

View from the Clerk's Office

United States Bankruptcy Court



Shallanda “Che” Clay
Northern District of Mississippi

Danny L. Miller
Southern District of Mississippi

In Memoriam

Andrew Alexander, III

Byron Hughes

William “Bill” Leech

T. K. Moffett

Terre Vardaman

Potential Government Shutdown

- The court will remain open.
- Only “excepted” federal employees may work after a lapse in appropriations (others will be furloughed).
 - Responsible for “safety of human life or the protection of property”
- The court will likely be subject to significant budget cuts after the shutdown which will most likely result in permanent staff reductions.



Rules, Forms and Fees

Recent Amendments: Rules, Forms, Fees



Federal Bankruptcy Rules

Recent Amendments: Federal Bankruptcy Rules



Federal Bankruptcy Rules

December 1, 2023 – Pending Amendments

Fed. R. Bankr. P. 3011

Will require Clerk to provide searchable access for unclaimed funds on the court's website.



Federal Bankruptcy Rules

December 1, 2023 – Pending Amendments

Fed. R. Bankr. P. 8003

Appeal as of Right – How Taken; Docketing the Appeal

Conform to recent amendments to Federal Rule of Appellant Procedures 3.



Federal Bankruptcy Rules

December 1, 2023 – Pending Amendments

Fed. R. Bankr. P. 9006

Computing and Extending Time; Time for Motion Papers

Adds Juneteenth National Independence Day to the list of legal holidays.



Federal Bankruptcy Rules

December 1, 2023 – Pending Amendments

New Fed. R. Bankr. P. 9038

Bankruptcy Rules Emergency

Provides authority to extend or toll time limits during major emergencies affecting bankruptcy courts.



Miss. Bankruptcy Local Rules

Pending Amendments: **Joint Uniform Local Bankruptcy Rules**



Local Bankruptcy Rules

New Local Rule Eff. – December 1, 2023

Local Rule 7007.1 – 1 Corporate Ownership Statement to be Filed by a Partnership or Joint Venture that is a Party to an Adversary Proceeding

The requirements for filing a Corporate Ownership Statement by certain nongovernmental corporate parties to an adversary proceeding, other than the debtor, under Fed. R. Bankr. P. 7007.1 shall also apply to any party that is a general partnership, limited partnership, joint venture, or limited liability company.



Local Bankruptcy Rules

Local Rule Amendment Eff. – December 1, 2023

Local Rule 9014-1

(c) Application of Part VII Rules.

(1) The court may order Miss. Bankr. L.R. 7016-1 to apply to contested matters. Unless ordered otherwise, to the extent that Part VII of the Federal Rules of Bankruptcy Procedure are applicable to contested matters pursuant to the Fed. R. Bankr. P. 9014(c), the corresponding Mississippi Bankruptcy Local Rules for Part VII shall apply to contested matters.

(2) The requirements for filing a Corporate Ownership Statement under Fed. R. Bankr. P. 7007.1 and Miss. Bankr. L.R. 7007.1-1 shall also apply to contested matters.

2023 Local Rules Advisory Committee Members

Stacey Moore Buchanan (Chair) Les Alvis

Jordan Ash

Justin Jones

Natalie McCarty

Andrew “Drew” Norwood

Robert Schwartz

Jeff Tyree

Catherine Umberger

Tracy A. Walley

Glenn Williams

Andrew Wilson

*Danny L. Miller

*Shallanda “Che” Clay

- Current list of LRAC Members (with email addresses) is posted on the courts’ websites.



Standing Orders

New/Amended
Standing Orders



Standing Orders – S.D. Miss only

Amended Standing Order Adopting Procedures for Obtaining Discharge in Chapter 13

Eff. 2-22-2023

Requires debtor to include a certification in support any motion for a hardship discharge, and the certification must substantially conform to the court's new local form (See court website).



Standing Orders

Amended Standing Order Re: No Look Fee Chapter 13 Cases

Eff. 1-1-2023

Increased maximum fee for debtor's counsel to \$4,000 (previous fee limit was \$3,600).



Bankruptcy Fees

Increases in Bankruptcy Fees



Bankruptcy Filing Fees

December 1, 2023 – Pending Increase

Judicial Conference has approved **inflationary adjustments** to the Bankruptcy Court Miscellaneous Fee Schedule effective December 1, 2023.

28 U.S.C. § 1930

Bankruptcy Court Miscellaneous Fee Schedule



Item No.	Description	Current Fee Amount	New Fee Amount
1b	For reproducing and transmitting in any manner a copy of an electronic record stored outside of the court's ECF system.	\$31.00	\$33.00
2-A	Certification	\$11.00	\$12.00
2-B	Exemplification	\$23.00	\$24.00
3	For reproduction of an audio recording of a court proceeding	\$32.00	\$34.00
4	Amended Bankruptcy Schedules	\$32.00	\$34.00
5	Record Search	\$32.00	\$34.00
7	For filing any document that is not related to a pending case or proceeding	\$49.00	\$52.00
12-A	For retrieval of one box of records from a Federal Records Center, National Archives, or other storage location removed from the place of business of the court	\$64.00	\$70.00
12-B	For retrievals involving multiple boxes	\$39.00	\$43.00
12-C	For electronic retrievals	\$10.00	\$11.00
14-B	Additional fee upon notice from the court of appeals that a direct appeal or direct cross-appeal has been authorized	\$207.00	\$307.00
19	For filing a Motion to:		
	<ul style="list-style-type: none"> • Terminate, annul, modify or condition the automatic stay 	\$188.00	\$199.00
	<ul style="list-style-type: none"> • Compel the abandonment of property of the estate 	\$188.00	\$199.00
	<ul style="list-style-type: none"> • Withdraw the reference of a case or proceeding 	\$188.00	\$199.00
	<ul style="list-style-type: none"> • Sell property of the estate free and clear of liens under section 363(f) 	\$188.00	\$199.00
20	Claims Transfer	\$26.00	\$28.00
21	Motion to Redact	\$26.00	\$28.00



Transcript Fees

Effective October 1, 2023

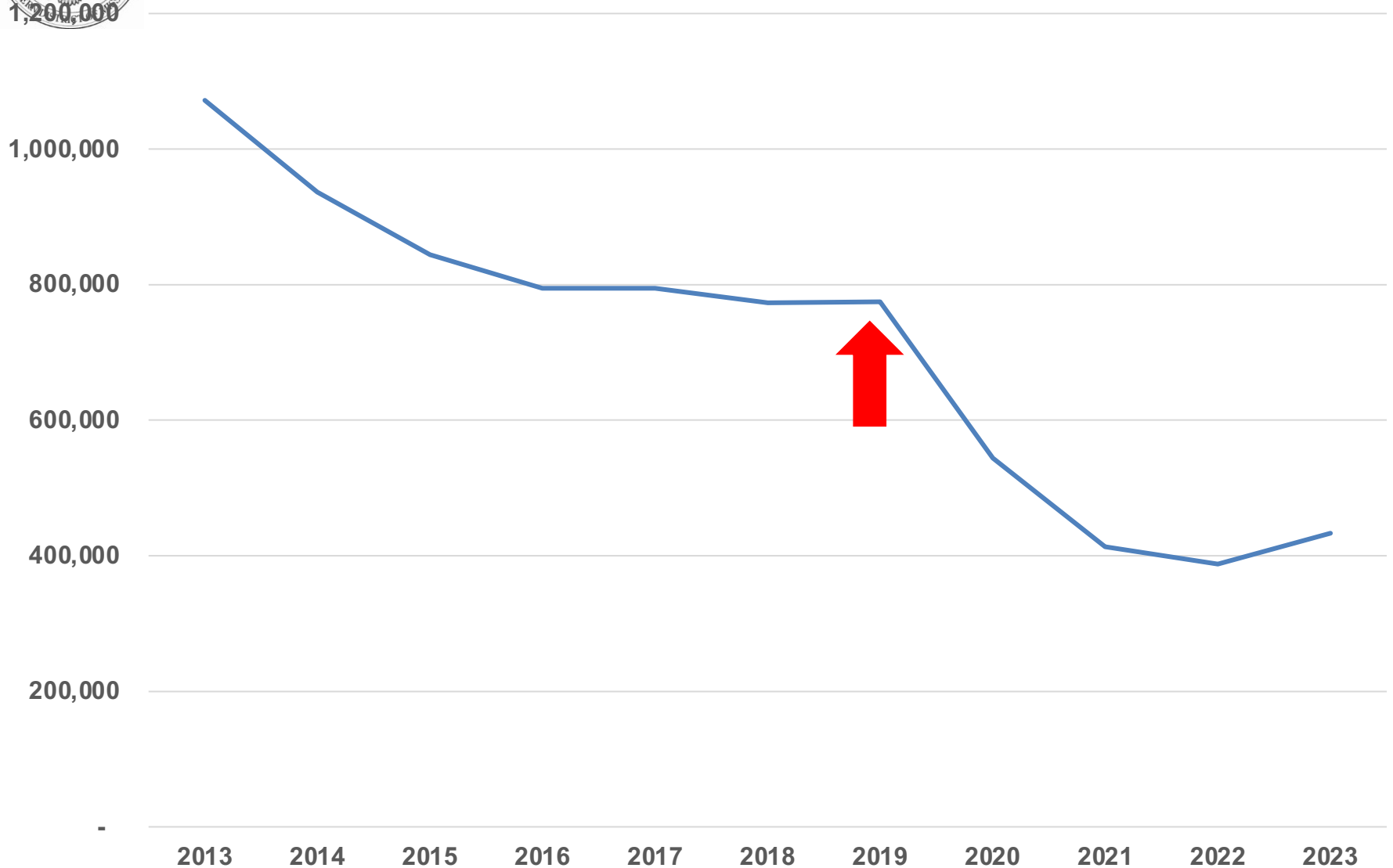
<u>Type of Transcript</u>	<u>Increase per page</u>
30-day Transcript	35¢
14-day Transcript	45¢
7-day Transcript	50¢
3-day Transcript	55¢
Copies	10¢ – 15¢



Filing Statistics

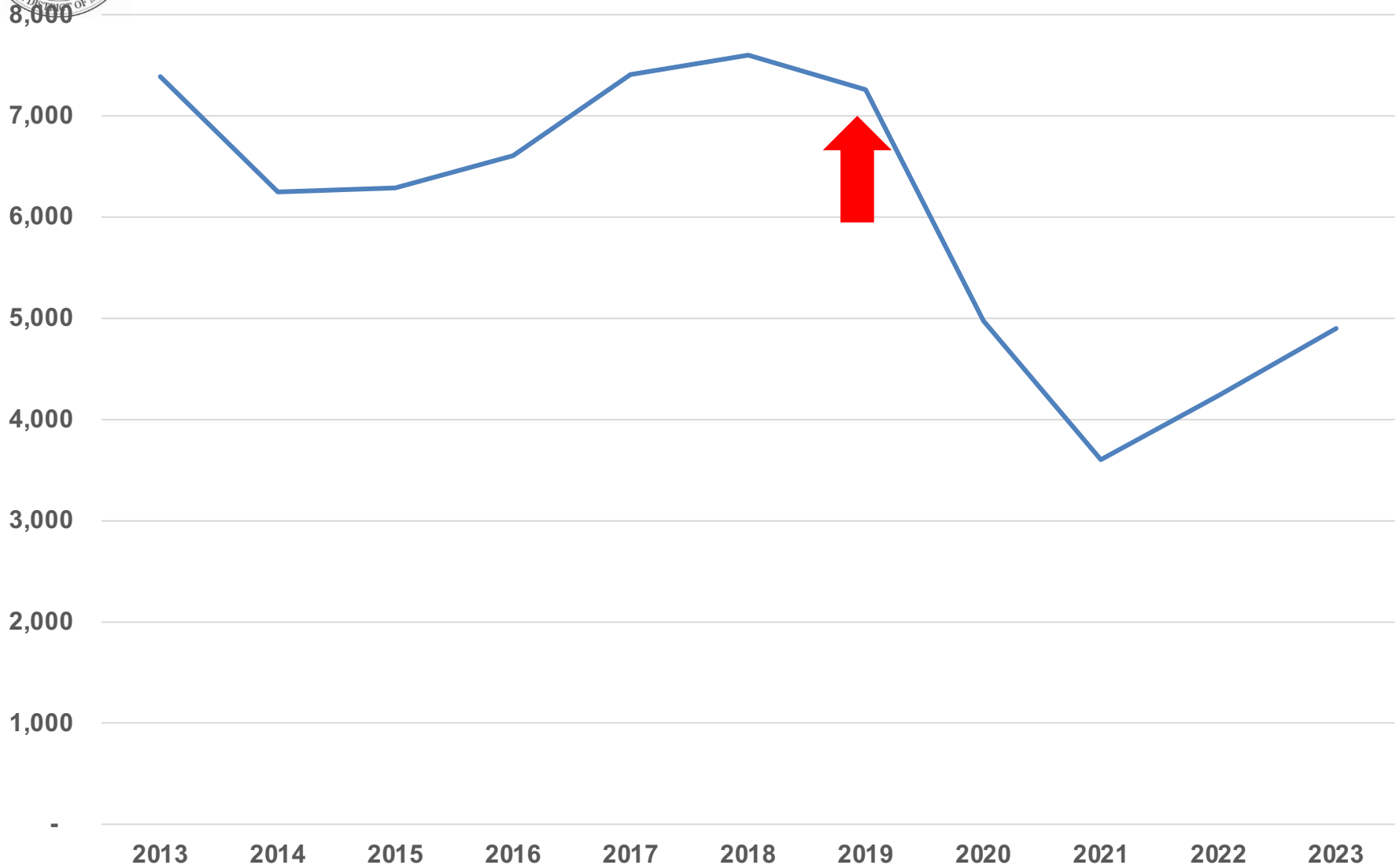


National Filing Statistics



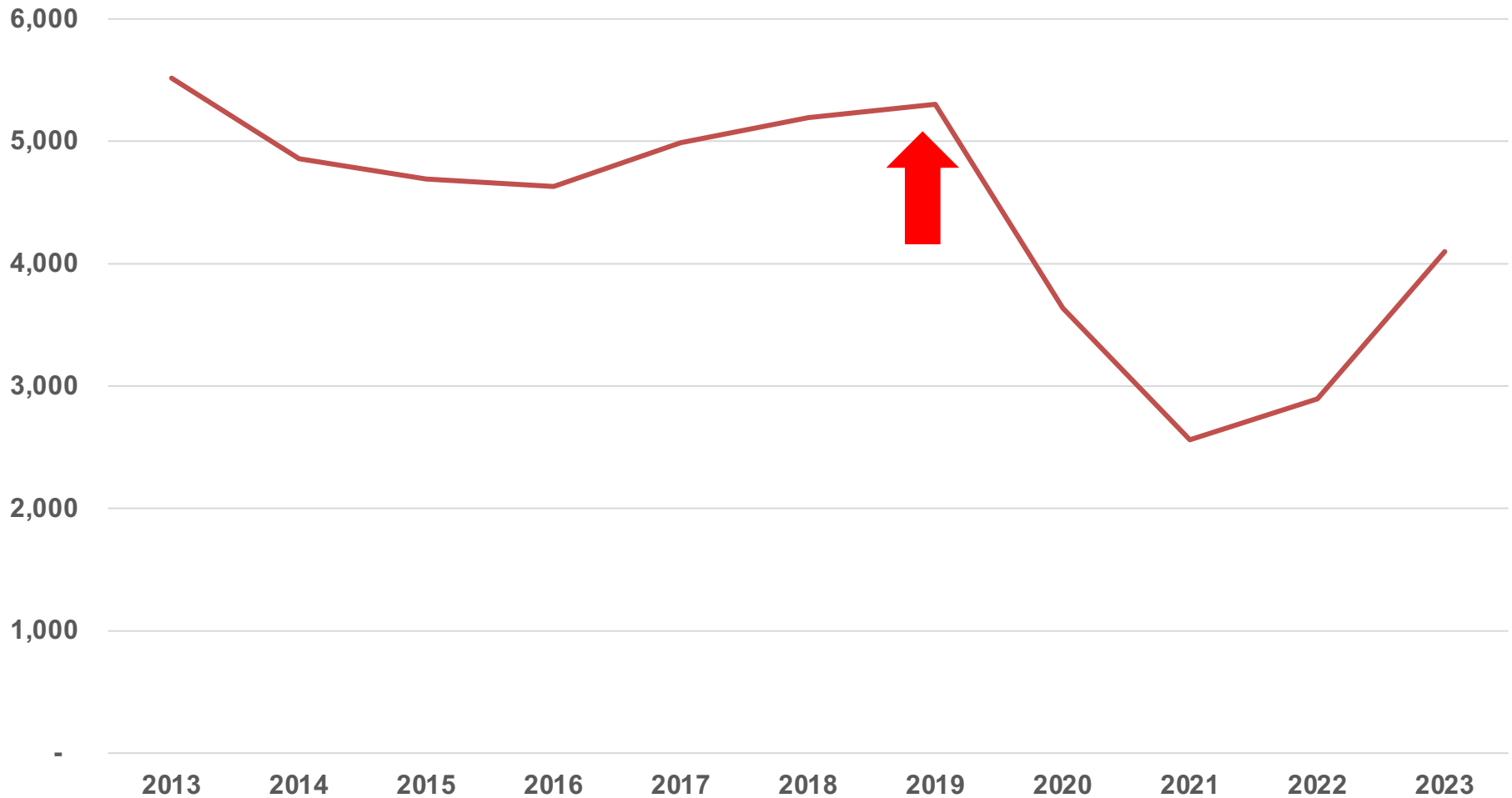


SD Miss. Filing Statistics





ND Miss. Filing Statistics



Case Filing Statistics

	2019	2020	2021	2022	2023 est.
SD Miss.	7,257	4,974	3,603	4,239	4,900
		-31%	-26%	17.6%	15.5%

ND Miss.	5,304	3,639	2,561	3,492	4,100
		-31%	-30%	36%	17.4%

National	774,940	544,463	413,616	387,721	433,000
		-30%	-24%	-6%	12%



Mobile Calendar App



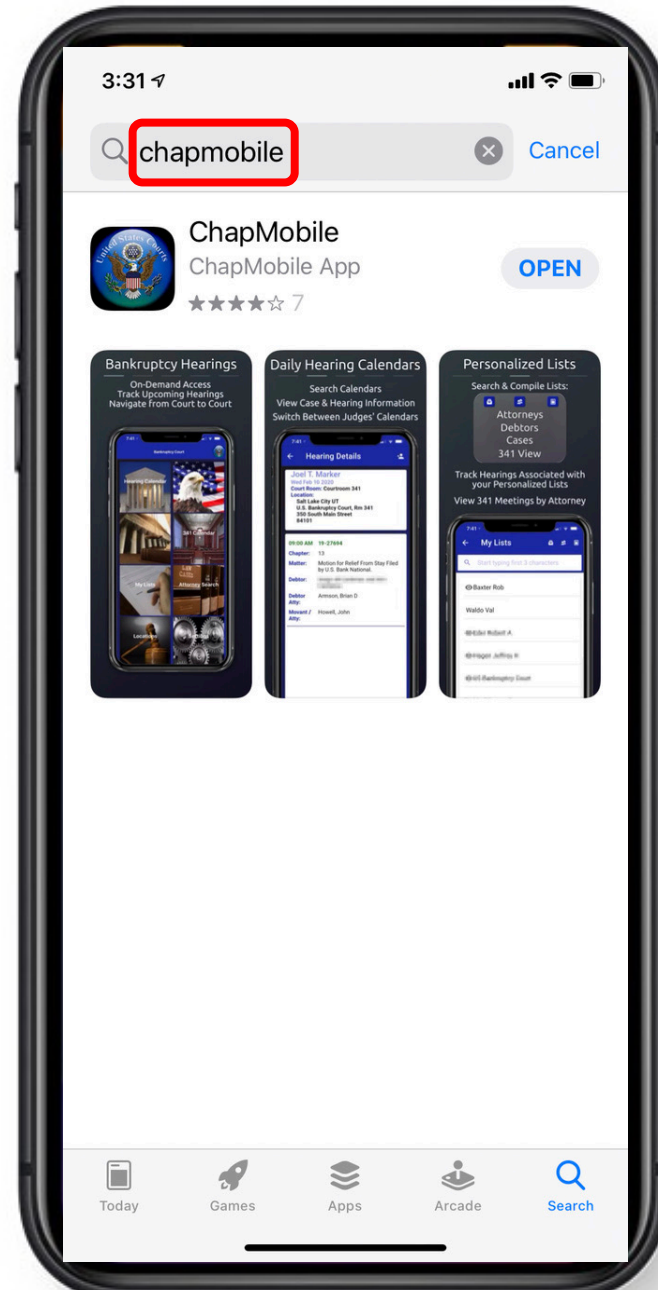
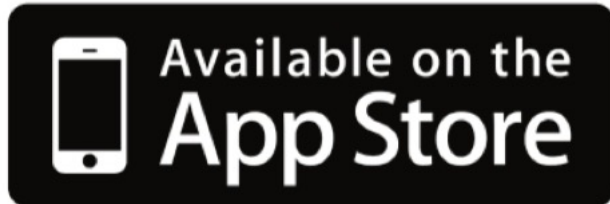
ChapMobile



ChapMobile



- Free.
- 30 Days of Calendar Info.

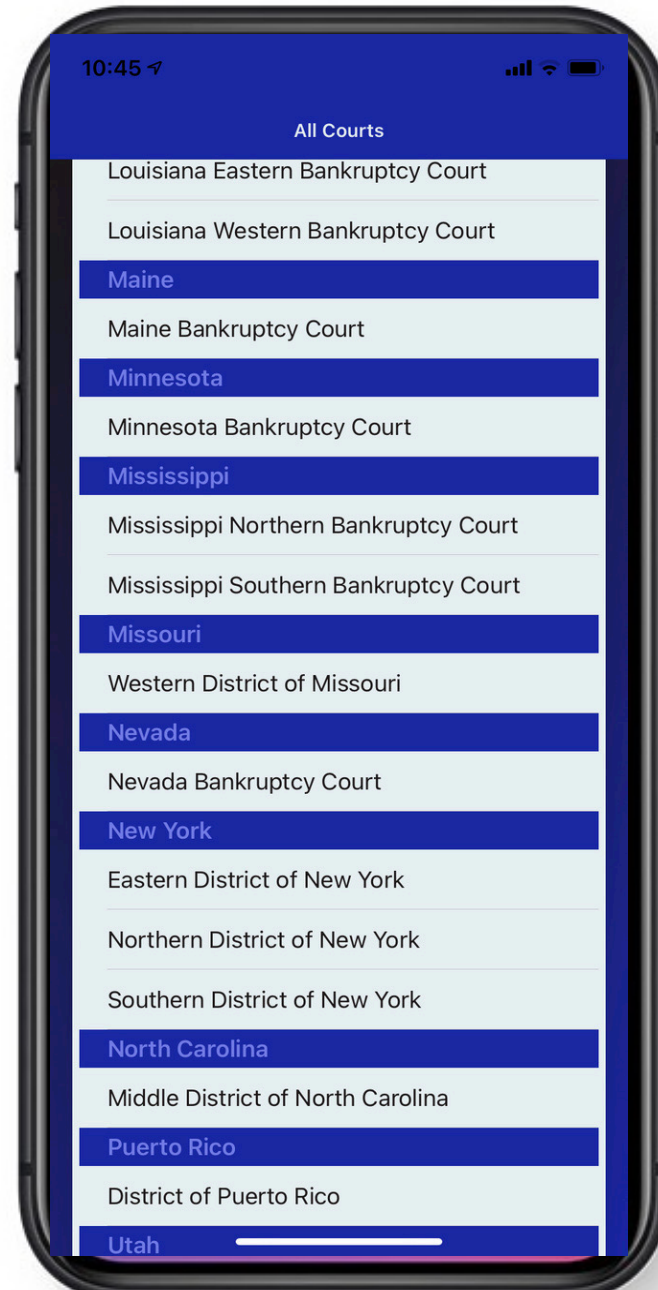




ChapMobile

When app is opened for the first time, it offers a list of participating bankruptcy courts. You can scroll down the list of courts.

Select a “default” court by tapping the name of the court.





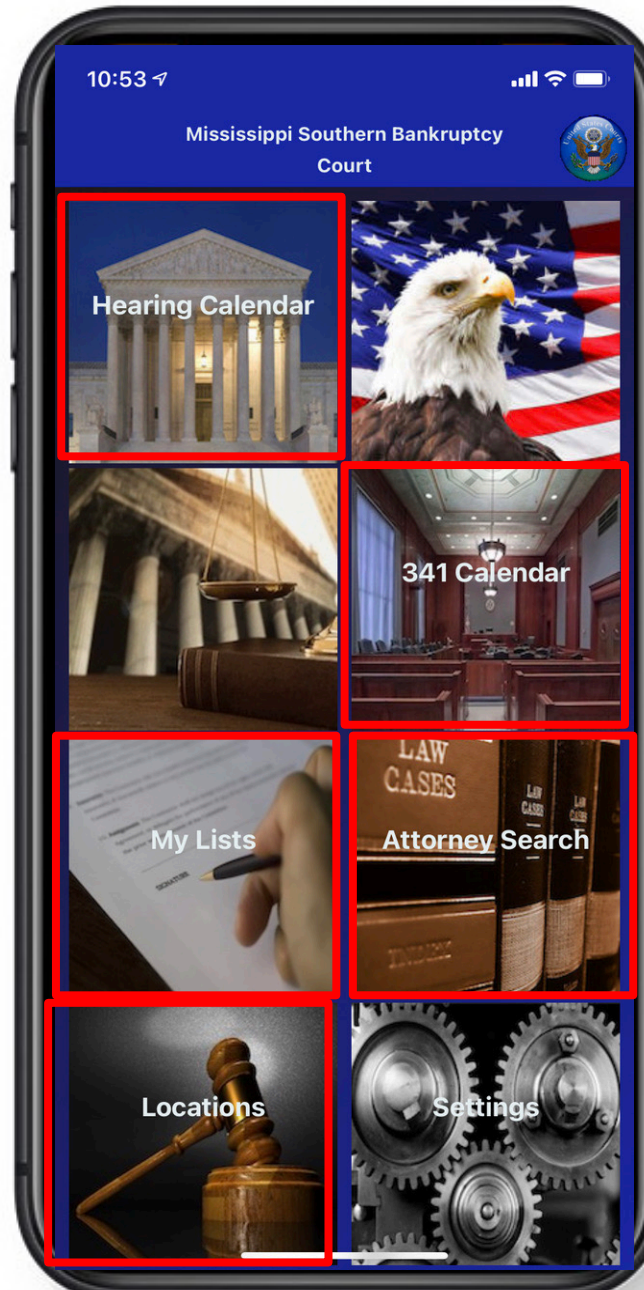
ChapMobile

Home Page

All court hearings for next 30 days displayed by date and by judge.

Personalize calendars by attorney.

Court locations and contact information.



All 341 Meetings displayed by date and by trustee.

Search for registered atty. View hearings for that attorney.



Protecting Personal Information in Bankruptcy Filings



Protecting Personal Information

- Fed. R. Bankr. P. 9037
- Miss. Bankr. L.R. 9037-1
- Local Form Motions and Orders



Protecting Personal Information

Fed. R. Bankr. P. 9037

(a) Generally, public filings should include only:

- 1) last four digits of an SSN or TIN;
- 2) year of an individual's birth;
- 3) a minor's initials; and
- 4) last four digits of a financial-account number.

(b) Limited exemptions (i.e. certain records of other court/agency proceedings)



Protecting Personal Information

Fed. R. Bankr. P. 9037

(h) Motion to Redact a Previous Filed Document

An entity must:

- (A) file a motion to redact identifying info for redaction;
- (B) attach a proposed redacted document;
- (C) include the docket or proof-of-claim number of previously filed document; and
- (D) serve the motion and attachment on debtor, debtor's attorney, trustee (if any), United States trustee, filer of unredacted document, and any individual whose personal identifying information is to be redacted.



Protecting Personal Information

Miss. Bankr. L.R. 9037-1

(h) Motion to Redact a Previous Filed Document

- Upon filing of a motion to restrict and/or redact a previously filed document due to alleged violations Fed. R. Bankr. P. 9037,
- Clerk of court is authorized to restrict public access pending a ruling on the motion.
- If the court grants the motion, these restrictions on public access remain in effect until further court order.
- If the court denies the motion, the restrictions must be lifted, unless the court orders otherwise.



Protecting Personal Information

Mississippi Local Forms

- Motion to Redact Document (must attach redacted document)
- Order Granting Motion to Redact Document
- Motion to Redact Document Filed by Other Party (not required to attach a redacted document)
- Order Granting Motion to Redact Document Filed by Other Party

**U.S.
Bankruptcy
Court
Northern
District of
Mississippi**



Shallanda “Che” Clay
Clerk of Court



U.S. Bankruptcy Court

Northern District of Mississippi

Office Location and Mailing Address:

Cochran U. S. Bankruptcy Courthouse
703 Hwy. 145 North
Aberdeen, MS 39730

Hearing Locations

Cochran U. S. Bankruptcy Courthouse
703 Hwy. 145 North
Aberdeen, MS 39730

Federal Building
911 Jackson Avenue
Oxford, MS 38655

Federal Building
305 Main Street
Greenville, MS 38701

Phone Numbers:

Clerk's Office: (662) 369-2596

Judge Woodard:

- Chambers Line: (662) 369-2624
- Settlement Line: (662) 369-2619

Judge Maddox:

- Chambers Line: (662) 369-8147
- Settlement Line: (662) 369-9380



U.S. Bankruptcy Court

Northern District of Mississippi

Clerk's Office Contacts

Che Clay Clerk of Court	662-319-3581
Nancy Patterson Chief Deputy	662-319-3549
Tammy Moore Operations Manager	662-319-3545
Montana Hopper Operations Supervisor Training Coordinator	662-319-3551
Main Office Number	662-369-2596



U.S. Bankruptcy Court

Northern District of Mississippi

ECF Training Available

Training for Attorneys and Support Staff:

- ECF Training and Bankruptcy Seminars
 - Aberdeen, Oxford, and Greenville Division Locations
- Online and In Person Training Available
- May earn up to **3.5 CLE Hours** for Training
- Tailored to Trainee(s) Upon Request

To Schedule Training:

- Contact Montana Hopper: **662-319-3551**
- Contact Clerk's Office: **662-369-2596**



U.S. Bankruptcy Court

Northern District of Mississippi

Resources Available on Court's Website

Court's Website: www.msnb.uscourts.gov

- ECF Training Material (Filing Instructions)
 - Under CM/ECF Tab
- Court Calendars (Court Dockets, Interactive Calendar, ChapMobile Information)
 - Reporting Settlements and Requesting Continuances
- Bankruptcy Forms Page – Templates and Required Forms Available
- Local Rules and Standing Orders
- Administrative Procedures for ECF
- Opinions



U.S. Bankruptcy Court

Northern District of Mississippi

Interactive Public Calendar

- Displays 30 days of scheduled court hearings and 341 meetings;
- View court hearing calendars;
- View 341 calendars;
- Search hearing calendars and 341 calendars by Attorney, Debtor, or Case Number;
- Download calendars for viewing or printing.

UNITED STATES BANKRUPTCY COURT
Northern District of Mississippi

Home CM/ECF **Court Calendars** Judges Court Information Bankruptcy Basics Links to Helpful Sites Filing Without an Attorney Contact Us

ChapMobile App
Interactive Public Calendar
Judge Woodard Calendars
Judge Maddox Calendars
Reporting Settlements and Requesting Continuances

Home » Court Calendars

Interactive Public Calendar

The interactive public calendar is for **informational purposes only** and is **not the official docket of the court**. Parties should continue to place primary reliance on official notice from the court and information available in the CM/ECF system via PACER.

The interactive public calendar displays 30 days of scheduled court hearings and 341 meetings for cases and adversary proceedings filed in the Northern District of Mississippi. The calendar allows users to:

- View court hearing calendars for all Judges or filter by Judge;
- View 341 calendars for all Trustees or filter by Trustee;
- Search hearing calendars and 341 calendars by Attorney, Debtor or Case Number;
- Download calendars for viewing or printing.

The calendar is automatically updated via data from CM/ECF in approximately 10-minute intervals. The transaction must be completed in CM/ECF and included in an interval update before the change is depicted on the calendar. As such, the information may not always be a true "real-time" depiction.

The interactive feature allows users to sort and customize the information available for viewing and printing by using search options at the top of each calendar.

[Click here for the Interactive Public Calendar](#)

[Click here for the Interactive Public Calendar User Guide](#)

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Privacy Policy | BrowseAlloud



U.S. Bankruptcy Court

Northern District of Mississippi

Interactive Public Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3
4	5	6	7	8	9	10

The interactive public calendar will not display the Hearing Calendar and the 341 Calendar simultaneously. The Hearing Calendar is the home (default) screen.

To view the 341 Calendar, click the 341 Calendar link in the upper right corner.

Click the back arrow in the top left corner to return to the Hearing Calendar.

Interactive Public Calendar 341 CALENDAR

← Interactive 341 Meeting Public Calendar



U.S. Bankruptcy Court

Northern District of Mississippi

REMINDER – MAINTAIN YOUR ECF ACCOUNT

- Maintain account information in PACER and the court's ECF System
- Review and make changes to PACER account at www.pacer.uscourts.gov
- Review and make changes in ECF System under ***Utilities > Maintain Your ECF Account***
 - Add secondary email address(es) here
 - Remember to update when email and/or staffing changes occur.



U.S. Bankruptcy Court

Northern District of Mississippi

FILING TIPS AND REMINDERS

Disclosure of Pre-Petition Fees form **MUST** be filed concurrently with an **Application to Pay Filing Fee in Installments**

- May be included in the same PDF with Application
- May be filled separately under its corresponding docket event and linked to the Application
- Form is available on court's website



U.S. Bankruptcy Court

Northern District of Mississippi

FILING TIPS AND REMINDERS

Amended Schedule(s) D, E/F:

- **Amended Matrix** – Required when adding or deleting creditors
 - May be included in the same PDF with Amended Schedules or filed separately
- **Notice to Added Creditors**
 - Required if 341(a) Meeting of Creditors Notice has been docketed when amended schedule(s) filed
 - Fillable form is available on court's website
 - May be included in same PDF with Amended Schedules or filed separately



U.S. Bankruptcy Court

Northern District of Mississippi

FILING TIPS AND REMINDERS

Motion to Shorten Notice Time:

- Must be filed separately and concurrently with substantive pleading
- Upload proposed order (see Bankruptcy Forms page for local form)

Motion for Expedited Hearing

- Must be filed separately and concurrently with substantive pleading
- No action will be taken by the Clerk's Office on a request for an expedited hearing in a substantive motion
- Chambers personnel will generally notify the filer if a proposed order is required



U.S. Bankruptcy Court

Northern District of Mississippi

FILING TIPS AND REMINDERS

Monitor Your Deadlines!!!

- Can't meet a deadline? File a motion to extend time—no phone requests to the Clerk's Office.

Order to File Certificate of Service

- Courtesy notice provided by Clerk's Office—not required and cannot be issued with all filings.
- Two Deadlines Provided: (1) Deadline to serve filing; and (2) Deadline to **file the certificate of service.**
- Failure to meet BOTH deadlines will result in a reset of hearing or an order striking the filing.



U.S. Bankruptcy Court

Northern District of Mississippi

FILING TIPS AND REMINDERS

Proposed Orders

- MUST be submitted via ***Orders Upload*** event in ECF.
 - Including as attachment/exhibit to your motion will not suffice.
- FULL 3" top margin is required for judge's electronic signature.
 - Check margin **in PDF format: Ctrl+R**
- Include docket number(s) of the filing(s) to be resolved by the order.
- Link the proposed order to the appropriate filing(s).

United States Bankruptcy Court

Southern District of Mississippi





U.S. Bankruptcy Court

Southern District of Mississippi

Unclaimed Funds Locator

The screenshot shows a web application titled "U.S. Bankruptcy Unclaimed Funds Locator" with a navigation bar containing "Home" and "About" links. The main form includes the following fields:

- Court:** A dropdown menu currently showing "MSSB - MSS".
- Creditor Last/Business Name:** A text input field.
- Creditor First Name:** A text input field.
- Case Number:** A text input field.
- Debtor Last/Business Name:** A text input field.
- Debtor First Name:** A text input field.
- Amounts Greater Than:** A field with a dollar sign icon and a text input showing "0".
- Entered On or After:** A field with a calendar icon and a text input showing "Date Entered on or After".

Below the form are two buttons: a red "Clear" button and a blue "Search" button.

Disclaimer
The court unit links accessible through the U. S. Bankruptcy Unclaimed Funds Locator are provided for the user's convenience. Each court unit is solely responsible for maintaining that unit's applicable unclaimed funds search criteria information. A user is invited to contact a linked court unit regarding that unit's specific unclaimed funds deposit and disposition procedures. Questions should be directed to the linked court unit.



U.S. Bankruptcy Court

Southern District of Mississippi

Email Announcements and Notices

- Two distinct types of emails:
 - 1) **Official notices (NEF)** related to cases (CM/ECF)
 - 2) **General announcements** regarding court operations (i.e. Rules changes, court closure, etc.)



U.S. Bankruptcy Court

Southern District of Mississippi

Email Announcements and Notices

- **Issue** – not receiving email announcements/notices because recipient's internet service provider is blocking these emails as SPAM.
- **Solution:** Make sure that you email system/provider includes these email addresses on the "whitelist":

uscourts@updates.uscourts.gov

ECF_Notification_Do-Not-Reply@mssb.uscourts.gov



U.S. Bankruptcy Court

Southern District of Mississippi

Solution: Official CM/ECF notices (**NEF**):

- Registered Filer sets a **primary email** address in PACER.
- Option available for a **secondary email** address (set up through CM/ECF).
- Both email addresses receive all official case notices.
- **Recommendation – use two different email domains**



U.S. Bankruptcy Court

Southern District of Mississippi

Online CM/ECF Training

New staff.

Refresher for current staff.

Jackson: 601 – 608 – 4600

Gulfport: 228 – 563 – 1790

Danny: 601 – 608 – 4612



U.S. Bankruptcy Court

Southern District of Mississippi

Follow the Court



Official Court Announcements:

- New Rules and/or Forms
- Court closure due to weather, etc.
- Job announcements

Training Videos

View from the Clerk's Office

United States Bankruptcy Court



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