



United States Bankruptcy Court
District of New Mexico
Office of the Clerk
Norman H. Meyer, Jr., Clerk of Court

June 3, 2004

Notice to Practitioners No. 2004-02

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(1) Lengthy Notices to Practitioners

Due to budget restrictions for fiscal year 2004, the Clerk's Office will send fewer Notices to Practitioners, but each notice will be jam-packed with information. We recognize that such notices can be overwhelming but we ask that you take the time to read them carefully. An alternative to careful reading of these notices is to regularly review the court's website. Changes in procedures, forms, and rules, as well as announcements of meetings, surveys, and training sessions are posted on the website as they occur. We encourage practitioners and their staffs to regularly review the website at www.nmcourt.fed.us/web/BCDOCS/bcindex.html for the latest updates from chambers and the Clerk's Office. It is possible that continued budget restrictions will limit publication of announcements and notices to practitioners in the future to the web only.

(2) Changes to Local Forms NM 4 and NM 5 - Debtor's Telephone Number

In response to a practitioner's request on April 6, 2004, local form NM 4 (Disclosure of Marital Status) and NM 5 (Certificate of Disclosure of Community Information) were modified April 12, 2004, to require the debtor's telephone number only when the debtor is *pro se*.

(3) Changes to Official Forms - Schedule E and Proof of Claim - Dollar Amounts

On April 1, 2004, automatic adjustments to the dollar amounts stated in various provisions of the Bankruptcy Code became effective. These dollar amounts apply to cases filed on or after April 1 and affect eligibility to file under Chapter 13, maximum values of property that may be claimed as exempt, the

maximum amount of claims entitled to priority, the minimum aggregate value of claims needed to commence an involuntary bankruptcy, and the value of "luxury goods and services" deemed to be nondischargeable. For a list of Bankruptcy Code changes and amended forms, see <http://www.nmcourt.fed.us/web/BCDOCS/Files/dollaramts.htm>.

(4) Changes in Stay Hearing Procedures for JUDGE STARZYNSKI'S Court

In an attempt to reduce the time and money counsel and parties spend on prosecuting and defending stay relief motions, Judge Starzynski has initiated a new procedure for Albuquerque cases. To request a paper copy of the procedure, send e-mail to starzynski@nmcourt.fed.us or call 505-348-2420. You may view or print the procedure at <http://www.nmcourt.fed.us/web/BCDOCS/Files/starzynski/homepage.html>

(5) Invitation to Attend Court Clerk Workshop - August 27

The Bankruptcy Law Section is sponsoring a Bankruptcy Court Clerk's Workshop on Friday, August 27, from 12:00 to 1:30 pm in the Visiting Judges Courtroom, 11th Floor, Dennis Chavez Federal Building and United States Courthouse, 500 Gold Avenue, SW, in Albuquerque. Bankruptcy court staff will provide up-to-date procedures and helpful hints on how to work efficiently with the Clerk's Office. Section members and their staffs are invited to attend.

(6) Invitation to Attend Town Hall Meeting - Friday, July 9

The first 2004 Town Hall meeting will take place Friday, July 9, from 3:30 to 5:00 pm. The meeting will be held in the Animas Courtroom, 13th Floor, Dennis Chavez Federal Building and United States Courthouse, 500 Gold Avenue SW, in Albuquerque, with telephone links to various sites around the state. If you are willing to volunteer the use of your office speaker phone for local attorneys to gather and participate, please contact Mary Anderson at 505-348-2420 by Thursday, July 8. The Court will pay the cost of the calls. The purpose of these meetings is to provide a forum (an "open mike") for practitioners to tell the Court whatever they think about Court operations, policies, and anything else they want to talk about.

(7) Reminder - Observe Requirements in FRBP 9034

Rule 9034 of the Federal Rules of Bankruptcy Procedure requires any entity that files a pleading, motion, objection, or similar paper relating to any of the matters referred to in the Rule to transmit a copy thereof to the United States trustee within the time required by the rules for service of the paper. See <http://www.law.cornell.edu/rules/frbp/rules.htm#Rule9034>.

(8) Reminder - Avoid Premature Submission of Unopposed Orders

Judge McFeeley requests that you wait at least two business days after the objection deadline to submit a proposed order in which you represent that no objections to the corresponding motion have been filed. This will ensure that any objection electronically filed or drop-boxed on the last day for filing objections will appear on the docket and alleviate the need to set aside orders as having been improvidently entered.

(9) Request for Input - Judge Starzynski's Chapter 13 Procedures Discussion Group

Judge Starzynski is once again reviewing the Chapter 13 procedures for his court in order to cut down on the time that attorneys and parties have to spend in his court on Chapter 13 days. In order to make the review procedure efficient and the end product successful, he invites participation by anyone who has a stake in this process. The revision process will be conducted by means of an ongoing discussion, including proposed procedural changes, amount the participants on a chapter 13 e-mail list. Anyone is free to join the discussion. Anyone wanting to be on the Chapter 13 e-mail list should contact Judge Starzynski's office (preferably by e-mail): starzynski@nmcourt.fed.us.

(10) Request for Input - Mandatory Electronic Filing Task Force

The Clerk's Office has organized a task force to implement mandatory electronic filing for attorney filers by January 1, 2005. We need your input. E-mail your suggestions and comments to Sharon Kologie, task force leader, at skologie@nmcourt.fed.us. Include your phone number in the message.

(11) Request for Input - Survey on Paperless

The Clerk's Office has been "paperless" since January 1, 2004. Please give us your feedback by either 1) calling Sharon Kologie at 505-348-2443 for a 5-minute telephone survey or 2) completing the survey on-line at www.nmcourt.fed.us/web/BCDOCS/bcindex.html.

(12) When ACE is Inaccessible During Non-Business Hours

The ACE electronic records system has been very stable since it was launched in February 2003. Occasionally, a piece of equipment will malfunction on the weekends and practitioners may notice the problem before court staff are aware of the issue. If ACE becomes inaccessible during non-business hours, call 505-348-2480 to page a staff member of our Information Technology Department. Leave a message and your telephone number in case we need to contact you.

As always, your cooperation with and support for the work and mission of the Court and the Clerk's Office is appreciated. Thank you.

NORMAN H. MEYER, JR.
Clerk of Court