



The Frequent Filer

ISSUE # 4 I

NOVEMBER 3RD, 2015

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December 2015 Form Changes

On September 17th, 2015, the Judicial Conference approved the revision of a substantial number of Official Bankruptcy Forms. These revised, reformatted and renumbered forms will become effective and mandatory on December 1, 2015 under Bankruptcy Rule 9009.

This edition of The Filer is devoted to giving you the scoop on what you can expect with these form changes, along with resources you can use to learn more about them. Where appropriate, we'll also fill you in on changes you can expect to see on your CM/ECF screens as they relate to the new



forms. We'll also introduce a new feature on our website that makes searching the GPO a little easier.

Good luck, and as always, be careful out there!

Questions or comments about this issue of The Filer? Contact us via email (training@ianb.uscourts.gov) or by phone at 319-286-2200.

Clerk's Office Thanksgiving Holiday Hours

The Bankruptcy Clerk's Office will be closed on Thursday, November 26th, 2015 and Friday, November 27th, 2015 in observance of the Thanksgiving holiday. CM/ECF will remain available 24 hours/day during this time.



THE BANKRUPTCY FORMS MODERNIZATION PROJECT

EFFECTIVE DECEMBER 1, 2015

Background

The Official Bankruptcy Forms that will go into effect on December 1, 2015 are the result of a forms modernization project begun by the Advisory Committee on Bankruptcy Rules in 2008. In addition to introducing different versions of case opening forms for individual debtors and non-individual debtors, the forms now contain simplified language making them easier for both the legal community and pro se debtors to understand.

As part of this project, the petitions, all schedules and other official forms will also be renumbered from two to three-digit numbers (sometimes followed by a letter). Form renumbering will generally follow this pattern: 1XX for individual debtor case opening forms, 2XX for non-individual debtor case opening forms, 3XX for court notices and orders, and 4XX for other official forms. In most cases, the “XX” is identical to the original form number. The majority of forms will be renumbered effective 12/01/2015, but a handful won’t be renumbered until December 2016 or later. To learn more about the effective dates for form renumbering, you can review the Modernized Bankruptcy Forms Conversion Chart [here](#).

What’s Changing?

Voluntary Petition

- Separate forms for individual debtors and non-individual debtors
- Voluntary petitions now have **five** separate forms:
 - B101, Voluntary Petition for Individuals Filing for Bankruptcy;
 - B201, Voluntary Petition for Non-Individuals Filing for Bankruptcy;
 - B401, Petition for Recognizing a Foreign Proceeding;
 - B105, Involuntary Petition Against an Individual; and
 - B205, Involuntary Petition Against a Non-Individual
- New forms capture more categories of debtors’ business descriptions for reporting purposes
- Voluntary Petition form for Individuals is now **8** pages in length (previously, it was four)
- Exhibit C has been incorporated into Forms B101 and B201
- Credit counseling information from Exhibit D is now included with the petition, eliminating the need for a separate docket entry
- The section on the petition entitled “Certification by a Debtor Who Resides as a Tenant of Residential Property” has been replaced with the question “Do you rent your residence?” and two new forms: 101A *Initial Statement About an Eviction Judgement Against You* and 101B *Statement About Payment of an Eviction Judgement Against You*
- Language and instructions on all forms are simpler, making them easier to understand

FORMS MODERNIZATION PROJECT

Voluntary Petition, Continued

- Comprehensive instructions accompany the new forms
- Schedules A (Real Property) and B (Personal Property) have been combined and are now a single form: **Schedule A/B Property**
- Schedules E (Creditors Holding Unsecured Priority Claims) and F (Creditors Holding Unsecured Nonpriority Claims) have been combined and are now a single form: **Schedule E/F: Creditors Who have Unsecured Claims**

How is CM/ECF Case Opening affected by these form changes? What screen changes will I see?

- Still just one docketing event for opening a voluntary case and one docketing event for opening an involuntary case
- New Nature of Debt field: “Other”
- Estimated Assets and Liabilities Code J has been expanded to 3 more levels ranging from \$1,000,000,001 to \$50 billion

The screenshot shows the 'Open New Voluntary Bankruptcy Case' form with several annotations:

- Nature of Debt:** A yellow box highlights the 'Nature of Debt' dropdown menu, which now includes 'Other New' in red text.
- Estimated number of creditors:** The 'other' option is highlighted in red and labeled 'New'.
- Small business:** A list of asset and liability codes (A through M) is shown. Codes K, L, and M are highlighted in red and labeled 'New'. Code J is crossed out and labeled 'Deactivated for cases filed after 11/30/2015'.
- Type of debtor:** The 'Individual' radio button is selected and circled in red.
- Nature of business:** The 'Railroad' and 'Clearing Bank' radio buttons are circled in red, with a note indicating they are 'Disabled for Individual debtors'.

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- Two new Nature of Business options for non-individual filers have been added: Investment Company and Investment Advisor

The screenshot shows the 'Open New Voluntary Bankruptcy Case' form. A yellow callout box on the left lists 'New Nature of Business codes: Investment Company' and 'Investment Advisor'. A red arrow points from this box to the 'Nature of business' section, where 'Investment Company' and 'Investment Advisor' are now listed as options. Another yellow callout box on the right states 'Other changed to None of the Above', with a red arrow pointing to the 'None of the above' option in the same section. Below the 'Nature of business' section, the 'Special categories' section is highlighted with a red box, showing 'Investment Company' and 'Investment Advisor' as new options. The 'NAICS code' section is also highlighted with a red box, showing the code '4' and its description: '4231 (Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers)'. The form includes fields for 'Prior filing within last 8 years', 'Estimated assets', 'Estimated liabilities', and 'Small business'.

- New statistical business code for the North American Industry Classification System (NAICS) has been added. The NAICS is the standard used by Federal statistical agencies in classifying business types; collection of this code will allow the Administrative Office of the U.S. Courts to better respond to Congressional, Judiciary and public inquiries on types of bankruptcy filings.
- New Chapter 11 Fields

The screenshot shows the 'Open New Voluntary Bankruptcy Case' form. A yellow callout box on the left lists 'New Chapter 11 Fields: Debtor is Required to file periodic reports' and 'Debtor is a shell company'. A red arrow points from this box to the 'Small business' section, where 'Debtor is required to file periodic reports' and 'Debtor is a shell company' are now listed as new options. Another yellow callout box on the right states 'New NAICS business codes:', with a red arrow pointing to the 'NAICS code' section, which shows the code '4' and its description: '4231 (Motor Vehicle and Motor Vehicle Parts and Supplies Merchant Wholesalers)'. The form includes fields for 'Prior filing within last 8 years', 'Estimated assets', 'Estimated liabilities', and 'Small business'.

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- New Nature of Foreign Proceeding Screen (Designed as an alternative for the filer who is not sure if it's a main or non-main proceeding):

The screenshot shows the 'Open New Voluntary Bankruptcy Case' form. The 'Main/Nonmain' dropdown menu is open, showing three options: 'Foreign main proceeding', 'Foreign nonmain proceeding', and 'Foreign main proceeding, or in the alternative foreign nonmain proceeding'. The third option is highlighted in red and labeled 'New option'. A yellow callout box below the dropdown lists the three options: 'Foreign Main Proceeding', 'Foreign Nonmain Proceeding', and 'Foreign Main Proceeding, or in the alternative, foreign Nonmain Proceeding'.

Schedules and Summary of Schedules

- Schedules now have separate forms and new form numbers for both individual and non-individual debtor types. In cases where schedules have been combined (A/B and E/F), separate amounts will still be collected. You'll see separate prompts for each field when docketing those schedules.
- The expenses of Debtor 2 (when Debtor 2 resides in a separate household) have been separated out into a new form, 106J-2:

The screenshot shows the 'Part 1: Describe Your Household' section of a form. It contains the following questions and options:

Part 1: Describe Your Household

1. Is this a joint case?

- No. Go to line 2.
- Yes. Does Debtor 2 live in a separate household?
 - No
 - Yes. Debtor 2 must file Official Forms 106J-2, *Expenses for Separate Household of Debtor 2*.

FORMS MODERNIZATION PROJECT

Meeting of Creditor Notices

The current Meeting of Creditors Notice for Chapter 7 No Asset cases looks like this (note the form number, form title, and formatting):

Chapter 7 No Asset Case	
B9A (Official Form 9A) (Chapter 7 Individual or Joint Debtor No Asset Case) (12/12)	
UNITED STATES BANKRUPTCY COURT _____ District of _____	
Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, & Deadlines	
[A chapter 7 bankruptcy case concerning the debtor(s) listed below was filed on _____ (date).] or [A bankruptcy case concerning the debtor(s) listed below was originally filed under chapter _____ on _____ (date) and was converted to a case under chapter 7 on _____ (date).]	
You may be a creditor of the debtor. This notice lists important deadlines. You may want to consult an attorney to protect your rights. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below. NOTE: The staff of the bankruptcy clerk's office cannot give legal advice.	
Creditors -- Do not file this notice in connection with any proof of claim you submit to the court. See Reverse Side for Important Explanations.	
Debtor(s) (name(s) and address):	Case Number:
	Last four digits of Social-Security or Individual Taxpayer-ID (ITIN) No(s)/Complete EIN:
All other names used by the Debtor(s) in the last 8 years (include married, maiden, and trade names):	Bankruptcy Trustee (name and address):
Attorney for Debtor(s) (name and address):	
Telephone number:	Telephone number:
Meeting of Creditors	
Date: / /	Time: () A. M. Location:
	() P. M.



FORMS MODERNIZATION PROJECT

Meeting of Creditor Notices, Continued

The **REVISED** Meeting of Creditors Notice (Form 309A) that you'll see beginning December 1, 2015 will look like this:

		Chapter 7 No Asset Case	
Information to identify the case:			
Debtor 1	_____ First name Middle name Last name	_____ Last 4 digits of Social Security number or ITIN	_____ EIN
Debtor 2 (Spouse, if filing)	_____ First name Middle name Last name	_____ Last 4 digits of Social Security number or ITIN	_____ EIN
United States Bankruptcy Court for the:	_____ District of _____ (State)	(Date case filed for chapter 7	_____ MM, JJ, DD : YYYY OR
Case number:	_____	(Date case filed in chapter	_____ MM, JJ, DD : YYYY
		Date case converted to chapter 7	_____ MM, JJ, DD : YYYY

Official Form 309A (For Individuals or Joint Debtors)
Notice of Chapter 7 Bankruptcy Case — No Proof of Claim Deadline 12/15

For the debtors listed above, a case has been filed under chapter 7 of the Bankruptcy Code. An order for relief has been entered.

This notice has important information about the case for creditors, debtors, and trustees, including information about the meeting of creditors and deadlines. Read both pages carefully.

The filing of the case imposed an automatic stay against most collection activities. This means that creditors generally may not take action to collect debts from the debtors or the debtors' property. For example, while the stay is in effect, creditors cannot sue, garnish wages, assert a deficiency, repossess property, or otherwise try to collect from the debtors. Creditors cannot demand repayment from debtors by mail, phone, or otherwise. Creditors who violate the stay can be required to pay actual and punitive damages and attorney's fees. Under certain circumstances, the stay may be limited to 30 days or not exist at all, although debtors can ask the court to extend or impose a stay.

The debtors are seeking a discharge. Creditors who assert that the debtors are not entitled to a discharge of any debts or who want to have a particular debt excepted from discharge may be required to file a complaint in the bankruptcy clerk's office within the deadlines specified in this notice. (See line 9 for more information.)

To protect your rights, consult an attorney. All documents filed in the case may be inspected at the bankruptcy clerk's office at the address listed below or through PACER (Public Access to Court Electronic Records at www.pacer.gov).

What's Different?

The form number has changed, a header to identify the case is now included at the top of page 1, and the language has been revised. **Please note that the 341 meeting date and time and pertinent case deadline information will be located on page 2.**

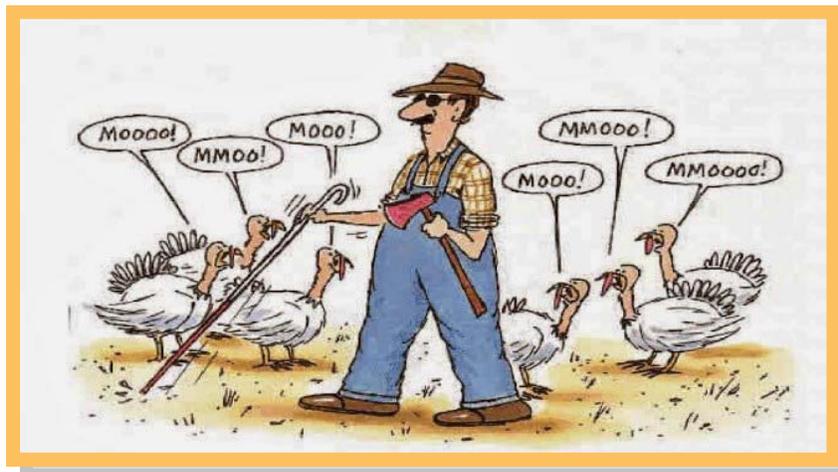


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How Should I Prepare for These Form Changes?

Glad you asked! Here are the top 8 things you can do to make sure you're ready for December 1st:

1. If you haven't already done so, contact your bankruptcy software vendor **immediately** to ensure that the vendor plans to provide a timely and proper update to the software to meet the new forms requirements. **NOTE: We have been informed that the software company EZ Filing will no longer be providing services after the implementation of the new forms.**
2. Review new data and/or formatting requirements that have been incorporated into many of the official bankruptcy forms to ensure that your internal office procedures are properly adjusted to gather the required information during your client interviews.
3. Review the two distinct versions of the petition forms, remembering that one is for Individual Debtors and one is for Non-Individual Debtors.
4. Note that the current Exhibits B, C and D will be eliminated, with that information being incorporated into the petition. Exhibit A is now Official Form 201A
5. Review the combined Schedules: A/B and E/F.
6. Be certain that the entities/co-debtors listed on Schedules G and H are included on your official matrix.
7. Review new form 106j-2
8. Review the resources related to these form changes on the [U.S. Courts Website](#)



FORMS MODERNIZATION PROJECT

Many of the forms associated with the individual voluntary petition have new names, including:

Original Form Name

Form Name Effective 12/01/2015

Voluntary Petition

Voluntary Petition for Individuals Filing for Bankruptcy

Application and Order to Pay Filing Fee in Installments

Application for Individuals to Pay The Filing Fee in Installments

Application for Waiver of Chapter 7 Filing

Application to Have the Chapter 7 Filing Fee Waived

Summary of Schedules

Summary of Your Assets and Liabilities and Certain Statistical Information

Schedule A – Real Property

Schedule A/B Property

Schedule B – Personal Property

Schedule A/B Property

Schedule C – Property Claimed as Exempt

Schedule C: The Property You Claim as Exempt

Schedule E –Creditors Holding Unsecured Priority Claims

Schedule E/F: Creditors Who Have Unsecured Claims

Schedule F – Creditors Holding Unsecured Nonpriority Claims

Schedule E/F: Creditors Who Have Unsecured Claims

Schedule H – Codebtors

Schedule H: Your Codebtors

Schedule I – Current Income of Individual Debtor(s)

Schedule I: Your Income

Schedule J – Current Expenditures of Individual Debtor(s)

Schedule J: Your Expenses

Statement of Financial Affairs

Your Statement of Financial Affairs for Individuals Filing for Bankruptcy

Declaration Concerning Debtor's Schedules

Declaration About an Individual Debtor's Schedules

For a comprehensive list of the pending form changes and names, click [here](#).

In Other News...



Searching the GPO—You Asked, We Listened!

We heard your feedback loud and clear: searching for specific opinions on the GPO was a cumbersome task on a good day, headache inducing on a bad day. Although we can't change how the GPO search feature works (that's something only the Government Publishing Office can do), we CAN provide you with some additional instructions and guidance on how to best use the GPO. So, we did! We've added those to our website (in desktop and mobile format, 'cause we're cool like that), and you'll find them at the bottom of the "Opinions/Rulings" pages of our website, as shown here:

A screenshot of the US Courts website's "Opinions / Rulings" page. The page has a light beige background. At the top left, it says "Thad J. Collins, Chief Judge" and "Proposed Orders". Below that is "Survey of Recent Decisions" and "Opinions / Rulings". The main heading is "Opinions / Rulings". Below the heading is a paragraph: "Judicial decisions posted are provided by the Court as a convenience to the bar and the public. While every effort is made to provide complete and accurate information, the availability or absence of judicial decisions here does not guarantee that these postings accurately reflect the official records of the Court." There are three bullet points: 1. "Opinions / Rulings entered into CM/ECF since March 2004 may be found at the U.S. Government Publishing Office web site. United States Courts Opinions (USCOURTS) collection is a project between the U.S. Government Publishing Office (GPO) and the Administrative Office of the United States Courts (AOUSC) to provide public access to opinions from selected United States appellate, district, and bankruptcy courts." 2. "Opinions / Rulings entered into cases filed prior to March 2004 may be found by searching the Iowa Northern Bankruptcy Court database of opinions and rulings. The search capability is limited, but you may filter these decisions by judge or year using the drop down boxes provided." 3. "Opinions for cases filed in Other Districts by the Judges for the Northern District of Iowa (not entered in CM/ECF for the Northern District of Iowa) may be found by searching the Iowa Northern Bankruptcy Court database of opinions and rulings. The search capability is limited, but you may filter these decisions by judge or year using the drop down boxes provided." At the bottom, there is a yellow box with the text: "Interactive modules re GPO Search instructions for PC Desktop and Mobile Devices."

What'd We Miss?

If you have topics or questions you'd like to see covered in The Frequent Filer, we'd love to hear from you! Email us at the address shown below, and we'll do our best to address your topic in future editions.



Happy Thanksgiving!

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