



# United States Bankruptcy Court District of New Jersey

**Honorable Gloria M. Burns, Chief Judge**

**James J. Waldron, Clerk**

The purpose of this notice is to advise New Jersey Bankruptcy CM/ECF participants of new system and operational developments and to highlight issues that require immediate attention.

## Office Locations

### Newark

Martin Luther King, Jr. Federal Building  
50 Walnut Street  
Newark, NJ 07102  
Phone (973) 645-4764

### Trenton

Clarkson S. Fisher US Courthouse  
402 East State Street  
Trenton, NJ 08608  
Phone (609) 858-9333

### Camden

US Post Office and Courthouse  
401 Market Street  
Camden, NJ 08101  
Phone (856) 361-2300

## NEXT GENERATION OF CM/ECF (NextGen)

The Bankruptcy Court for the District of New Jersey will be one of the first bankruptcy courts in the country to implement the next generation of CM/ECF, also known as NextGen. We plan to be live on the new system in early 2015.

CENTRAL SIGN ON (CSO) – Central Sign On is a new feature being implemented in NextGen which will:

- o link an efiler's PACER and efilings logins/passwords eliminating the need to have two logins/passwords
- o allow the PACER Service Center to issue efilings logins and passwords for all federal courts
- o allow efilers to have ONE login and password that will work in all NextGen courts.

**All parties that efile in our court must upgrade their user account *prior* to the date that we implement NextGen (early 2015).**

Please contact the PACER Service Center with any questions you have. They can be reached at:

(800) 676-6856

[pacerc@psc.uscourts.gov](mailto:pacerc@psc.uscourts.gov)

## DECEMBER 1, 2014 FEE CHANGES

The Judicial Conference of the United States Courts has approved the following amendments to the Bankruptcy Court Miscellaneous Fee Schedule, which go into effect December 1, 2014.

### New Fee:

- Item 21 - Motion to Redact a Record, \$25 per affected case.

### Modified Fees:

- Item 11 – The reopening fee will not be charged in the following situation – to redact a record already filed in a case, pursuant to Fed. R. Bankr. P. 9037, if redaction is the only reason for reopening
- Item 14 – Upon notice from the court of appeals that a direct appeal or direct cross-appeal has been authorized, an additional \$207 must be collected.

Guidance regarding the redaction fee will be provided in the coming weeks.

## SOCIAL MEDIA

Please be advised that the Court is now using Facebook and Twitter to update the public with important news and announcements.

Follow us on Twitter @USBCNJ, and on Facebook at [www.facebook.com/USBCNJ](http://www.facebook.com/USBCNJ).

## HELP DESK INFORMATION

By telephone:

Camden: 856-361-2301

Newark: 973-645-3366

Trenton: 609-858-9401

By email:

[cmecf\\_help\\_desk@njb.uscourts.gov](mailto:cmecf_help_desk@njb.uscourts.gov)

## DECEMBER 1, 2014 CHANGES TO FEDERAL BANKRUPTCY RULES

The Supreme Court of the United States has approved amendments to the Federal Rules of Bankruptcy Procedure that will take effect on December 1, 2014. The following is a summary of the Rule changes.

**Rule 1014(b)** addresses the procedure when petitions involving the same or related debtors are filed in different courts.

**Rule 7004(e)** alters the period of time during which service of the summons and complaint must be made, reducing the period from 14 days to 7 days after issuance of the summons.

**Rule 7008(b)** which currently addresses attorney's fees, will be deleted.

**Rule 7054** will include the procedures for seeking an award of attorney's fees, unless the governing substantive law requires the fees to be provided at trial as an element of damages.

Rules governing Appeals (8001-8028) have been completely revised:

**Rule 8003** requires the clerk to serve the notice of appeal instead of providing notice of the filing of the notice of appeal. The Notice of Electronic Filing (NEF) will suffice as notice except when pro se parties are involved.

**Rule 8003(d)(1)** requires the clerk to transmit the notice of appeal promptly to the district court.

**Rule 8008** provides a procedure for the issuance of an indicative ruling when a bankruptcy court determines that, because of a pending appeal, the court lacks jurisdiction to grant a request for relief that the court concludes is meritorious or raises a substantial issue.

**Rule 8009** addresses transcripts, when a transcript is or is not ordered, and allows an appellant to file a statement of in lieu of transcript, when a transcript is unavailable.

**Rule 8010** requires that if a party moves in the district court or court of appeals for any of the following: leave to appeal; dismissal; a stay pending appeal; approval of a supersedeas bond, or additional security on a bond or undertaking on appeal; or any other intermediate order, the bankruptcy clerk must transmit to the clerk of the court where the relief is sought any parts of the record designated by a party to the appeal or a notice that those parts are available electronically.

## DECEMBER 1, 2014 CHANGES TO FEDERAL BANKRUPTCY RULES (continued)

**Rule 9023** (governing new trials and amendment of judgments) and **Rule 9024** (governing relief from a judgment or order) add reference to the procedure in amended Rule 8008 addressing indicative rulings.

## DECEMBER 1, 2014 CHANGES TO OFFICIAL BANKRUPTCY FORMS

**B3A** – *Application for Individuals to Pay the Filing Fee in Installments* - This form has been revised to remove the fee amounts.

**B3B** – *Application to Have the Chapter 7 Filing Fee Waived* - This form has been revised to remove the fee amount.

**B6** – *Summary of Schedules* – Revised to reflect line number changes on B22A-1, 22B and 22C-1 forms.

**B17A** – *Notice of Appeal and Statement of Election* – This form is renumbered, and has been amended to add an optional Statement of Election. **The statement of election is applicable only in districts in which appeals to a bankruptcy appellate panel (BAP) have been authorized.**

**B17B** – *Optional Appellee Statement of Election to Proceed in District Court* – This form is new, and is the official form for an appellee to state its election to have an appeal heard by the district court rather than the bankruptcy appellate panel. **The form is applicable only in districts in which appeals to a bankruptcy appellate panel (BAP) have been authorized.**

**B17C** – *Certificate of Compliance with Rule 8015(a)(7)(B) or 8016(d)(2)* – This form is new. When the length of a brief is calculated by the maximum number of words or lines of text rather than by number of pages, Rules 8015(a)(7)(C) and 8016(d)(3) require an attorney or unrepresented party to certify that the brief complies with the applicable type-volume limitation. Completion of this form satisfies the certification requirement. This form is not needed if the brief meets the applicable page limitation under Rule 8015(a)(7)(A) or 8016(d)(1). **The form does not include a caption because it is included in the brief.**

The “means test” forms have been substantially revised and renumbered. The revised versions present the information in a format different from the original forms. The court will issue filing guidance regarding the revised forms in the coming weeks. The new name and number of each form is set forth below.

## DECEMBER 1, 2014 CHANGES TO OFFICIAL BANKRUPTCY FORMS (continued)

**22A-1** – Chapter 7 Statement of Your Current Monthly Income

**B22A-1 SUPP** – Statement of Exemption from Presumption of Abuse Under 707(b)(2)

**B22A-2** – Chapter 7 Means Test Calculation

**B22B** – Chapter 11 Statement of Your Current Monthly Income

**B22C-1** – Chapter 13 Statement of Your Current Monthly Income

**B22C-2** – Chapter 13 Calculation of Your Disposable Income

**IMPORTANT:** Failure to file the revised forms will result in the issuance of deficiency notice, and may result in dismissal of the debtor's case. Efiling attorneys who use petition preparation software are strongly encouraged to update their software to ensure that they are filing the most recent versions of the above forms.

## EFILING GUIDANCE

**Motions for a Protective Order** – Limited users have been given access to this event which is used to request that a document containing personal identifiers be restricted from public view. For more information regarding requests to restrict documents from public view/redaction see [D.N.J. LBR 9037-1](#).

**Applications to Cancel or Discharge Mortgage/Lien** – Filers are reminded that they must include a hearing date in the Application. Hearing dates are available on the Court's web site.