

The background of the slide is a large, semi-transparent seal of the U.S. Bankruptcy Court, Northern District of Georgia. The seal features an eagle with wings spread, holding a shield on its chest and a bundle of arrows in its talons. Above the eagle's head is a constellation of stars. The seal is encircled by a wreath and contains the text "UNLIMITED JUDICIAL POWER" at the top and "NORTHERN DISTRICT OF GEORGIA" at the bottom. The eagle's wings are inscribed with "E PLURIBUS UNUM".

2023

Annual Meeting with the Bar

Vania S. Allen, Clerk of Court

U.S. Bankruptcy Court, Northern District of Georgia

November 3, 2023

Statistics for 12 – month period, ending 9.30.23

GANB is the 3rd busiest Bankruptcy Court in the country – 17,433 cases filed

1. California Central – 19,702
2. Illinois Northern – 18,751
3. GANB
4. Michigan Eastern – 15,442

#1 in Chapter 13s

Filings per 1,000 population – 2.39% - 12th highest in the country

8.1% of all filings were *pro se* – 22nd highest in the country

Nationally, filings rose 13 %

Statistics (Cont'd)

- Calendar Year 2023 through 10.31.23 – GANB
 - Total filings are ↑ 19.8 %
 - 2023 – 14,952
 - 2022 – 12,478
 - Chapter 7s ↑ 20.23%
 - Chapter 13s ↑ 18.83%
 - Chapter 11s ↑ 36.08%
 - Chapter 15s ↑ 100%
- 74 Subchapter V Cases filed in 2023

FY 24 Budget

- Continuing Resolution ends at midnight, November 17, 2023
- In the event of a partial government shutdown, the federal judiciary has funding to maintain operations for approximately 2 weeks using non-appropriated funds.
- GANB will be open for business!



News, Announcements & Reminders

<http://www.ganb.uscourts.gov/emailupdates>

GANB Personnel Updates

- Clerk of Court
- Chief Deputy
- Financial Administrator

News, Announcements & Reminders

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- Fee for Pro Hac Vice Admissions Reduced to \$100
- Fees on the Bankruptcy Court Miscellaneous Fee Schedule will increase effective December 1, 2023
 - Filing specific motions \$199
 - Claims transfer \$28
 - Motion to redact \$28
 - Amended Schedules \$34
 - Certification \$12
 - Audio Recording \$34

News, Announcements & Reminders

<http://www.ganb.uscourts.gov/emailupdates>

- ACR – Automated Collections Register
- United States Trustee Zoom 341 Implementation
[Section 341 Meeting of Creditors Information](#)
[\(justice.gov\)](#)

News, Announcements & Reminders

<http://www.ganb.uscourts.gov/emailupdates>

[Amended and Restated General Order 37-2020](#) | 02/06/2023

Signature Requirements for Amended Chapter 13 Plans and Post Confirmation Plan Modifications

[Second Amended and Restated General Order No. 26- 2019](#) | 02/06/2023

Procedures for use throughout the District in Chapter 11 cases that are designated by the Court as "Complex Chapter 11 Cases"

[Amended and Restated General Order 45-2021](#) | 05/02/2023

Procedures for Submitting Pleadings by Individual Debtors Not Represented by an Attorney ("Pro Se Debtors")

[Third Amended and Restated General Order No. 24-2018](#) | 05/02/2023

Voluntary Notice Procedures in Chapters 7, 11, 12, and 13.

FJC Survey for Judge Jeffery W. Cavender and Judge Sage M. Sigler

Judge Jeffery W. Cavender and Judge Sage M. Sigler have asked the Federal Judicial Center (FJC) to distribute a survey to members of the Bar to assess their performance. Judge Cavender and Judge Sigler's participation in this program is voluntary and reflects their desire to provide the highest level of public service. Click [here](#) for details regarding participation.

Zoom Best Practices for Court Hearings

1. Zoom hearings are court proceedings and should be treated and respected as such. Do not do anything in a Zoom hearing that you would not do in a courtroom.
2. Do not interrupt. There is frequently a brief delay in transmission that may lead you to think the person has finished speaking. Perhaps you can “raise your hand” or otherwise indicate you would like to speak rather than just jumping in and speaking. In person, you would rise and wait to be recognized so think of something similar “virtually”.
3. Headphones with a microphone should always be used if possible.
4. A car is not an appropriate place to participate in a Zoom hearing, as a lawyer or as a party.
5. Background matters - you should either have a plain background or one that is not too distracting.

Zoom Best Practices for Court Hearings, cont'd.

6. An attorney should dress for a Zoom hearing the same way one would dress for an in-person court appearance.
7. Distance from the camera matters. Too close is no good and too far away is not good either.
8. Read the order and notice issued by the Court – the matter may be set for an in-person hearing. Don't assume it is virtual.
9. Know how to mute and unmute yourself.
10. Learn how to share your screen to present a document that may be important to your case.

Failure to follow these Best Practices may result in the Court requiring your appearance in the courtroom rather than permitting virtual appearances.

Online Procedures Manual “OPM”

www.ganb.uscourts.gov

UNITED STATES BANKRUPTCY COURT
Northern District of Georgia
Honorable Barbara Ellis-Monro, Chief Judge · Vania S. Allen, Clerk of Court

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[Electronic Claims \(ePOC\) »](#)

[Dial-In and Virtual Bankruptcy Hearing Information](#)

Atlanta

Court Locations

Atlanta

Richard B. Russell Federal Building and United States Courthouse
75 Ted Turner Drive, SW
Atlanta, GA 30303
Telephone: (404) 215-1000

Gainesville

Sidney O. Smith Federal Building and United States Courthouse
121 Spring Street SE, Room 120
Gainesville, GA 30501
Telephone: (678) 450-2700

Newnan

Lewis R. Morgan Federal Building and United States Courthouse
18 Greenville Street
Newnan, GA 30263

Filing Options for Pro Se Debtors

DeBN - Debtor Electronic Noticing

Case Information

Online Payments

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Local Rules & General Orders

News & Announcements

Thu, 11/02/2023

Reminder: Public Notice of Virtual Meeting with the Clerk of Court - Friday, November 3, 2023
[Read More](#)

Fri, 10/27/2023

Public Notice Regarding a Federal Judicial Center Survey to Assess Performance
[Read More](#)

Mon, 10/23/2023

Fee for Pro Hac Vice Admissions Reduced to \$100
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Tue, 10/17/2023

Public Notice of Meeting with the Clerk of Court - Friday, November 3, 2023



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Gainesville, GA 30501
Telephone: (678) 450-2700

Newnan

Lewis R. Morgan Federal Building and United States Courthouse
18 Greenville Street
Newnan, GA 30263
Telephone: (678) 423-3000

Rome

United States Courthouse
600 East First Street
Rome, GA 30161
Telephone: (706) 378-4000
















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Link to Manual

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[Fee for Pro Hac Vice Admissions Reduced to \\$100](#)

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[Public Notice of Meeting with the Clerk of Court - Friday, November 3, 2023](#)

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Mon, 10/16/2023

[Notice of System Maintenance on Saturday, October 21, 2023](#)

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Mon, 10/02/2023

[Increase to Per Page Transcript Fee Rates](#)

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Mon, 09/11/2023

[Notice of System Maintenance on Saturday, August 16, 2023](#)

[Read More](#)

Mon, 09/11/2023

[Zoom 341 Announcement / Information Sessions](#)

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Other Court Links

- [United States Courts](#)
- [US Court of Appeals for the Eleventh Circuit](#)
- [US District Court for the Northern District of Georgia](#)
- [US Bankruptcy Court, Middle District of Georgia](#)
- [US Bankruptcy Court, Southern District of Georgia](#)

Other Resources

- [Judicial Seminars Disclosure](#)
- [Judicial Conduct and Disability](#)



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Honorable Barbara Ellis-Monro, Chief Judge · Vania S. Allen, Clerk of Court

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Credit Counseling Service Certificate

- Overview**
- Forms/Rules
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Tabs to navigate through event

Updated:

Tuesday, July 2, 2019

Overview:

A Credit Counseling Service Certificate is filed within 14 days from the filing of the petition. It certifies completion of a governmental approved credit counseling program within 180 days before filing bankruptcy. This certificate is required for individual debtors only.

A list of approved credit counseling agencies can be found at the [Department of Justice/U.S. Trustee program website](#).

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[11 U.S.C. § 109\(h\)](#)

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Credit Counseling Service Certificate

[Overview](#)[Forms/Rules](#)[Filing Requirements](#)[Docket](#)

Filing Requirements:

- Certificate of Credit Counseling, including
 - Certificate Number
 - Debtor's name
 - Date of completion
 - Signature of providing agency representative

Filing requirements listed here

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Credit Counseling Service Certificate

Overview

Forms/Rules

Filing Requirements

Docket

Docket:

- Ensure Filing Requirements are met
- Select Bankruptcy
- Select Other
- Enter case number (xx-xxxxx)
- Click Next
- Select the party filer
- Click Next
 - If the party is not listed
 - Use Add/Create New Party
 - Click Next
- If you see the message: IMPORTANT: The following attorney/party association(s) will be created in this case. De-selecting a party association will result in the filing attorney NOT receiving Notices of Electronic Filing for that party. If this is a joint filing, review the list carefully to ensure that only parties represented by the filing attorney are selected.
 - Remove the check mark from any party not represented by the filing attorney
 - Click Next
- Select Credit Counseling Service Certificate
- Click Next
- Browse to select the document to be filed (PDF)
- Click Next
- Modify the docket text by using the drop-down and free text boxes to enter additional information, if necessary
- Click Next
- Verify docket text
- Click Next

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Debtor(s) Questionnaire ▶

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Step-by-step
instructions on
how to file the
document in ECF

Federal Rules and Forms Changes Effective December 1, 2023

Bankruptcy Rules 3011, 8003, 9006, 9038

Official Forms 410A, 417A, 1340

<https://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments>

RULE 3011

UNCLAIMED FUNDS IN CASES UNDER CHAPTER 7, SUBCHAPTER V OF CHAPTER 11, CHAPTER 12, AND CHAPTER 13

- Amendment requires the clerk to provide searchable access on the court's website to information about unclaimed funds
- Amendment includes language that the court may limit access to information about funds in specific cases for cause
- <https://www.ganb.uscourts.gov/unclaimed-funds>

RULE 8003

APPEAL AS OF RIGHT – HOW TAKEN; DOCKETING THE APPEAL

- Amendment is to conform to changes in Fed. R. App. P. 3(c) to clarify that designating a particular interlocutory order in a notice of appeal does not prevent the appellate court from reviewing all orders that merged into the judgment or appealable order or decree. The notice of appeal is supposed to be simple and provide notice that a party is appealing and invokes the appellate court jurisdiction. It is the role of the briefs, not the notice of appeal, to focus the issues on appeal.
- Subdivision (a)(3)(B) is amended to clarify that it is not necessary or appropriate to identify every order of the bankruptcy court that the appellant may wish to challenge on appeal.

RULE 8003

APPEAL AS OF RIGHT – HOW TAKEN; DOCKETING THE APPEAL; cont'd.

- Subdivision (a)(4) calls attention to the merger principle: an appeal from a final judgment or appealable order or decree permits review of all rulings that led to the judgment, order or decree.
- Subdivision (a)(6) was added to enable the appellant to identify limitations of the notice of appeal by stating that they are only appealing part of the judgement or appealable order or decree.
- Subdivision (a)(7) provides that an appeal must not be dismissed for failure to properly identify the judgment or appealable order or decree if the notice of appeal was filed after entry of the judgment or appealable order or decree and identifies an order that merged into the judgment, order or decree from which the appeal is taken.

RULE 9006

COMPUTING AND EXTENDING TIME; TIME FOR MOTION PAPERS

- The amendment adds Juneteenth National Independence Day to the list of legal holidays.

RULE 9038

BANKRUPTCY RULES EMERGENCY

- This rule is new and results from the COVID-19 pandemic to prepare for any similar occurrence.
- Although Rule 9006(b) allows for the extension of certain periods, more flexibility is necessary to allow for extension of other periods.
- Subdivision (a) specifies the circumstances under which this rule may be exercised. The Judicial Conference of the United States has exclusive authority to declare a Bankruptcy Rules Emergency. The emergency must be related to public health or safety or affect physical or electronic access to the bankruptcy court, where the court's ability to operate in compliance with the Bankruptcy Rules is substantially impaired.
- Subdivision (b)(1) states that the emergency declaration must specify which bankruptcy courts to which it applies and must include a termination date within 90 days from issuing the declaration.
- Subdivisions (b)(2) and (b)(3) provide for extensions or early termination of the declaration if circumstances change.

RULE 9038

BANKRUPTCY RULES EMERGENCY, cont'd.

- Subdivisions (c)(1) and (c)(2) grant the chief bankruptcy judge of a district the authority during a declared Bankruptcy Rules emergency to extend or toll deadlines on a district or division wide basis or to the presiding judge in a specific case.
- Subdivision (c)(3) addresses the termination of extensions and tolling and provides a soft landing upon the termination of a Bankruptcy Rules emergency
- Subdivision (c)(4) allows fine tuning in individual cases of extensions of time or tollings that have been granted.
- Subdivision (c)(5) excepts from the authority to extend time periods any time provision imposed by statute.

Official Form 410A Proof of Claim Attachment

- Form 410A is amended to provide for separate itemization of principal due and interest due. Because under § 1322(e) the amount necessary to cure a default is “determined in accordance with the underlying agreement and applicable nonbankruptcy law,” it may be necessary for a debtor who is curing arrearages under § 1325(a)(5) to know which portion of the total arrearages is principal and which is interest.

Mortgage Proof of Claim Attachment

(12/23)

If you file a claim secured by a security interest in the debtor's principal residence, you must use this form as an attachment to your proof of claim. See separate instructions.

Part 1: Mortgage and Case Information	Part 2: Total Debt Calculation	Part 3: Arrearage as of Date of the Petition	Part 4: Monthly Mortgage Payment
Case number: _____	Principal balance: _____	Principal due: _____	Principal & interest: _____
Debtor 1: _____	Interest due: _____	Interest due: _____	Monthly escrow: _____
Debtor 2: _____	Fees, costs due: _____	Prepetition fees due: _____	Private mortgage insurance: _____
Last 4 digits to identify: _____	Escrow deficiency for funds advanced: _____	Escrow deficiency for funds advanced: _____	Total monthly payment: <input type="text"/>
Creditor: _____	Less total funds on hand: - _____	Projected escrow shortage: _____	
Servicer: _____	Total debt: <input type="text"/>	Less funds on hand: - _____	
Fixed accrual/daily simple interest/other: _____		Total prepetition arrearage: <input type="text"/>	

Official Form 417A

- Parts 2 and 3 of the form are amended to conform to wording in the simultaneously amended Rule 8003. The new wording is intended to remind appellants that appeals as of right from orders and decrees are limited to those that are “appealable”—that is, either deemed final or issued under § 1121(d). *See* 28 U.S.C. § 158(a)(2). It also seeks to avoid the misconception that it is necessary or appropriate to identify each and every order of the bankruptcy court that the appellant may wish to challenge on appeal. It requires identification of only “the judgment—or the appealable order or decree—from which the appeal is taken.”

Part 2: Identify the subject of this appeal

1. Describe the judgment—or the appealable order or decree—from which the appeal is taken:

2. State the date on which the judgment—or the appealable order or decree—was entered:

Part 3: Identify the other parties to the appeal

List the names of all parties to the judgment—or the appealable order or decree—from which the appeal is taken and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: _____ Attorney: _____

2. Party: _____ Attorney: _____

Form 1340 Application for Payment of Unclaimed Funds

- Changes are made to discourage fraudulent application from persons asserting that they are a successor claimholder.

Fill in this information to identify the case:

Debtor 1 _____
First Name Middle Name Last Name

Debtor 2 _____
(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: _____ District of _____
(State)

Case number: _____

Form 1340 (12/23)**APPLICATION FOR PAYMENT OF UNCLAIMED FUNDS****1. Claim Information**

For the benefit of the Claimant(s)¹ named below, application is made for the payment of unclaimed funds on deposit with the court. I have no knowledge that any other party may be entitled to these funds, and I am not aware of any dispute regarding these funds.

Note: If there are joint Claimants, complete the fields below for both Claimant

Amount:

Claimant's Name:

Claimant's Current Mailing
Address, Telephone Number,
and Email Address:

2. Claimant Information

Applicant² represents the following:

- The Claimant is the Owner of Record³ entitled to the unclaimed funds appearing on the records of the court.
- The Claimant (Successor Claimant) is entitled to the unclaimed funds by transfer, assignment, purchase, merger, acquisition, or succession by other means, and below are the name(s) of the Owner of Record and all previous owner(s) of the claim:

- If the Claimant is a Successor Claimant, Applicant has sent a copy of the application to the Owner of Record and all other previous owner(s) of the claim at their current address or Applicant has enclosed a statement explaining why Applicant was not able to do so or an explanation of why doing so is not necessary.

3. Applicant Information

Applicant represents the following:

- Applicant is the Claimant.
- Applicant is Claimant's representative (e.g., attorney or unclaimed funds locator).
- Applicant is a representative of the deceased Claimant's estate.

General Announcements

- Weather – delays and closings – check WSB and the GANB website for official information.
- Recording of this meeting and the PowerPoint will be posted to the GANB website.
- Thank you for attending.
- Happy Thanksgiving to you and yours!



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or if you have questions
about information
contained in this
presentation, please email:
info@ganb.uscourts.gov