# BANKRUPTCY BUGLE



#### Inside This Issue

Filing Under Seal

Redactions 1

Subchapter V and Chapter 13 Debt Thresholds Lapsed on June 21, 2024 2

Revised Official Forms 101 and 201 2

Contact Numbers 2

Courthouse Hours 2



### **FILING UNDER SEAL**

Filing under seal pursuant to <u>Local Rule 9018</u> means that the document <u>to be filed</u> contains sensitive material that the filing party does not want made public and is not placed on the docket, though it will officially be part of the court record. No document will be filed with the Court under seal in the absence of a court order authorizing a sealed filing.

To file under seal, you must make a separate motion before you file the document you want sealed. Docket a Motion to File Under Seal electronically (Motions/Applications > File Under Seal), unless prohibited by law or the filing is exempt from electronic filing. You must also submit (over the counter) a captioned cover sheet complying with Local Rule 9004, indicating that the documents are being submitted *in camera*, secured to the outside of a large manila envelope containing the original un-redacted motion for an *in camera* review by the presiding Judge. Parties should contact the appropriate courtroom deputy for a time and location to meet and deliver *in camera* documents.

After the court has reviewed the *in camera* submission and approves the motion to file under seal, the order should be uploaded electronically. The court order authorizing filing documents under seal will be filed electronically, unless prohibited by law. See <u>Local Rule 9018</u> for more information on filing documents under seal.

### **REDACTIONS**

Unlike filing under seal, a redaction (<u>Local Rule 9037</u>) means that there is sensitive information to be removed from an existing document <u>already</u> on the docket

Certain personal identifiers should be redacted from documents before they are filed per <u>Federal Rule of Bankruptcy Procedure 9037</u>. When you redact these identifiers, you are removing part of the information from your document so that it cannot be used to steal your identity or the identity of others. As the document filer, you are solely responsible for ensuring that information is redacted.

If personal data identifiers need to be redacted from a document that has already been filed, **other than a transcript**, you must file a Notice of Redaction, NOT a motion with proposed order. The redacted document must be included as an attachment to the Notice. Procedures for this can be found at: <a href="https://www.nvb.uscourts.gov/electronic-case-filing/resources-documentation/procedures/redaction-previously-filed-document/">https://www.nvb.uscourts.gov/electronic-case-filing/resources-documentation/procedures/redaction-previously-filed-document/</a>.

Any request to redact information other than personal data identifiers, as defined by Fed. R. Bankr. P. 9037(a), must be submitted to the court by motion.

Procedures to redact transcripts can be found at: <a href="https://www.nvb.uscourts.gov/case-info/transcripts-compact-discs/redaction-requests/">https://www.nvb.uscourts.gov/case-info/transcripts-compact-discs/redaction-requests/</a>.

See Local Rule 9037 for more information on redactions.

## SUBCHAPTER V AND CHAPTER 13 DEBT THRESHOLDS LAPSED ON JUNE 21, 2024

Despite months of educational outreach to members of Congress by numerous bankruptcy judges and members of the bankruptcy bar nationwide, bipartisan legislation to continue the current debt limits for Subchapter V and Chapter 13 stalled in the U.S. Senate. The debt thresholds to qualify for Subchapter V (\$7,500,000) and Chapter 13 (\$2,750,000) relief lapsed on June 21, 2024.

The debt limits for Subchapter V and Chapter 13 cases reverted to the amounts in effect in March of 2020. The Subchapter V noncontingent, liquidated debt limit dropped to \$3,024,725. The Chapter 13 threshold of \$2,750,000 for both secured and unsecured debt reverted to a two-part test that limits eligibility to a maximum of \$465,275 for unsecured debt and \$1,395,875 for secured debt (counting only noncontingent, liquidated debt in each instance).

### **REVISED OFFICIAL FORMS 101 AND 201**

The Bankruptcy Threshold Adjustment and Technical Corrections Act, Pub. L. No. 117-151, temporarily increased the total debt thresholds for determining the eligibility of a debtor to proceed under chapter 13 and under subchapter V of chapter 11. The increased debt thresholds lapsed on June 21, 2024, and as a result, the following Official Forms have been revised:

Official Form 101 – Voluntary Petition for Individuals Filing for Bankruptcy (Line 13)

Official Form 201 – Voluntary Petition for Non-Individuals Filing for Bankruptcy (Line 8)

The updated forms are available on the U.S. Courts website at <a href="https://www.uscourts.gov/forms/bankruptcy-forms">https://www.uscourts.gov/forms/bankruptcy-forms</a>.

### **BANKRUPTCY COURT CONTACT NUMBERS**

LAS VEGAS CLERK'S OFFICE: (702) 527-7000 RENO CLERK'S OFFICE: (775) 326-2100

Frequently called numbers and e-mail addresses are on the court's website under Court Information: <a href="https://www.nvb.uscourts.gov/about-the-court/contact-information/">https://www.nvb.uscourts.gov/about-the-court/contact-information/</a>



### **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.

