

**PUBLIC NOTICE**    *Posted July 9, 2010*

**United States Bankruptcy Court, Northern District of Georgia**

**EFFECTIVE JULY 12, 2010, THE BANKRUPTCY NOTICING CENTER  
WILL NOT MAIL NOTICES TO A CREDITOR IF ADDRESS IS INVALID**

When a bankruptcy court mails notices to a creditor, the court is required to use the address a debtor provides on its creditor mailing list unless a creditor has provided the court with a different address. The court uses the Bankruptcy Noticing Center (“BNC”) to mail notices, but the BNC can only do so if an address is valid. If an address is not valid, the United States Postal Service (“USPS”) treats this as sending mail to an “undeliverable address.” Reasons for undeliverable mail may include: incomplete address; moved to a foreign address; moved and left no forwarding address; post office box closed; and forwarding order expired. In some instances the USPS will forward mail when a creditor has given the USPS a forwarding address, but only for a limited time. It is up to the debtor or creditor to file a change of address with the court. [NOTE: [Local Rule 9007-3\(b\)](#)<sup>1</sup> sets forth this Court’s policy for filing change of addresses. Please use [Local Form Request for Change of Address](#) to file a change of address]

Since the start of the BNC program, the Administrative Office of the U.S. Courts has authorized the BNC to bypass notices with incomplete addresses. Now, the BNC will no longer print and mail notices to undeliverable addresses for the additional reasons stated above. Instead, the BNC will mail a notification to the debtor or debtor’s attorney stating that the notice was bypassed. The bypass notification will: (1) include a copy of the notice that the BNC did not mail to the undeliverable address; (2) identify the creditor and the undeliverable address; (3) instruct the debtor to immediately mail the undelivered notice to the creditor; (4) inform the debtor that the BNC will not mail future notices to the undeliverable address; and (5) include space on the notification for the debtor to insert a corrected address for the creditor.

The BNC will continue to identify undeliverable addresses for creditors on each BNC Certificate of Notice under the category “Bypassed.” The BNC will also include the reason why a

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<sup>1</sup>Local Rule 9007-3(b). Entities Entitled to Notice; Requests for Notice; Changes of Address.

(b) Change of Address. Any party in interest which desires that its address for notices be changed from the address shown on any proof of claim, request for notice, or other paper previously filed by such party must file such request with the Bankruptcy Clerk and serve a copy of same on the debtor's attorney, the United States Trustee, and the trustee. Changes of address must be filed in each adversary proceeding, and filing in the main case alone is not sufficient. A party shall not be entitled to notice at the new address in the absence of complete compliance with this Rule.

creditor's address was bypassed and state that the debtor or debtor's attorney was notified that the address was undeliverable.

Please note that the BNC will continue to mail notices to undeliverable addresses under the following conditions: (1) the address is for a debtor; or (2) the address is for a creditor who, pursuant to 11 U.S.C. § 342(f), has filed a preferred address with the BNC for all cases or who, pursuant to 11 U.S.C. § 342(e), has filed a preferred address with the court for a particular case. The BNC will attempt to contact the preferred address recipient regarding the need for address correction.

Providing valid addresses will reduce the volume of returned mail that the debtor, debtor's attorney and the courts receive, and it will avoid unnecessary postage costs.