

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
November 10, 2005**

On October 17, 2005, the court posted a **NEW EVENTS LIST** which contains the CM/ECF events created for e:filers for the *Bankruptcy Abuse Prevention and Consumer Protection Act of 2005*. The list will be modified periodically to provide additional e:filing guidance and highlight changes to the system. Below is a summary of recent modifications.

1. ADDITIONS TO THE NEW EVENTS LIST:

- New section added (pages 2 and 3) to include guidance on case opening. (See also the document titled *Guidance for NJ Bankruptcy Filing Effective 10/17/05* posted on our site under the BAPCPA link)
- Rebuttal of Presumption of Undue Hardship (p. 10)

2. MODIFICATIONS TO CLARIFY EXISTING EVENTS

- Certificate of Credit Counseling (p. 2 and 5)
- Debtor's Election of Small Business Designation (p. 6)
- Debtor's Rebuttal of Presumption of Abuse (p. 7)
- Financial Management Course Certificate (p. 8)
- Notice of Foreign Rep. Intent to Commence Case (p. 9)
- Waiver of Chapter 7 Filing Fee (p. 15)

3. EVENTS DELETED FROM CM/ECF

- Petition for Foreign Proceeding is deleted from Misc. Events. To file a Chapter 15 petition, please use BK Case Open and select Chapter 15 from the appropriate drop down list. On the *Party Information* screen, please select Foreign Representative as the Role Type.

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY
*UPDATED 11/10/05***

The following list contains the events created for e:filers for *The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005*. The court will continue to create new events and/or modify the existing events as necessary. Updates as of 11/10/05 are underlined. Please direct your questions and comments to a member of the Analyst Department:

Melissa_Hughes@njb.uscourts.gov
Leanne_Michalek@njb.uscourts.gov
Judi_LeCompte@njb.uscourts.gov
Lisa_Seiler@njb.uscourts.gov

<u>BK Case Opening</u>	<u>Required Documents Filed Separate from Petition</u>	<u>Additional Guidance</u>
<p>UPDATED 11/10/05</p> <p>Chapter 7, 13 and 11 individual</p>	<p>Certificate of Credit Counseling (and Certificate of Credit Counseling - Joint Debtor if joint case) <u>This is not to be confused with the Financial Management Course (FMC) Certificate. See FMC guidance on page 8 of this document.</u></p>	<p><u>There is no official court form for this. UST approved Credit Counseling is posted on the court's website.</u> After completing case opening, go to Misc. Events and file this Certificate using the appropriate event. If it is a joint debtor case, the Certificate needs to be filed twice. Use the Joint Debtor event for the second filing.</p>
<p>Chapter 13 individual</p>	<p>Chapter 13 Plan</p>	<p>See <i>Chapter 13 Plan and Motions</i> form on our website. Use the appropriate event under the Plan category to file the form.</p>

**UPDATED
11/10/05**

<u>BK Case Opening</u>	<u>Required Documents Filed Separate from Petition</u>	<u>Additional Guidance</u>
Chapter 11 small business	Balance Sheet, Cash Flow Statement, Statement of Operations. Small Business Tax Return	After completing case opening, go to Misc. Events and file each of these documents separately using the appropriate events. Use the Tax Information event in the Misc. Events category to file this document. Once the filing is complete, only court users can view the .pdf. Parties seeking access must file the appropriate motion.
Chapter 15	Chapter 15 Service List	After completing case opening, go to Misc. Events and file the Chapter 15 Service List using the appropriate event. <u>**When opening a Chapter 15, please select Foreign Representative as the Role type on the Party Information screen.</u>

**UPDATED
11/10/05**

****IF THE REQUIRED DOCUMENTS ARE BEING FILED IN RESPONSE TO THE COURT'S DEFICIENCY NOTICE, PLEASE USE THE GUIDANCE ABOVE. DO NOT FILE THE ABOVE DOCUMENTS AS ONE .PDF USING THE MISSING DOCUMENTS FILED EVENT.**

NEW APPEAL EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
CERTIFICATION OF DIRECT APPEAL TO COURT OF APPEALS	Certification of Direct Appeal to Court of Appeals Filed by Test Attorney on behalf of Bob Smith. (Test Attorney)	See Official Form 24
PETITION REQUESTING DIRECT APPEAL	Petition Requesting Direct Appeal to Circuit Court Filed by Test Attorney on behalf of Bob Smith. (Test Attorney)	

NEW MISC EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
BALANCE SHEET	Balance Sheet filed by Test Attorney on behalf of Tom Skyler. (Test Attorney)	This document is required at case opening and must be filed separate from the petition. Failure to include this will result in a deficiency notice. If this document is being filed in response to the deficiency notice, e:filers must use the Balance Sheet event.
CASH FLOW STATEMENT	Cash Flow Statement for Small Business filed by Test Attorney on behalf of Tom Skyler. (Test Attorney)	This document is required at case opening and must be filed separate from the petition. Failure to include this will result in a deficiency notice. If this document is being filed in response to the deficiency notice, e:filers must use the Cash Flow Statement event.

**UPDATED
11/10/05**

NEW MISC EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
CERTIFICATE OF CREDIT COUNSELING	Certificate of Credit Counseling filed by Test Attorney on behalf of Tom Skyler. (Test Attorney) <u>This is not to be confused with the Financial Management Course (FMC) Certificate. See FMC guidance on page 8 of this document.</u>	<u>There is no official court form for this. UST approved Credit Counseling is posted on the court's website.</u> This document is required at case opening, but is docketed separate from the petition using this event. If this is a joint debtor case, the Certificate must be docketed twice. Use the Certificate of Credit Counseling - Joint Debtor event below for the second filing. Failure to include this document will result in a deficiency notice. If this document is being filed in response to a deficiency notice, e:filers must use the Certificate of Credit Counseling event.
CERTIFICATE OF CREDIT COUNSELING - JOINT DEBTOR	Certificate of Credit Counseling for Joint Debtor filed by Test Attorney on behalf of Tom Skyler. (Test Attorney) SEE ABOVE	SEE ABOVE
CERTIFICATE OF SERVICE OF TAX INFORMATION TO REQUESTOR	Certificate of Service of Tax Information to Requestor	

NEW MISC EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
CHAPTER 15 SERVICE LIST	Chapter 15 Service List filed by Test Attorney on behalf of Tom Skyler. (Test Attorney)	This document is required at case opening. Failure to include this will result in a deficiency notice. If this document is being filed in response to the deficiency notice, e:filers must use the Chapter 15 Service List event.
CURE OF RESIDENTIAL JUDGMENT	Certification of Cure of Entire Residential Judgment filed by Test Attorney on behalf of Tom Skyler. (Test Attorney)	See corresponding check boxes on page 2 of Official Form 1 (the petition).
DEBTOR REPAYMENT PLAN	Debtor Repayment Plan filed by Test Attorney on behalf of Tom Skyler. (Test Attorney)	This is NOT a Chapter 13 plan event. This document may be provided to debtors after completing credit counseling.
DEBTOR'S ELECTION OF SMALL BUSINESS DESIGNATION (For Involuntary Cases only)	Debtor's Election of Small Business Designation by John Esquire on behalf of Mary Client. Ch. 11 Statement of Operations due; Ch. 11 Small Business Balance Sheet due; Ch. 11 Small Business Tax Return due; Ch. 11 Cash Flow Statement due [<i>All due dates calculate 15 days</i>]	<u>This event is only used by Debtors to designate an Involuntary Chapter 11 as a Small Business.</u> <u>(Debtors filing a Chapter 11 petition will make the Small Business designation on page 1 of the petition and select the Small Business designation during case opening.)</u>

**UPDATED
11/10/05**

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11/10/05**

NEW MISC EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
DEBTOR'S REBUTTAL OF PRESUMPTION OF ABUSE	Debtor's Rebuttal of Presumption of Abuse filed by John Esquire on behalf of Mary Client.	<u>Chapter 7 case opening provides the first opportunity to state whether a Presumption of Abuse arises. The trustee will then file additional information regarding Abuse after the 341 meeting. This event is used to respond to the trustee's information.</u>
DOMESTIC SUPPORT OBLIGATIONS	Domestic Support Obligation Payments are Current at this Time. John Esquire on behalf of Mary Client.	
EXIGENT CIRCUMSTANCES RE: CREDIT COUNSELING	Certification of exigent circumstances that merits a waiver from complying with the credit counseling requirement. John Esquire on behalf of Mary Client. Credit Counseling Certificate due 10/17/2005.	See corresponding check boxes on page 2 of Official Form 1 (the petition). Failure to include Credit Counseling information at case opening will result in a deficiency notice. Filing of Exigent Circumstances will set 30 day deadline for debtor to file Certificate of Credit Counseling.
EXPENSES RE: FVPS	Expenses RE: Family Violence Protection Services John Esquire on behalf of Mary Client.	

**UPDATED
11/10/05**

NEW MISC EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
FINANCIAL MANAGEMENT COURSE	Financial Management Course Certificate Filed John Esquire on behalf of Mary Client. <u>This is not to be confused with the Credit Counseling Certificate.</u>	See Official Form 23. <u>This Certificate is filed during the pendency of the case and is a requirement for discharge.</u> <u>UST approved Financial Management Courses are posted on the court's website.</u> If this is a joint debtor case, the Certificate must be docketed twice. Use the Financial Management Course - Joint Debtor event below.
FINANCIAL MANAGEMENT COURSE - JOINT DEBTOR	Financial Management Course Certificate for Joint Debtor Filed John Esquire on behalf of Mary Client. SEE ABOVE	SEE ABOVE
INTENT TO CURE DEFAULT	Certification of Intent to Cure Entire Monetary Default for Residential Property and Deposit of 30 Day Post Petition Rent Fee Amount John Esquire on behalf of Mary Client. Cure Property Default due [<i>date calculates 30 days</i>].	See corresponding check box on page 2 of Official Form 1 (the petition).

NEW MISC EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
NOTICE OF COMMENCEMENT OF CHAPTER 15 CASE	Notice of Commencement of Case by a Foreign Representative. John Esquire on behalf of Mary Client.	To File a Chapter 15 petition, use BK Case Opening and select Chapter 15.
NOTICE OF FOREIGN REP. INTENT TO COMMENCE CASE	Notice of Foreign Representative's Intent to Commence Case. John Esquire on behalf of Mary Client.	<u>This notice is filed in the Chapter 15 case when a recognized foreign representative wishes to commence a case under a different chapter. (This occurs after the Chapter 15 petition is filed using BK Case Open and the court recognizes the foreign proceeding).</u>
NOTICE OF OVERRIDE OF PREFERRED ADDRESS (342)	Notice of Override of Preferred Address. Exception creditor address submitted for this case only to override preferred noticing address filed by Test Attorney on behalf of John Creditor.	
OBJECTION TO HOMESTEAD EXEMPTION	Objection to Homestead Exemption John Esquire on behalf of Mary Client	
OMBUDSMAN REPORT	Ombudsman Report for the period of 4/13/05 through 4/13/06 John Esquire on behalf of Mary Client.	
PRESUMPTION OF UNDUE HARDSHIP	Presumption of Undue Hardship re: Reaffirmation Agreement with [<i>related document #</i>] Filed by Test Attorney on behalf of Mary Client	

**UPDATED
11/10/05**

NEW MISC EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
PROTECTION OF PROPERTY FROM DAMAGE	Certification of Protection of Property from Damage John Esquire on behalf of Mary Client.	
REAFFIRMATION AGREEMENT	Reaffirmation Agreement between Debtor and [FREE TEXT] filed by Test Attorney on behalf of John Client.	See Official Form
REAFFIRMATION DISCLOSURE STATEMENT	Reaffirmation Disclosure Statement re: Reaffirmation Agreement with [FREE TEXT] (related document # Reaffirmation Agreement filed by Test Attorney on behalf of John Client.	This event will link to the Reaffirmation Agreement. Please be sure to make the appropriate selections.
REBUTTAL OF PRESUMPTION OF UNDUE HARDSHIP	<u>Rebuttal of Presumption of Undue Hardship [FREE TEXT] filed by John Esquire on behalf of Mary Client</u>	
RECISION OF REAFFIRMATION AGREEMENT	Recision of Reaffirmation Agreement.	This event provides screens to link to related documents.
REQUEST FOR TAX INFORMATION	Request for access to tax information for 2004 filed by Test Attorney	
STATEMENT IN SUPPORT OF REAFFIRMATION AGREEMENT	Statement in Support of Reaffirmation Agreement with [FREE TEXT]	This event provides screens to link to related documents.
STATEMENT OF GOOD FAITH	Statement of Good Faith Filing John Esquire on behalf of Mary Client.	

**UPDATED
11/10/05**

NEW MISC EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
STATEMENT OF OPERATIONS	Statement of Operations for Small Business John Esquire on behalf of Mary Client.	This document is required at case opening and must be filed separate from the petition. Failure to include this will result in a deficiency notice. If this document is being filed in response to the deficiency notice, e:filers must use the Statement of Operations event.
TAX INFORMATION	Tax Information for the Year 2003 filed by Test Attorney on behalf of John Client.	Once this event is completed and the .pdf uploaded, only court users will be able to view the .pdf. Attorneys seeking access to tax information must use the Motion to Access Tax Information event in the Motions/Applications category.



NEW MOTION EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
ACCESS TAX DOCUMENTS	Motion for Access to Tax Documents Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 AM in Courtroom Z.	After the motion is granted, the court will determine how the tax information will be transmitted to the requesting party.

NEW MOTION EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
APPROVAL OF REAFFIRMATION AGREEMENT	Motion for Approval of Reaffirmation Agreement with [FREE TEXT]. Hearing scheduled for 4/13/05 at 9:00 AM in Courtroom Z.	
AVOID LIENS ON HOUSEHOLD GOODS	Motion to Avoid Lien on Household Goods under Section 522(f)(1)(B)(i) Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 AM in Courtroom Z.	
CANCEL MEETING OF CREDITORS	Motion to Cancel Meeting of Creditors Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/05 at 9:00 AM in Courtroom Z.	This is available for Chapter 11 cases only.
CONFIRM TERMINATION OR ABSENCE OF STAY	Motion to Confirm Termination or Absence of Stay Filed by Test Attorney on behalf of Mary Client (Test Attorney)	
DECLINING DISMISSAL OF CASE	Trustee's Motion Declining Dismissal of Case.	This event is only available in the Motions/Applications category. It is not available in Trustee Events.
DELAY DISCHARGE	Motion to Delay Discharge because [FREE TEXT] Filed by John Esquire on behalf of Mary Client. Hearing Scheduled for 4/13/06 at 9:00 am in Courtroom Z.	

NEW MOTION EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
DETERMINE VALUE OF PROPERTY	Trustee's Motion to Determine Value of Property Filed by John Trustee	This event is only available in the Motions/Applications category. It is not available in Trustee Events.
DISMISS CASE UNDER 521(I)	Motion to Dismiss Case for Failure to File Required Documents under Section 521 (i) Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 am in Courtroom Z.	
EXEMPTION FROM CREDIT COUNSELING	Motion for Exemption from Credit Counseling due to [FREE TEXT] Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 am in Courtroom Z	See corresponding check boxes on page 2 of Official Form 1 (the petition). Failure to include Credit Counseling information at case opening will result in a deficiency notice.
EXEMPTION FROM FINANCIAL MANAGEMENT	Motion for Exemption from Financial Management Course Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 am in Courtroom Z.	See Form 23
EXEMPTION FROM MEANS TEST	Motion for Exemption from Means Test Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 am in Courtroom Z.	

NEW MOTION EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
EXTEND AUTOMATIC STAY	Motion to Extend Automatic Stay Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 am in Courtroom Z.	
EXTEND TIME FOR CREDIT COUNSELING	Motion to Extend Time for Credit Counseling Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 am in Courtroom Z	
IMPOSE AUTOMATIC STAY	Motion to Impose Automatic Stay Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 am in Courtroom Z.	
INCREASE ASSURANCE PAYMENT	Motion to Increase Assurance Payments filed by Test Attorney on behalf of John Client. Hearing scheduled for 4/13/05 at 9:00 in Courtroom Z	
REINSTATEMENT OF RETIREE BENEFITS	Motion for Reinstatement of Retiree Benefits Filed by John Esquire on behalf of Mary Client. Hearing scheduled for 4/13/06 at 9:00 am in Courtroom Z	
RELEASE FUNDS FROM COURT REGISTRY		

NEW MOTION EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
RESTRICT PUBLIC ACCESS	Motion to Restrict Public Access. Hearing scheduled for 4/13/05 at 9:00 am in Courtroom Z. Filed by Test Attorney on behalf of John Client.	
SEAL	Motion to Seal. Hearing scheduled for 4/13/05 at 9:00 am in Courtroom Z. Filed by Test Attorney on behalf of John Client.	
WAIVER OF CHAPTER 7 FILING FEE	Application For Waiver of Chapter 7 Filing Fee Filed by John Esquire on behalf of Mary Client	<u>Use the court's form and DO NOT set a hearing. Skip the Hearing Information screen.</u> If this is filed during case opening, please select the Fee Status "IFP, Filing Fee Waived"

**UPDATED
11/10/05**

NEW PLAN EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
CHAPTER 11 SMALL BUSINESS PLAN	Chapter 11 Small Business Plan Filed by John Esquire on behalf of Mary Client.	
DISCLOSURE STATEMENT FOR SMALL BUSINESS		

NEW TRUSTEE EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
AUDITORS REPORT	Auditors Report filed by Test Attorney on behalf of Tom Skyler. (Test Attorney)	
APPOINTMENT OF OMBUDSMAN	Appointment of [<i>Consumer Privacy or Health Care</i>] Ombudsman, Harold Mabley Filed by John Esquire on behalf of Mary Client.	Select from drop down roletype list the correct type of ombudsman appointed.
MISSTATEMENT OF INCOME	Notice to Creditors of Material Misstatement of Income or Expenditures of Assets Filed by Test Trustee.	
STATEMENT OF CHANGE OF PRESUMED ABUSE	Documents initially submitted by the debtor indicated that a presumption of abuse under Section 11 U.S.C. 707(b)(2) had arisen in connection with the above-captioned case. Notice is hereby given that the United States Trustee, after reviewing all materials filed by the debtor, has filed a statement with the court indicating that no presumption of abuse has arisen under Section 11 U.S.C. 707(b)(2)	This is a text only event and does not include a document upload screen. This is also available in the Batch Filing category.

<u>NEW TRUSTEE EVENTS</u>	<u>DOCKET ENTRY READS</u>	<u>ADDITIONAL GUIDANCE</u>
STATEMENT OF NO DETERMINATION OF PRESUMED ABUSE	The United States Trustee has determined that the debtor has not filed nor transmitted all of the required means testing documents and that without these documents, the UST cannot make a determination as to whether debtor's case is presumed abusive under Section 707(b). Filed by US Trustee	This is a text only event and does not include a document upload screen. This is also available in the Batch Filing category.
STATEMENT OF NO MEANS TESTING DOCUMENTS FILED	The United States Trustee will not be filing a Motion to Dismiss at this point because the debtor has not filed nor transmitted all of the required means testing documents, the UST cannot make a determination as to whether debtor's case is presumed abusive under Section 707(b). Filed by US Trustee	This is a text only event and does not include document upload screen. This is also available in Batch Filing category.

NEW TRUSTEE EVENTS	DOCKET ENTRY READS	ADDITIONAL GUIDANCE
STATEMENT OF PRESUMED ABUSE	<p>As required by 11 U.S.C. Sec. 704(b)(1)(A), the United States Trustee has reviewed the materials filed by the debtor(s). Having considered these materials in reference to the criteria set forth in 11 U.S.C. Sec. 707(b)(2)(A), and, pursuant to 11 U.S.C. Sec. 704(b)(2), the United States Trustee has determined that:(1) the debtor's(s') case should be presumed to be an abuse under section 707(b); and (2) the product of the debtor's current monthly income, multiplied by 12, is not less than the requirements specified in section 704(b)(2)(A) or (B). As required by 11 U.S.C. Sec. 704(b)(2) the United States Trustee shall, not later than 30 days after the date of this Statement's filing, either file a motion to dismiss or convert under section 707(b) or file a statement setting forth the reasons the United States Trustee does not consider such a motion to be appropriate. Debtor(s) may rebut the presumption of abuse only if special circumstances can be demonstrated as set forth in 11 U.S.C. Sec. 707(b)(2)(B). Filed by John Hartman. (Test Trustee)</p>	<p>This is a text only event and does not include document upload screen. This is also available in Batch Filing category.</p>