

# BANKRUPTCY BUGLE



## DECEMBER 1, 2018 CHANGES TO FEDERAL RULES

On December 1, 2018, rule amendments to the Federal Rules of Bankruptcy Procedure went into effect. Some of the changes include:

- **Rule 3002.1** has been amended to address procedures for handling payment changes in home equity lines of credit in consumer cases.
- **Rule 7062** applies Federal Rule of Civil Procedure 62 to adversary proceedings but clarifies that the stay of proceedings to enforce a judgment is only for 14 days in an adversary proceeding.
- **Rule 8002** has been amended to clarify, among other items, time requirements for filing a notice of appeal.
- **Rule 8006** allows the bankruptcy court to file a statement on the merits of direct certification to the court of appeals when the parties make a joint certification.
- **Rule 8018.1** has been added to allow a district court to treat an appeal from a bankruptcy court judgment as proposed findings of fact and conclusions of law, if the district court concludes the bankruptcy court lacked constitutional authority to enter the judgment

Additionally, amendments to several Bankruptcy Forms become effective December 1, 2018:

- Official Form 411A
- Official Form 411B
- Official Form 417A
- Official Form 417C
- Form 2000 (Required Lists, Schedules, Statements and Fees)
- Form 3180W (Order of Discharge in Chapter 13 Case)
- New Form 4170 (Declaration of Inmate Filing)

A redline version of the amended rules can be found here: <http://www.uscourts.gov/rules-policies/current-rules-practice-procedure>.

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**HAPPY  
HOLIDAYS!**

## A Message From The Clerk

On behalf of the bankruptcy judges and all the staff at the Bankruptcy Court, I would like to extend our best wishes for this holiday season to one and all. May good health and good wishes abound.

- Mary A. Schott, Clerk of Court

### HOLIDAY OFFICE CLOSURES

The U.S. Bankruptcy Court will be closed on the following days:

- Monday, December 24 and Tuesday, December 25th in observation of the Christmas holiday and
- Monday, December 31st and Tuesday, January 1st in observance of the New Year's holiday.

### BIFURCATING A JOINT CASE

When a joint case needs to be bifurcated (split), docket a Motion to Bifurcate with the [required fee](#).

In instances where an order allows a joint debtor to bifurcate or split from a case so one debtor can convert their case, after the new case is opened by clerk's office staff, it will reflect the conversion.

If an order grants the dismissal of one joint debtor and the other will continue in bankruptcy, then no motion for bifurcation is needed. Clerk's office staff will dismiss the party.



### CHAT

The Nevada Bankruptcy Court has implemented a CHAT service for the public.

The CHAT Help Desk answers questions online Monday—Friday during regular court hours. In addition, phone calls to the Help Desk at 866-232-1266 will still be answered.

Access to CHAT can be found at the court website's home page:

[www.nvb.uscourts.gov](http://www.nvb.uscourts.gov)

### COURTHOUSE HOURS

C. Clifton Young Federal Building and U.S. Courthouse Hours and Foley Federal Building and U.S. Courthouse Hours are:

**7:30 A.M. to 5:00 P.M.**

Bankruptcy Court Intake Hours are:

**9:00 A.M. to 4:00 P.M.**

Excluding Weekends and Federal Holidays.

## STEPS TO MANUALLY OPEN A VOLUNTARY PETITION

Official Form B101/201, known as a “Voluntary Petition” must be filed by a debtor to begin a bankruptcy case.

Note: Steps 2-7 should be done immediately after opening.



In CM/ECF, click on Bankruptcy. Then click on the following Bankruptcy Events, answering the prompts that appear.

1. Open Voluntary BK Case (All Chapter 13 and 11 cases are opened as ASSET cases).
2. Creditor Maintenance ———> Upload list of creditors file.
3. Judge/Trustee Assignment. **THIS IS A VERY IMPORTANT STEP** in opening a new petition. It is a crucial part of case opening, and will ensure that you receive your 341 notice immediately.
4. Miscellaneous ———> Statement of Social Security Number(s).
5. Miscellaneous ———> Declaration re: Electronic Filing.
6. Miscellaneous ———> *select applicable Income Means Test events.*
7. For Individuals Only: Miscellaneous ———> Certificate of Credit Counseling.

The following applies to Chapter 13 cases only. Search for a Chapter 13 Plan Confirmation hearing (initial hearing only) date from the self-scheduling section on the court’s website, <https://www.nvb.uscourts.gov/calendars/self-scheduling-dates/>.

8. Plan ———> Chapter 13 Plan #1.
9. Notices ———> Confirmation Hearing.



## BANKRUPTCY COURT CONTACT NUMBERS



LAS VEGAS CLERK’S OFFICE: (702) 527-7000

RENO CLERK’S OFFICE: (775) 326-2100

Frequently called numbers, e-mail addresses, and live on-line chat is available on the court’s website under Court Information:

<https://www.nvb.uscourts.gov/about-the-court/contact-information/>