

# CLERK'S OFFICE UPDATE

SPRING 2022

# UPDATED FORM 309I

## 8. Deadlines

The bankruptcy clerk's office must receive these documents and any required filing fee by the following deadlines.

**Deadline to file a complaint to challenge dischargeability of certain debts:**

**Filing deadline: 5/9/22**

**You must file:**

- a motion if you assert that the debtors are not entitled to receive a discharge under U.S.C. § 1328(f), or
- a complaint if you want to have a particular debt excepted from discharge under 11 U.S.C. § 523(a)(2) or (4).

**Deadline for holders(s) of a claim secured by a security interest in the debtor(s)' principal residence (Rule 3002(c)(7)(A)):**

**Filing deadline: 4/20/22**

**Deadline for all creditors to file a Proof of Claim (except governmental units and holders of a claim that is secured by a security interest in the debtor(s)' principal residence):**

**Filing deadline: 4/20/22**

**Deadline for governmental units to file a Proof of Claim (except as otherwise provided in Fed. R. Bankr. P. 3002(c)(1)):**

**Filing deadline: 8/8/22**

### Filing proof of claim:

A proof of claim is a signed statement describing a creditor's claim. To file a proof of claim electronically click on the ePOC link: [ePOC-Electronic Proof of Claim](https://www.mow.uscourts.gov/bankruptcy/creditors/epoc-ereaf-erag) or go to <https://www.mow.uscourts.gov/bankruptcy/creditors/epoc-ereaf-erag>

If you do not file a proof of claim by the deadline, you might not be paid on your claim. To be paid, you must file a proof of claim even if your claim is listed in the schedules that the debtor filed.

Secured creditors retain rights in their collateral regardless of whether they file a proof of claim. Filing a proof of claim submits the creditor to the jurisdiction of the bankruptcy court, with consequences a lawyer can explain. For example, a secured creditor who files a proof of claim may surrender important nonmonetary rights, including the right to a jury trial.

### Deadline to object to exemptions:

The law permits debtors to keep certain property as exempt. If you believe that the law does not authorize an exemption claimed, you may file an objection.

**Filing deadline:** 30 days after the conclusion of the meeting of creditors

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI

IN RE: \_\_\_\_\_ )  
 )  
 Debtor(s) \_\_\_\_\_ ) Case No. \_\_\_\_\_ )  
 )

**NOTICE OF AMENDMENT OF SCHEDULES D, E/F, G OR H (ADDITION OF CREDITOR(S))**

You are hereby notified that the debtor(s) has filed amended schedule(s) of debt to include creditor(s) listed below or on the attachment. Debtor's counsel must also separately provide you a copy of the debtor(s)' full Social Security Number.

1. Creditor (name and address): \_\_\_\_\_
2. Claim (amount owed, nature of claim, date incurred): \_\_\_\_\_
3. This claim has been scheduled as (mark one):  
 secured     priority     general unsecured
4. Trustee (name, address, and phone) if one has been appointed: \_\_\_\_\_
5. Original deadline for filing proofs of claim: \_\_\_\_\_ [Input date from 341 meeting notice].

**Also, check the applicable provision below:**

- This is a no-asset case. It is unnecessary to file a claim now. If it is determined there are assets to distribute, creditors will receive a notice setting a deadline to file claims.
  - This claim was added to the schedules after the deadline for filing claims stated above or the claim deadline will pass within 30 days. The creditor has 30 days from the date of service below to file a proof of claim. <https://ecf.mowb.uscourts.gov/cgi-bin/autoFilingClaims.pl>
  - This is a Chapter 13 case. The creditor has 30 days from the date of service below or until the bar date, whichever is later, to file a proof of claim. <https://ecf.mowb.uscourts.gov/cgi-bin/autoFilingClaims.pl>
6. Deadline for filing complaints objecting to discharge of specific debts or the general discharge of debtor under 11 U.S.C. § 523, 727: \_\_\_\_\_ [Input date from 341 meeting notice]

**Also, check the box below if applicable:**

- This claim was added to the schedules after the deadline for filing claims stated above or the claim deadline will pass within 30 days. The creditor has 30 days from the date of service below to file complaints.

Date: \_\_\_\_\_

\_\_\_\_\_  
Debtor's attorney (name, address, phone, email)

# UPDATED NOTICE OF AMENDMENT TO SCHEDULES

- **Bankruptcy Events → Other Filings → Other → Address Changed - text entry**
  - Should be for address change only; not creditor name change
  - Notice of Change of Address event still exists if you want to draft and attach a document
- **Bankruptcy Events → Motions & Related Filings → Motions/Applications/Requests → Dismiss Case by Other Party**
  - Creditors and Chapter 7 trustees should use if the motion is to be set for hearing under LR 9060-1(H); this event was created as the prior motion to dismiss event now has 21-day notice language and will be used by debtors only for all chapters (this will be captured in LR 9060-1(I) with the next rule change).



UPDATED  
ECF  
EVENTS

## REPEAT FILER INFO

- The day after a new case is filed, you will see a public docket entry with prior case information for the debtor.
- It be auto docketed using PACER's prior case information that is sent to the court each morning.
- Prior case information is already available to the public but posting it as a docket entry in the case may be helpful to the parties.
- The entry will also add the RepeatPACER flag to the case in the top right corner of the docket sheet if a prior case was within 8 years.

## STAY TUNED

- Local Rule revisions are in the works - comment period coming late summer 2022.
- Any Local Rule change suggestions should be submitted by May 31, 2022, to be considered by the Attorney Advisory Group. Suggested changes can be sent to [mindy\\_smith@mow.uscourts.gov](mailto:mindy_smith@mow.uscourts.gov) or anyone in the group.