

# BANKRUPTCY BUGLE



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## FORMS EFFECTIVE OCTOBER 1, 2019

On August 26, 2019, the President signed into law the Honoring American Veterans in Extreme Need Act of 2019 (the HAVEN Act) Public Law No. 116-52. The HAVEN Act amended 11 U.S.C. § 101(10A) to exclude from the definition of Current Monthly Income certain payments made under title 10, 37, or 38 of the United States Code in connection with a disability, combat-related injury or disability, or death of a member of the uniformed services.

At its September 26, 2019 meeting, the Advisory Committee on Bankruptcy Rules made minor conforming amendments to lines 9 and 10 of Official Forms 122A-1, 122B, and 122C-1 to address the HAVEN Act.

For more information, click [here](#).

## ACCEPTING MORTGAGE MODIFICATION MEDIATOR APPLICATIONS

Pursuant to the Court approved Mortgage Modification Mediation (MMM) Program Procedures, the Clerk will accept applications to be a mediator for calendar year 2020. **ALL MEDIATORS** must file a new application by DECEMBER 1, 2019. The bankruptcy judges will review the applications and the Clerk will notify all mediators who have been approved for calendar year 2020.

Forms and information can be found on the [court's](#) website.

## PENDING RULES FOR DECEMBER 2019

On December 1, 2019, the following bankruptcy rules will go into effect:

- Bankruptcy Rules 4001, 6007, 9036, and 9037.

More information on these rules can be found here: <https://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments>.

## **REQUEST FOR PUBLIC COMMENT ON INTERIM BANKRUPTCY RULES**

On February 19, 2020, the Small Business Reorganization Act of 2019, P.L. 116-54 (SBRA) will go into effect – long before the normal three-year rules amendment process runs its course. As a temporary measure, the Advisory Committee on Bankruptcy Rules has drafted **Interim Bankruptcy Rules** that can be adopted by courts as local rules or by general order when the SBRA goes into effect. The Advisory Committee has also drafted amendments to the Official forms to address the SBRA. The Standing Committee now seeks comment on the proposed SBRA rules and forms for a short four-week period before making final recommendations.

- Interim Bankruptcy Rules 1007(b), 1007(h), 1020, 2009, 2012(a), 2015, 3010(b), 3011, and 3016.
- Official Forms 101, 201, 309E, 309F, 314, 315, 425A, and new Official Forms 309E2, and 309F2

Written comments are welcome on each proposed amendment. The Advisory Committee on Bankruptcy Rules will review all timely comments, which are made part of the official record and are available to the public. *Because of the short publication period for the Interim Rules and related Official Forms, there will be no public hearings.* **The comment period is open from October 16, 2019 to November 13, 2019.**

To view the proposed amendments and information about submitting written comments, please visit the Rules & Policies webpage on the U.S. Courts website at <https://www.uscourts.gov/rules-policies/proposed-amendments-published-public-comment>.



### **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-calendaring section on the court’s website, <https://www.nvb.uscourts.gov/calendars/self-calendaring-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/>