to ensure continuity of operations/disaster recovery capability. The project involved (1) replacing old PC desktops with new Surface Pro notebook devices for use as mobile desktops; (2) providing large 32" diagonal monitors to replace older dual screens; (3) adding docking stations with multiple port options, and (4) providing home setups for telework. Another major project completed this year, with minimal disruption to operations, was

the *IT Security Tools Solutions*. The Automation team adopted several solutions to help the court manage cybersecurity threats to our network, as well as patching computers with security updates. All the new tools took not only significant time to deploy and ensure compatibility with existing systems, but also required significant training time for IT staff to learn and become knowledgeable in. Congratulations to Craig for his receipt of this year's award and for his outstanding and continued high level of performance on behalf of the Rhode Island Bankruptcy Court!

Recent Court Decisions

by Julia Blackburn Otero and Jon Pincince, Law Clerks

Here is a short digest of noteworthy decisions of the Court. As always, opinions and orders are available on the Court's website.

***In re Soori-Arachi*, BK No. 17-10570 (Chapter 7) (October 22, 2019):** The Court denied a motion to remove the chapter 7 trustee, because the trustee's conduct did not constitute cause for removal under 11 U.S.C. § 324(a), removal of a trustee is an extreme remedy that should be exercised only where there has been actual injury or fraud, and the Court found that the trustee was appropriately performing her duties and that denying access to information already provided to debtors' counsel did not constitute misconduct warranting removal.

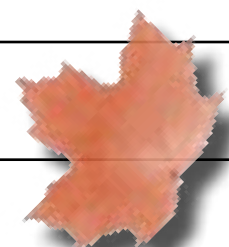
***Alliance Security, Inc. v. Gotra*, A.P. No. 19-01021 (*In re Alliance Security, Inc.*, BK No. 17-11190) (Chapter 11) (October 23, 2019):** In an adversary proceeding in which the plaintiff-debtor, by and through the official committee of unsecured creditors, sought to recover fraudulent transfers from certain third-parties pursuant to 11 U.S.C. §§ 544 and 550, the Court denied a defendant's motion to dismiss for lack of personal jurisdiction because to satisfy due process a defendant's presence in the forum state is not required, only minimum contacts with the United States, and the defendant was a resident of Connecticut.

Chart of December 1, 2019 Local Rule, Form and Appendix Amendments

by Holly D'Agostino, Courtroom Deputy Clerk

The below links to the proposed local rule, form and appendix amendments will be updated with the final language and links on 12/1/19; before then, please use this [LINK](#) to view these pending local changes.

| | |
|--|---|
| <u>LBR 1002-1 – Petition - General</u> | <p>Subdivision (c)(1) modifies the instructions for filing a creditor list in conventionally filed cases (non-ECF). Debtors will file their list of creditors either using the Creditor List Program available on the Court's website, or in the format specified in the Self Help Manual, both of which are located on the Debtor Without an Attorney page of the Court's website.</p> <p>Due to IT security concerns, the option to submit the list via electronic media (i.e. CD, DVD or USB key) has been eliminated.</p> |
| <u>LBR 3011-1 – Unclaimed Funds</u> | <p>Subdivision (b) has been moved to new subdivision (b)(4).</p> <p>Subdivision (b)(2)(A) and (b)(2)(B) replaces R.I. Local Form 3011 with new Director's Form 1340. See Federal Amendments on page 6.</p> <p>Subdivision (b)(3) removes language regarding specific procedure for opposed and unopposed petitions.</p> |
| <u>LBR 4001-3 – Obtaining Credit</u> | <p>Subdivision (a) is a conforming amendment which omits Chapter 13 cases from this subsection.</p> <p>Also, the reference to Fed.R.Bankr.P. 4001 subdivision is changed to (c)(1)(A). In Chapter 13 cases, subchapter (b) changes the date by which debtors shall file Supplemental Schedules I and J if there is a change in the debtors' income as a result of obtaining credit. See Federal Amendments on page 6.</p> |
| <u>LBR 5001-2 – Clerk's Office</u> | <p>Subdivision (b) is amended to include an email address by which parties may file, for cause shown, emergency requests during non-public hours.</p> |
| <u>LBR 5005-1 – Filing of Papers</u> | <p>Subdivision (a) addresses transmittal by electronic means by non-ECF filers under certain circumstances. It is amended to include the Clerk's Office fax number and helpdesk email address and to include "emailed documents" as among those applicable to this rule.</p> |
| <u>LBR 9036-1 – Notice by Electronic Transmission</u> (abolished and replaced by FRBP 9036) | |



| | |
|--|--|
| <u>LBR 9037-1 – Privacy Protection</u> | Subdivision (a)(2)(D) is a conforming amendment which addresses service of motions to redact documents containing personal data identifier(s) to include the filer of the unredacted document, if other than the filer of the motion to redact. |
| <u>LBR 9070-1 - Exhibits</u> | In addition to submitting hard copies of exhibits when directed by the Court, subdivision (a) is amended to require exhibits to be filed with the Clerk's Office via email to: ribhelpdesk@rib.uscourts.gov . Subdivision (b) is amended to omit the requirement that electronic exhibits be submitted on a UBS flash drive or compact disc. |
| <u>Appendix III – District of Rhode Island Maximum Attorney Fee Without Written Fee Application</u> | The fee cap for an attorney for a Chapter 13 debtor has been increased for: preconfirmation services from \$3,500 to \$4,000; post confirmation services from \$500 to \$1,000; and loss mitigation services from \$2,000 to \$3,000. |
| <u>Appendix VI – Notice From the Clerk Regarding Availability of Electronic Bankruptcy Noticing</u> | Abolished |
| <u>R.I. Local Form 1002-1.1 – Instructions for Submission of Creditor List by Non-Electronic Filers</u> | Abolished (see amendment to LBR 1002-1, above) |
| <u>R.I. Local Form 3011-1.1 - Application for Payment of Unclaimed Funds</u> | Abolished (see amendment to LBR 3011-1, above). See Federal Rule and Form amendments on page 6 . |



Upcoming Federal Rule and Form Amendments

by Amy Geraghty, Operations Supervisor

The below links to the proposed rule changes will be updated with the final posted links on 12/1/19; before then, please use the link below for “Proposed Federal Rule Amendments” to view these pending rule changes.

| Proposed Federal Rule Amendments | Summary of Federal Bankruptcy Rule Amendments, Effective December 1, 2019 |
|---|---|
| Rule 4001 Relief from Automatic Stay; Prohibiting or Conditioning the Use, Sale, or Lease of Property; Use of Cash Collateral; Obtaining Credit; Agreements (amended) | <p>New subdivision (c)(4) was added to exclude chapter 13 cases from subdivision (c). This amendment does not speak to the underlying substantive issue of whether the Bankruptcy Code requires or permits a chapter 13 debtor not engaged in business to request approval of post-petition credit.</p> <p><i>See</i> conforming amendment to Local Rule 4001-3 on page 4.</p> |
| Rule 6007 Abandonment or Disposition of Property (amended) | <p>Subdivision (b) was amended to specify the parties to be served with a motion to compel the trustee to abandon property, and any notice of the motion, establish a deadline for filing an objection to the motion, and clarify that, unless the court directs otherwise, no further action is necessary to notice or effect the abandonment of property ordered by the court in connection with a motion filed under subdivision (b).</p> |
| Rule 9036 Notice and Service Generally (amended) | <p>The rule is amended to permit both notice and service by electronic means on a registered user who has appeared in the case, by filing with the court’s electronic-filing system. The rule is further amended to allow, with the consent of the person served, electronic service by means that do not use the court’s system. Consent can be limited to service at a prescribed address or in a specified form, and it may be limited by other conditions.</p> <p>The rule does not make the court responsible for notifying a person who filed a paper with the court’s electronic-filing system that an attempted transmission by the court’s system failed, but a filer who receives notice that the transmission failed is responsible for making effective service.</p> <p>This rule does not apply to any pleading or paper required to be serve in accordance with Rule 7004 concerning service/process in an adversary proceeding.</p> <p><i>See</i> conforming amendment to Local Rule 9036-1 on page 4.</p> |

| | |
|--|--|
| <p><u>Rules 9037</u> Privacy Protection for Filings Made with the Court (amended)</p> | <p>New subdivision (h)(1) was added to prescribe a procedure for the belated redaction of documents that were filed without complying with the redacted filing requirements found in subsection (a). This subdivision provides for the filing of motion, including the content of the motion and service requirements.</p> <p>New subdivision (h)(2) further adds requirements for the court to:</p> <ul style="list-style-type: none"> • restrict public access to the motion and the unredacted document pending ruling on the motion; • docket the redacted document [ensuring public access to the motion and unredacted document remains restricted] if the motion is granted; and • lift the public access restriction to the motion and unredacted document if the motion is denied. <p>See conforming amendment to Local Rule 9037-1 on page 5.</p> |
| <p><u>Official Form 122A-1</u> Chapter 7 Statement of Your Current Monthly Income (amended)</p> | <p>Amended - Official Form B 122A-1 is amended to add instructions to line 14a to remind debtors that if there is no presumption of abuse, Official Form 122A-2 does not need to be filled out or filed.</p> |
| <p><u>Director's Form 1340</u> Application for Payment of Unclaimed Funds (new)</p> | <p>New - This form was created to reduce variation in courts' requirements and provide a standard application for withdrawal of unclaimed funds, accompanying instructions, and proposed orders for granting or denying the application.</p> <p>See conforming amendments to Local Rule 3011-1 and to Local Form 3011-1.1 on page 4.</p> |



Plain Language Initiative

by Amy Geraghty, Operations Supervisor

Recently, the Rhode Island Bankruptcy Court formed an internal committee to implement a program referred to in the Access to Justice community as *Plain Language Initiative*. The purpose of this initiative is to simplify the Court and Clerk office's communications to the public in order to improve equal access to justice for all Rhode Island citizens, and particularly those that interact with the Bankruptcy Court. Members of this committee will be tasked with reviewing court forms, notices, instructions, orders, court website, online manuals, signage and other materials produced by the court for the public, to simplify the language and substance of these documents for easier understanding. Our goal is to design communications that the public can easily understand and use to satisfy court requirements and statutory mandates for filing or conducting business with the Bankruptcy Court. This will likely involve modifying written communications so that sentences are shorter and are written in the active voice, addressing the reader directly and at an appropriate reading level for the intended audience. In addition, we will modernize the "look and feel" of our communications by improving formatting and making stylistic enhancements.

As we ramp up this initiative, you will be hearing and seeing more from us including possibly a survey to receive input on how we are doing. We welcome your ideas on how we can simplify our messaging to improve access to justice for all users of the Bankruptcy system in Rhode Island. Please feel free to email any suggestions you have to our Committee Chairperson, [Christine Lanni](#).

In addition, more information on this national initiative can be found at this government website: plainlanguage.gov.

Telephone Interpreter Service

by Amy Geraghty, Operations Supervisor

The Rhode Island Bankruptcy Court is excited to announce it is now offering telephone foreign language interpreter services to self-represented parties, and those with pro bono counsel. This language service is available to litigants during courtroom proceedings as well as to customers transacting business with the Clerk's office at the intake counter and by telephone.

We are able to provide this interpreter service free of charge, thanks to the generous financial support of the Rhode Island Federal Bar Fund, which has partnered on the Court's behalf with Language Line Services ("LLS"), a leading provider of telephonic interpreting services fluent in 240 different languages.

Once court approved, LLS will provide an interpreter within minutes, by simply contacting them on an ordinary telephone line with speakerphone capability. Interpreting is done in the "consecutive mode" rather than simultaneously which means the interpreter will listen to the speaker and then convey the message in the speaker's language, while the speaker is silent. Although this method may be slow, it provides interpretation easily, effectively, and inexpensively.

This service can be provided upon immediate request, however if you expect to need this type of service for a court proceeding, it is preferred that you make advance arrangements with the Courtroom Deputy, Holly D'Agostino, at 401-626-3135 at least 48 hours prior to any hearing. If this service is needed while transacting business in the Clerk's office, the request can be made directly to the intake clerk or telephone receptionist.

Partnering with LLS is yet another way the Rhode Island Bankruptcy Court is working to serve the community and provide greater access to justice.



Upcoming Personnel Changes at Bankruptcy Court

by Kristen Batty, Chief Deputy Clerk

“Well, the time has come.” says Holly D’Agostino, Courtroom Deputy Clerk. After 29 years of dedicated service to the U.S. Bankruptcy Court, District of



Rhode Island, Holly has decided to retire, effective December 31, 2019. Holly started her lengthy bankruptcy career in 1990 as an Intake Clerk where she quickly excelled and was then promoted to Case Administrator, handling Chapter 11 cases. In 2008 following the retirement of Cindy Cory, Holly advanced to Courtroom

Deputy to then Bankruptcy Judge Arthur N. Votolato. Holly continues as a master of this unique and often complicated position for our current Bankruptcy Judge, the Honorable Diane Finkle. Throughout her notable career, Holly has proven to be an expert in court operations and procedures, and is to her peers, the “go to person” for rule-related questions. Holly’s extensive bankruptcy knowledge and experience, wisdom, insight, understanding, and overall great personality and team spirit will be greatly missed by all who have had the pleasure of working with her. Next time you see Holly, please join us at Bankruptcy Court in wishing her an *amazing* retirement!!

As Holly begins the new year as a retiree, it is our pleasure to also announce that Pamela Ricciarelli, current Case Administrator and backup courtroom deputy, will assume the Courtroom Deputy position, effective January 1, 2020. Pam has served as first back-up courtroom deputy since 2009, where she has gained valuable experience and knowledge in the role, thus making her an ideal fit for the courtroom team. Congratulations Pam!!

Lastly, we are pleased to announce that Janet Descoteaux, Public Information Specialist, will also

soon have a new job title. During the last several months, Janet has been in an intensive in-house training program in case administration and backup courtroom deputy duties.

Janet is being added to the Case Administrator roster, responsible for assigned bankruptcy cases and adversary



From left: Pam Ricciarelli and Janet Descoteaux

proceedings, from opening to closing. Due to her many other court functions in both Operations (Legal Clinic Coordinator, Loss Mitigation Statistics), and Administration (Training Coordinator, On the Docket Editor, and Continuity of Operations Administrator), Janet will be assigned a part-time Case Administrator

workload. These personnel changes will enable the Bankruptcy Court to continue to provide the highest level of service to you, our customers, despite our reduced staffing resources.



At the end of August this year, Judge Finkle hired a new term law clerk, Julia Blackburn Otero. Julia is a recent graduate of Northeastern University School of Law and will be with us through August, 2021.

If you see Julia in the courtroom, please join us in welcoming her to the Rhode Island Bankruptcy Court.



Tips and Tricks

by Pamela Ricciarelli, Case Administrator

1. Going on Vacation? Please remember to file a [Motion to be Excused from Court.](#)

The Motion can be filed electronically via the Court's [helpdesk e-mail](#) or by mailing to the Clerk's office, and must also adhere to [LBR 9013-1\(e\)](#). See the [Court's website](#) for detailed instructions as well as the Calendar of Attorney Excusals to confirm your excusal. Also, please bear in mind that an Order Granting a Motion to be Excused *does not* excuse counsel from court filing deadlines or from attendance at a Section 341 meeting of creditors.

2. Are you Informed on Court Practice? Attention new practitioners and those who need a refresher on filing – our [Attorney Resources](#) webpage has a great deal of bankruptcy and case filing information right at your fingertips!



3. Let's Resolve This! When it comes to contested matters pending before the court, have you considered trying [mediation](#)? The Court's free alternate dispute resolution (ADR) program, a partnership with the federal district court in Rhode Island, offers litigants several non-binding ADR options which may resolve cases faster and with less expense. The parties should notify the court if they are interested in participating in mediation. In an Adversary Proceeding, the parties can indicate their interest in mediation on the discovery plan document.

4. Privacy, Please! Recently we have observed many electronic filers attach the [Official Form 121 Statement About Your Social Security Number](#) when filing the Voluntary Petition or missing documents, thereby exposing the debtor(s)' personal data identifiers. Form 121 should always be filed separately using the restricted event located under "Bankruptcy>Other->Statement of SSN" to protect the PII of the debtor(s).

"How Do I...?"

by Jennifer Davis, Case Administrator

We hope you enjoy our first “How Do I ...?” article. In each *On the Docket* publication, the subject matter for this new column will be derived from questions and inquiries that the Clerk’s office receives by phone, help desk, or our website *on-line chat* program. Since our last publication in May, we have received frequent questions about the re-scheduling of the meeting of creditors, or more specifically, “How do I continue my 341 meeting?” We outline below the legal authority governing this topic, as well as links to relevant code, rules and related content to help answer this question.

Meeting of Creditors (11 U.S.C. § 341)

In every bankruptcy case, a meeting of creditors is convened by the United States Trustee for the purpose of examining the debtor about his or her financial circumstances and to review the bankruptcy petition, schedules and statements. Creditors are permitted to appear and participate in the meeting. Although the Clerk’s office transmits the initial Meeting of Creditors Notice [also referred to as the “341 Notice”], containing the assigned meeting date and location, the Court does not preside over this meeting, which is typically conducted by the case or standing trustee, if any, or by the U.S. Trustee, if not. Accordingly, neither the Court nor the Clerk’s office has any role or involvement in the re-scheduling of this statutory meeting. See, [11 U.S.C. § 341 and Fed.R.Bank.P. 2003](#). Instead, to seek a continuance of a §341 meeting, please refer to the below procedures, as well as some related topics that are also frequently asked.

Continuance or Excusal from a Section 341 Meeting of Creditors:

A continuance of or excusal from a Section 341 Meeting of Creditors must be authorized by the trustee conducting the meeting. To make such a request, first identify who is scheduled to preside over the meeting by checking the notice itself, and then contact the assigned trustee to determine what their individual procedure is for making such a request. Listed below are links to the current panel of trustees for the district of Rhode Island, including their phone numbers and email links:

[Chapter 7 trustees](#)

[Chapter 13 trustee](#)

[U.S. Trustee](#)

Request to Conduct the Section 341 Meeting Telephonically:

If the debtor is unable to physically attend the Meeting of Creditors, the debtor or their attorney may contact the assigned trustee to request permission to hold the meeting telephonically. The decision to approve or deny such a request is at the discretion of the trustee.

Obtaining Audio of a Section 341 Meeting of Creditors:

You may obtain an audio of the §341 meeting by contacting the local Office of the U.S. Trustee at 401-528-5551.

Recently Enacted Legislation Impacting Bankruptcy

by Amy Geraghty, Operations Supervisor

The following four pieces of legislation were enacted in August of 2019:

1. The [“Family Farmer Relief Act of 2019”](#), P.L. 116-51, increases the debt limit used to determine whether a family farmer is eligible for relief under chapter 12 of the Bankruptcy Code from \$4,411,400 to \$10,000,000. This legislation became effective on August 26, 2019.
2. The [“Honoring American Veterans in Extreme Need Act of 2019”](#), P.L. 116-52, (**HAVEN Act**) which excludes from the calculation of monthly income, for purposes of the Bankruptcy Code’s means test, certain benefits paid by the Department of Veterans Affairs and the Department of Defense. This legislation became effective on August 26, 2019.

Form changes to implement HAVEN Act: Effective October 1, 2019, minor conforming amendments to lines 9 and 10 of Official Forms 122A-1, 122B, and 122C-1 were made. See links to these forms below:

[Official Form 122A-1](#)

[Official Form 122B](#)

[Official Form 122C-1](#)

[Official Form 122 Committee Note](#)

3. The [“National Guard and Reservists Debt Relief Extension Act of 2019”](#), P.L. 116-52, extends the temporary authorization exempting certain qualifying reserve component members of the Armed Services and National Guard members from the Bankruptcy Code’s means test for four years. This legislation became effective on August 26, 2019.
4. The [“Small Business Reorganization Act of 2019”](#), P.L. 116-54 (SBRA), establishes new subchapter V within chapter 11 of the Bankruptcy Code under which small business debtors can reorganize using more simplified and expedited procedures. This legislation becomes effective on February 19, 2020.

In October 2019, the Advisory Committee on Bankruptcy Rules published [proposed Interim Rules and proposed amended Official Bankruptcy forms](#) to implement SBRA for an abbreviated comment period of October 16 to November 13, 2019. It is anticipated that once these interim rules/forms are final, that the Court will adopt them by general order pending the more formal rulemaking process. In addition, the Court plans to offer in person SBRA training and educational materials prior to the effective date.



Changes to ECF Payment Process

by Dina Fortes, CM/ECF Analyst

Effective December 1, 2019, the following changes will be made to the Electronic Case Filing (ECF) payment process:

1. Changes to the Payment Screen (pay.gov):

- The Rhode Island Bankruptcy Court name will appear as the page header.
- The Country Field will no longer default to “United States.”
- When the Country field is populated, the State and ZIP fields become required fields.



The image shows a screenshot of the Rhode Island CM ECF payment form. The title is "Rhode Island CM ECF". Below the title, it says "Please provide the Credit or Debit Card Information below" and "INCLUDES REQUIRED TEXTS". The form contains the following fields: Agency Tracking ID: 3009191, Payment Amount: \$83.75, * Country: (empty), * Billing Address: 125 Ocean Land, Billing Address ID: (empty), * City: Providence, State/Province: RI, ZIP/Postal Code: 02903, * Account Holder Name: Dina Fortes. Below these fields are logos for VISA, MasterCard, American Express, Discover, and UnionPay. At the bottom, there are fields for * Card Number, * Expiration Date, and Card Security Code. At the very bottom, there are buttons for Previous, Cancel, and Continue.

2. Changes to the Payment Receipt Screen:

- The option to receive an email from pay.gov when a payment is made is removed.
- To obtain confirmation of payment, click on the “print a copy of your transaction receipt” on the page displayed at the end of the payment transaction, as shown below:

Thank you. Your transaction in the amount of \$ 83.75 has been completed.

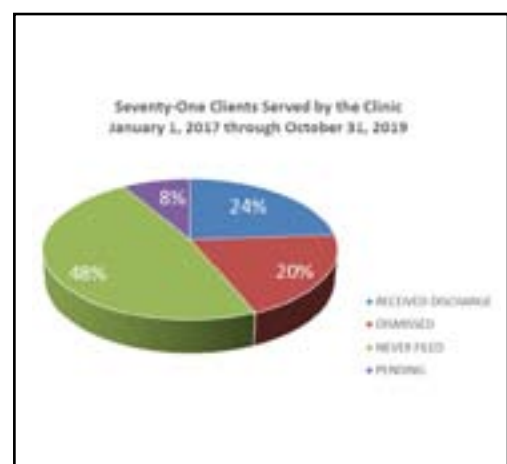
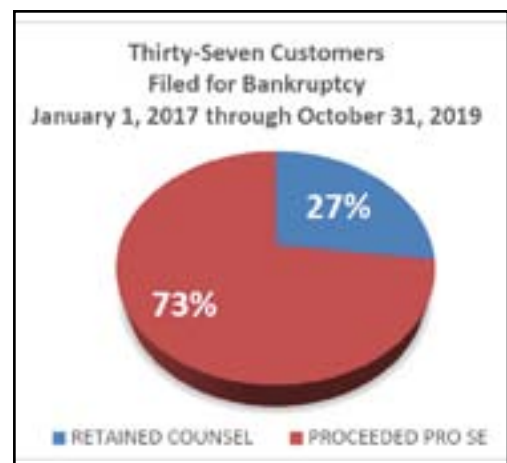
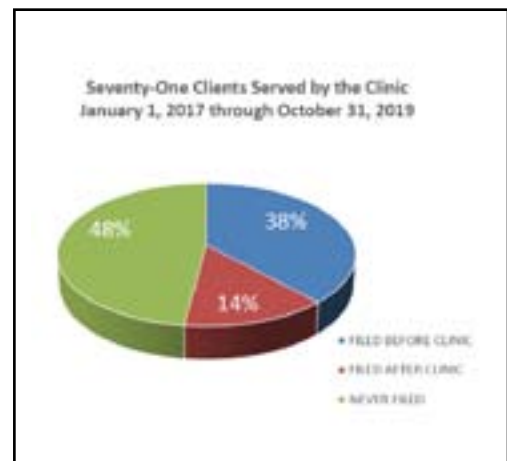
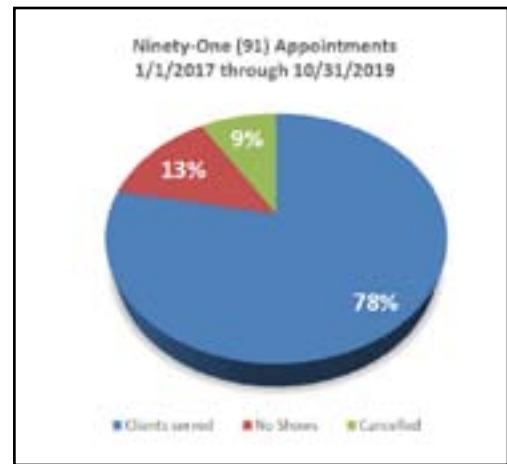
Please [print a copy of](#) your transaction receipt for future reference. The transaction number is 3009191.

Detail description:
Chapter 7/13 Installment Payment for Efiled Case(1:18-bk-10003) [misc,instpay7] (\$3.75)

Bankruptcy Legal Clinic Statistics

by Janet Descoteaux, Public Information Specialist

1. The RI Bankruptcy Legal Clinic (“the Clinic”) commenced in January 2017 and in the following 34 months, 91 appointments were booked for 57 clinic session dates.
2. Of the 91 customers registered for the clinic:
 - Seventy-eight percent (78% or 71 people) actually attended their clinic session;
 - Thirteen percent (13% or 12 people) were a “no show”, failing to appear at their session; and
 - Nine percent (9% or 8 people) cancelled sometime after scheduling but before the clinic date.
3. Of the 71 people who attended a clinic session – did they file bankruptcy before clinic session, after or not at all?
 - Thirty-eight percent of the customers (38% or 27 people) had filed for bankruptcy *before* attending the clinic (17 under chapter 7 and ten under chapter 13).
 - Fourteen percent of the customers (14% or 10 people) filed bankruptcy *after* attending the clinic (seven under chapter 7 and three under chapter 13).
 - Forty-eight percent of the customers (48% or 34 people) did not file bankruptcy in RI.
4. Of the 37 customers who filed for bankruptcy in RI either before or after the clinic session, twenty-seven percent (27% or 10 people) were represented by counsel and the remaining seventy-three percent (73% or 27 people) were pro se.
5. Outcomes for the 71 customers served by the clinic:
 - Twenty-four percent (24% or 17 people) received a bankruptcy discharge (all under chapter 7).
 - Twenty percent (20% or 14 people) were dismissed (six under chapter 7 and eight under chapter 13).
 - Forty-eight percent (48% or 34 people) have not filed in RI to date.
 - Eight percent of cases (8% or 6 people) are still pending (three under chapter 13 and three under chapter 7).



BANKRUPTCY COURT HALLOWEEN 2019

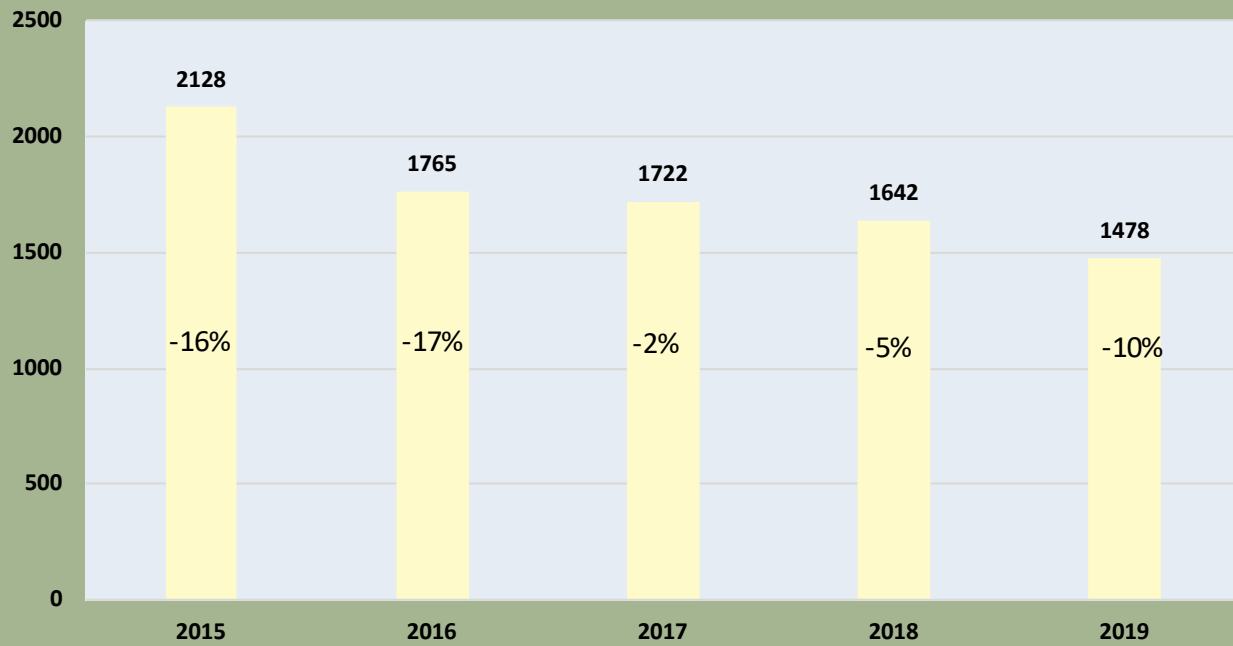




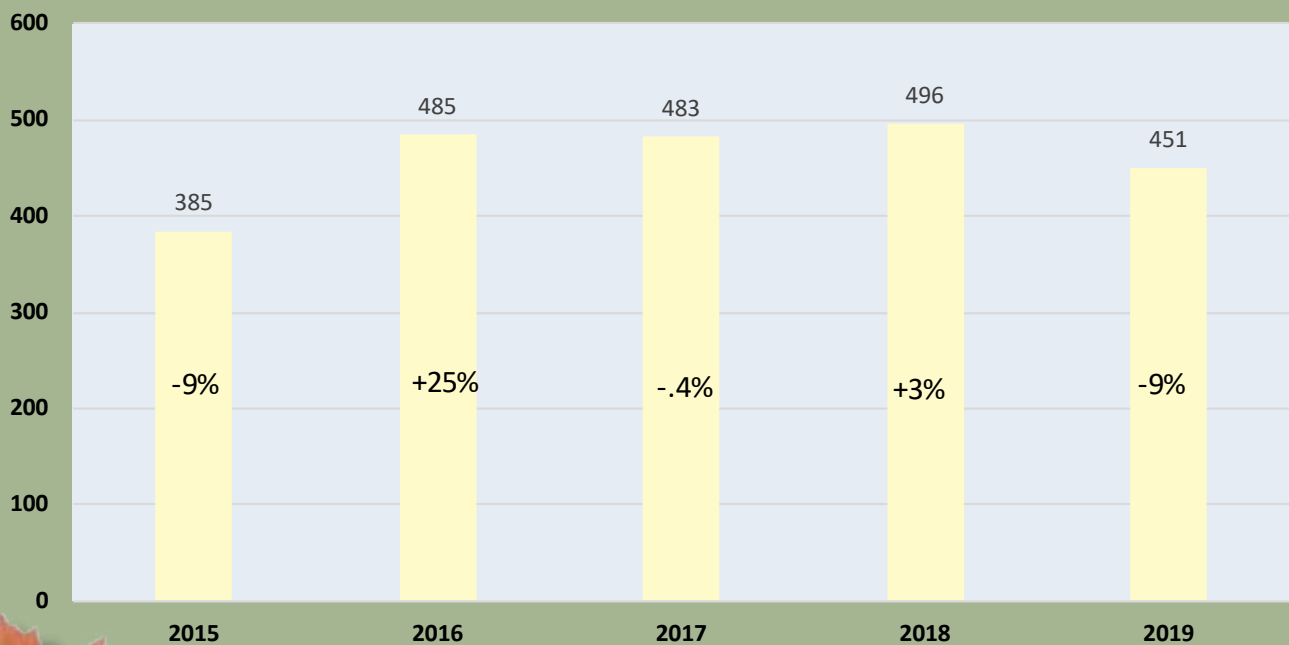
Case Filing Statistics for Period Ending October, 2019

by Dina Fortes, CM/ECF Analyst

Ch. 7 Case Filing Statistics for 12 Month Period Ending October 31, 2019

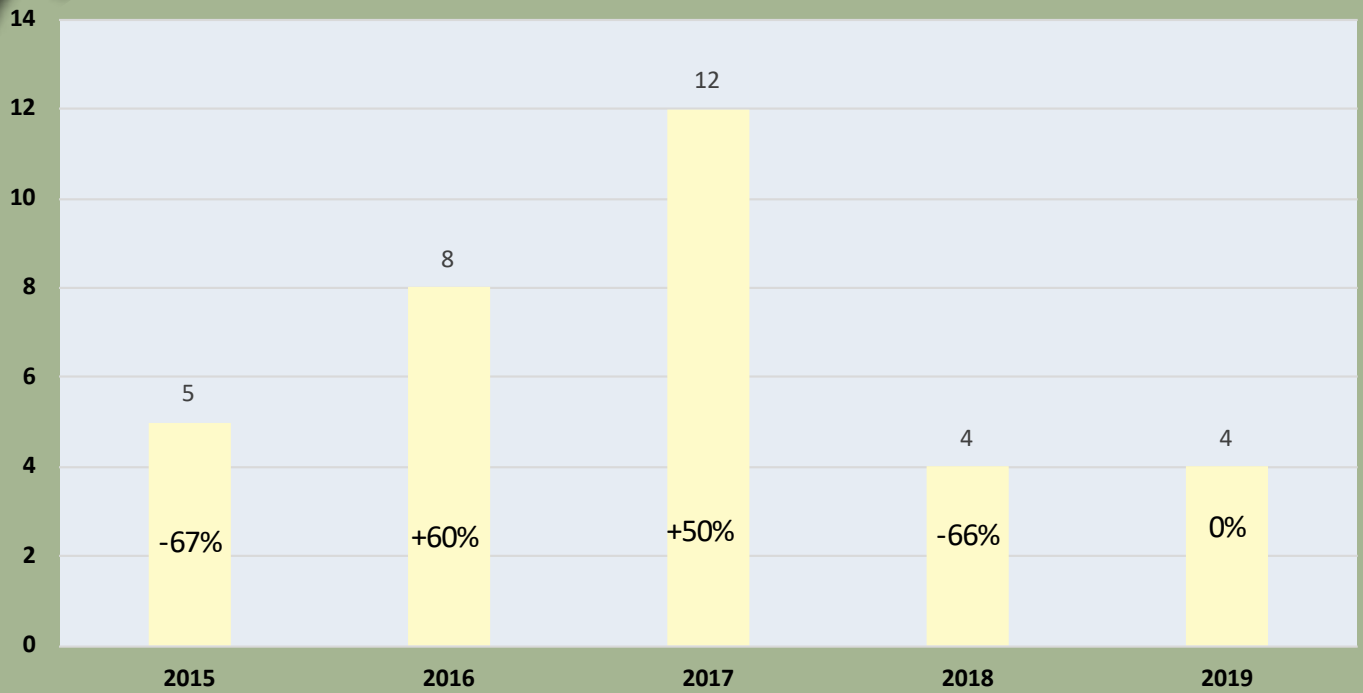


Ch. 13 Filing Statistics for 12 Month Period Ending October 31, 2019

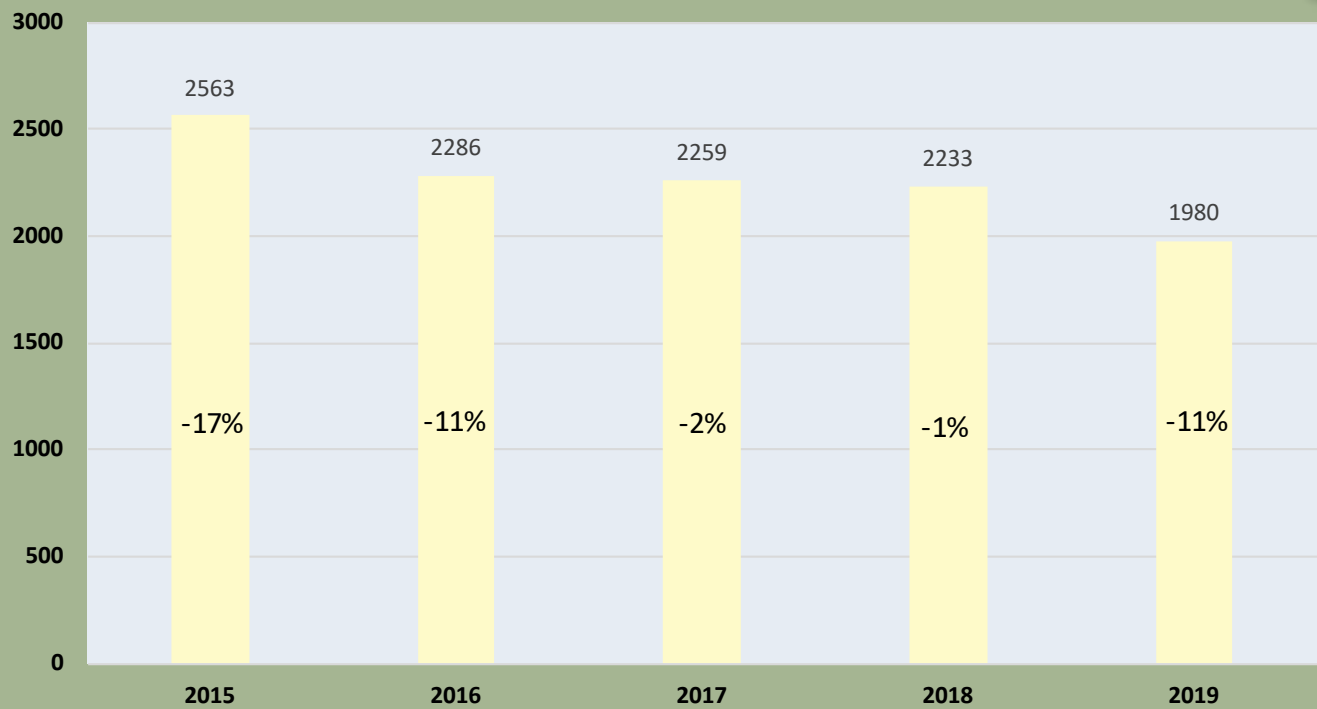




Ch. 11 Filing Statistics for 12 Month Period Ending October 31, 2019



Total Case Filing Statistics for 12 Month Period Ending October 31, 2019





UPCOMING COURT HOLIDAY CLOSING DATES

Thanksgiving Day - Thursday, November 28th

Christmas Eve - Closing at 2pm

Christmas Day - Wednesday, December 25th

New Year's Eve - Closing at 2pm

New Year's Day- Wednesday, January 1, 2020

Martin Luther King Day - Monday, January 20, 2020

President's Day - Monday, February 17, 2020

CONTACT ON THE DOCKET PUBLICATION STAFF

If you have any comments regarding this issue or want to suggest ideas for future articles, please contact "On the Docket" staff at the following email address: Janet_Descoteaux@rib.uscourts.gov

Please do not use the above email address to file or send papers to the Court, or to ask questions about court procedures or status of a particular case. Contact the Clerk's Office at the following number for assistance in these matters.

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for local filing information.

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