



# Newsletter

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## Sheila Booth Appointed Clerk of Court



Sheila Booth was appointed Clerk of Court for the Eastern District of Louisiana Bankruptcy Court on August 12, 2013. Mrs. Booth was formerly the Chief Deputy Clerk for the United States Bankruptcy Court for the Middle District of Pennsylvania and prior to that, she was the Chief Deputy Clerk of the United States Bankruptcy Court for the District of Delaware.

## Declaration Regarding Electronic Filing

Please deliver or mail Declarations Regarding Electronic Filing within 7 days of filing of a petition.

The Local Rules, which were adopted on May 1, 2013, require the debtor to deliver to the Clerk an original Declaration Regarding Electronic Filing within 7 days from the date of filing the petition. The declaration may be delivered by regular mail or by hand. It appears that a number of attorneys are not delivering the declarations to the Clerk until after the entry of a notice of deficiency or an order to show cause. Timely delivery of the declarations will reduce unnecessary work for both court and attorney staff.

## Exact Change Required

Beginning October 1, 2013, the Clerk's Office will only accept exact change for any fees paid with cash. The new requirement allows the Clerk to eliminate several internal procedures that are associated with maintaining a change-making fund, and thus allows staff to focus on other essential duties.

## Rule Amendments and Form Changes Scheduled to take Effect December 1, 2013

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*“For more information about the proposed rule amendments, please visit the United States Courts’ website at [www.uscourts.gov/RulesandPolicies/rules/pending-rules.aspx](http://www.uscourts.gov/RulesandPolicies/rules/pending-rules.aspx)”*

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### Rule Amendments:

A number of rule amendments have been transmitted to Congress that will take effect on December 1, 2013, unless Congress enacts legislation to reject, modify, or defer them.

The amendments are to FRBP:

- 1007(b)(7)
- 4004(c)(1)
- 5009(b)
- 9006(d)
- 9013
- 9014

### Bankruptcy Forms:

Upon approval by the Judicial Conference of the United States a number of revisions to the official bankruptcy forms will take effect on December 1, 2013.

The following forms will be revised:

- Form 3A - Application for Individuals to Pay the Filing Fee in Installments
  - Form 3B – Application to Have the Chapter 7 Filing Fee Waived
  - B 61 - Schedule I: Your Income
  - B 6J - Schedule J: Your Expenses
  - B 6 - Summary of Schedules
  - B 23 – Debtor’s Certification of Completion of Instructional Course Concerning Financial Management
  - B 27 – Reaffirmation Agreement Cover Sheet
  - B 254 – Subpoena for Rule 2004 Examination
  - B 255 – Subpoena to Appear and Testify at a Hearing or Trial in a Bankruptcy Case (or Adversary Proceeding)
  - B 256 – Subpoena to Testify at a Deposition in a Bankruptcy Case (or Adversary Proceeding)
  - B 257 – Subpoena to Produce Documents, Information, or Objects or to Permit Inspection in a Bankruptcy Case (or Adversary Proceeding)
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*“To obtain copies of the new forms, please visit the United States Courts’ website at [www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms/BankruptcyFormsPendingChanges.aspx](http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms/BankruptcyFormsPendingChanges.aspx)”*

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# Changes to the Bankruptcy Court Miscellaneous Fee Schedule

The Judicial Conference of United States approved changes to the court miscellaneous fee schedule to be effective on December 1, 2013:

- a. Amend Item 19 to add a new \$176 fee to file a motion for the sale of property free and clear of liens under 11 U.S.C. Sec. 363(f).
- b. Amend Item 12 as follows: For retrieval of one box of records from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court, \$64. For retrievals involving multiple boxes, \$39 for each additional box.
- c. Amend Item 13 as follows: For any payment returned or denied for insufficient funds, \$53.

## Cost Containment

This newsletter comes to you during the last month of our fiscal year and we would like to update you regarding cost containment initiatives at the national level which are supported by efforts at the local level. An example of such an initiative is noticing practices. The bankruptcy courts have been asked to identify notices that could be eliminated, combined, or service shifted to the moving party. In addition to noticing practices we will also be reviewing non-mandatory services that may need to be eliminated where necessary. The change making fund discussed earlier in this newsletter is an example of a non-mandatory service that will be eliminated.

The financial realities to our court have resulted in the reduction of staff by three members during fiscal year 2013 due to sequestration. This reduction is in addition to the loss of three staff members in fiscal year 2012 due to budget shortfalls. These reductions have resulted in a strain on resources, loss of valuable institutional knowledge, and financial hardships for the separating employees and their families. With the loss of six staff members over the past two years the court is working diligently to minimize the organizational effects while providing efficient and professional service to the public and the bar.

We appreciate the dedication of our staff and the support of those who practice within the Eastern District of Louisiana. As the new year unfolds and we continue to review our procedures and services, any resulting changes will be communicated via e-mail, this newsletter, and on our website.

Location: United States Bankruptcy Court  
Hale Boggs Federal Building  
500 Poydras Street, Suite B-601  
New Orleans, LA 70130

Hours: 8:30am to 4:30pm  
Monday-Friday, except federal holidays

Questions: 504-589-7878

E-mail your suggestions for a future topic to be included in the newsletter to:

[Newsletter@laeb.uscourts.gov](mailto:Newsletter@laeb.uscourts.gov)

### *Our Mission Statement..*

The Mission of the United States Bankruptcy Court for the Eastern District of Louisiana is to adjudicate and administer cases under the Bankruptcy Code and Rules for the benefit of the public and those who come before the court. The court provides an accessible and impartial forum to all who seek bankruptcy protection or the resolution of disputes in bankruptcy cases within our jurisdiction.