



# Clerk's Notes



---

May 2010

---

## I. List of Unclaimed Funds Now On the Court's Website

The list of unclaimed funds held in the Bankruptcy Court for the Eastern District of Louisiana has been posted on our website, along with procedures to claim the funds, sample forms, and a list of frequently asked questions. The list is also available for viewing in person at the Clerk's Office.

The major source of unclaimed funds in bankruptcy courts are distribution checks from the trustees to creditors that are not cashed. Unclaimed funds may also arise in favor of debtors, for example, when extra plan payments are made. Under 11 U.S.C. § 347(a), the trustees must stop payment on any check that remains unpaid 90 days after final distribution in the case. These unclaimed funds are then paid into the Court to hold for the benefit of the owner.

Although information about the unclaimed funds has always been on the docket sheet of each case as part of the public record, a public listing of the unclaimed funds has not, until now, existed. It has only recently been possible to make a comprehensive list of the funds and make it publicly available because of improved technology, the increasing usage of computers and websites, and the simplifying of administrative procedures to release the funds.

We recommend that individuals and entities who have been debtors or creditors in cases in the Bankruptcy Court review the list of unclaimed funds. The procedures and PDF fillable forms on the website are intended to make it easy to claim the funds without an attorney.

Through August 15, 2010, the Court will not approve any motions for payment of unclaimed funds that are filed on behalf of an individual by a fund locator.

Questions regarding unclaimed funds should be directed to the Finance Section of the Clerk's Office at (504) 589-7862.

## II. CLE on Electronic Courtroom Technology

The Bankruptcy Court and the New Orleans Chapter of the Federal Bar Association are hosting a CLE on how to operate the newly-installed electronic courtroom technology. We were fortunate to be able to obtain permission to award one hour of CLE credit for those attending.

The seminar will be held on Tuesday, June 1, 2010, from 11 a.m. to noon, in Courtroom 709. Topics will include using the audio-visual features, the document camera, the on-screen annotations, the DVD/VCR player, and improved teleconferencing.

There is no charge, but we encourage registration so that we can ensure that sufficient seats and handouts are available. Feel free to bring your paralegals, IT support staff, and others. Registration information is attached.

If you are unable to come to the seminar, need additional information, or would like to practice with the equipment, please call Brian Richoux, Chief Deputy (589-7822), to arrange a time to come to the courtroom.

## III. Computer Security - Terminals in the Public Area

The Administrative Office of the United States Courts has directed that each court take action to protect its public computer terminals from security violations of the CM/ECF system. The software that we are required to install will prevent the filing of documents on the public terminals in the Clerk's Office.

Although the court has provided public access filing stations since the inception of electronic filing in early 2002, beginning on May 24, 2010, it will no longer be possible for attorneys to use the Clerk's Office computers to file documents into the CM/ECF system. The CM/ECF system will be available only for viewing.

The Clerk's Office will file documents from *pro se* parties. Attorneys are asked to file documents from their offices. Another option is to use the computers in the Attorney Conference Center in Room 364 of the Hale Boggs Building.

#### IV. Updated Time Periods

When the time-computation amendments to the Federal Rules of Bankruptcy Procedures became effective on December 1, 2009, the deadline for filing objections to motions changed from 8 days to 7 days. In addition, the 20 day notice period for various matters changed to a 21 day notice.

Please update your forms to reflect the new time periods.

#### V. Uploading Original Creditor Matrix

Please upload the creditor matrix at the same time that the petition is filed, so that all creditors will receive notice of the first meeting of creditors.

We have noticed that some attorneys are waiting until the day after the petition is filed to upload the creditor matrix. If the creditor matrix is not filed on the same day as the petition, the creditors will not receive notice of the 341 meeting because the BNC (Bankruptcy Noticing Center) schedules and notices the 341 meeting on the day that the petition is filed. It is then the responsibility of the debtor to notify the creditors of the 341 meeting. Another complication is that the notice of the 341 meeting is the only document that includes the debtor's Social Security number, so the debtor must also notify creditors of their SSN.

To avoid these problems, file the matrix simultaneously with the petition.

#### VI. Motions to Compromise Adversary Proceedings

Motions to compromise adversary proceedings should be filed in the main bankruptcy case, as well as the related adversary proceeding. The notice of hearing and certificate of service should also be filed in the main case so that the motion will appear on the calendar in the main case.

#### VII. Cafeteria

The cafeteria located in the basement of the Hale Boggs Federal Building will be opening on May 17, 2010.

## VIII. Finally . . .

Check our website for updates on a regular basis – <http://www.laeb.uscourts.gov>. If you have suggestions on issues that you would like to see addressed in future newsletters, please call Marla Hamilton, Clerk of Court, 589-7820.

**The Clerk's Office of the Bankruptcy Court for the Eastern District of Louisiana and The Federal Bar Association - New Orleans Chapter**

present

**ELECTRONIC COURTROOM TECHNOLOGY**

**One Hour of CLE Credit**

**No tuition ~ No Registration Fee**

**Seminar Registration Required**

The Bankruptcy Court Clerk's Office will present a seminar on how to use the newly-installed evidence presentation systems. Attorneys can now present photos, videos, documents, and other evidence in an electronic format.

**Topics will include:**

- Audio-visual features
- Document camera
- DVD/VCR player
- Technology-ready counsel tables
- Laptop audio and video
- On-screen annotations
- Audio enhancements
- Improved teleconferencing
- Language translation features
- Equipment for the hearing impaired

Date: Tuesday, June 1, 2010

Time: 11 a.m. to 12 p.m.

Location: Courtroom 709  
United States Bankruptcy Court, Eastern District of Louisiana  
500 Poydras Street, New Orleans, Louisiana

---

**Electronic Courtroom Technology in the Bankruptcy Court - Registration Form**

NAME: \_\_\_\_\_

FIRM NAME /EMPLOYER \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL: \_\_\_\_\_

Please return to:  
Camille Zeller, Attorney Conference Center  
500 Poydras Street, Room B-364  
New Orleans, Louisiana 70130

Phone: (504) 589-7990  
Fax: (504) 589-7995  
E-Mail: [fbano@bellsouth.net](mailto:fbano@bellsouth.net)