

**United States Bankruptcy Court
District of New Mexico**

Office of the Clerk
421 Gold Avenue SW, Third Floor
PO Box 546
Albuquerque, New Mexico 87103-0546

MICHAEL M. SHEPPARD
Clerk of Court

April 26, 2000

Telephone
505 -348 - 2500

**Notice to Practitioners
Copy Requirements Reduced;
Envelopes No Longer Required with Proposed Orders**

Due to changes in chambers' procedures for processing filed documents, the court no longer requires a copy of most documents filed in *existing* cases. The judges need copies of the following:

Notices to all creditors of deadline for filing objections to matters with an actual date and time of a hearing given in the notice.

Requests for a hearing

Briefs or memoranda

Motions for any emergency action or request

Chapter 11 disclosure statements and plans

Chapter 12 plans

Motions for summary judgment and responses to motions for summary judgment

Notices of appeal

Unless the document is listed on the attached copy requirements as a document requiring one or more copies, please submit only the original for filing with the court. You may submit additional copies to be endorsed and returned to you. If copies are to be returned by mail, please submit a self-addressed, stamped envelope of the appropriate size.

A note about orders: please submit only the original. Since our judges now file orders electronically, we no longer need copies of orders or self-addressed, stamped envelopes for parties entitled to notice of the entry of the order.

One additional change is that we now require the original and one copy for proofs of claim filed in chapter 12 cases.

Please review the attached Copy Requirements document (our local form 103, revised 4/11/00). If you have any questions, please contact anyone in the operations section, at 505-348-2500.

MICHAEL M. SHEPPARD, Clerk

United States Bankruptcy Court, District of New Mexico
COPY REQUIREMENTS

The number of copies listed are required by the clerk's office for distribution internally. Submit additional copies if you want endorsed copies returned to you. If copies are to be returned by mail, submit a self-addressed, stamped envelope of the appropriate size. NOTE: The "original" referred to in this document need not have an original signature. See NM Local Bankruptcy Rule 9011-4.

Document	Number to Submit	Distribution of copies (original to case manager unless otherwise noted)
Amendments - SEE DOCUMENT BEING AMENDED		
Appeal-related documents:	Original + 1	Case manager
Notice of appeal	Original + number of parties to appeal + 3	Judge, case manager, UST
Attorney disclosure statement - SEE PETITION		
Briefs, memoranda (with brief or memorandum in title)	Original + 1	Judge
Certification of judgment for registration in another district	Original	
Combination ch. 13 plan/motions/notice	Original + 2	UST, TR
Disclosure statement, chapter 11 case	Original + 2	Judge, UST
Entry of appearance	Original	
List of equity security holders or list of 20 largest creditors - SEE PETITION		
Mailing list	Original	
Modification - SEE DOCUMENT BEING MODIFIED		
Motion for any EMERGENCY action	Original + 1	Judge
Motion for summary judgment	Original + 1	Judge
Motion to tax costs	Original + 1	Clerk of court
Motion re unclaimed funds	Original + 1	both to Financial Section
Notice of hearing	Original + 1	Judge
Notice to all creditors of deadline for filing objections to matters WITH A HEARING DATE/TIME	Original + 1	Judge
Notice to all creditors of deadline for filing objections to matters WHEN NO HEARING DATE/TIME IS SET	Original	
Objections to motion to tax costs	Original + 1	Clerk
Operating reports - chapter 11	Original + 1	UST
Operating reports - chapter 12 or 13	Original + 2	UST, TR
Order - <i>The names and addresses of all parties entitled to notice of the entry of the order must be listed on the order.</i>	Original	Judge <i>If envelopes are submitted, attach them to the original.</i> Note: If order is for the release of unclaimed funds, give to the financial section.

**United States Bankruptcy Court, District of New Mexico
Continuation of COPY REQUIREMENTS**

Document	Number to Submit	Distribution of copies (original to case manager unless otherwise noted)
PETITION - the copy requirements for a bankruptcy petition vary depending on the chapter under which the petition is filed. The copy requirements apply to the debtor's schedules and statement of affairs (to be attached to the petition) and the attorney disclosure statement (submitted with the petition) IN ALL CHAPTERS, as well as to the debtor's list of equity security holders and 20 largest creditors required in chapter 11 cases, and to the notice to individual consumer debtors required in chapter 11 and 13 cases. See Assembly of Petitions, form NM-90.		
Chapter 7 - voluntary	Original + 3	UST, TR, PB
Chapter 7 - involuntary	Original + 3	Judge, UST, PB
Chapter 11 - not a corporation, voluntary	Original + 3	UST, IRS, PB
Chapter 11 - not a corporation, involuntary	Original + 4	Judge, UST, IRS, PB
Chapter 11 - corporation, voluntary	Original + 4	UST, IRS, SEC, PB
Chapter 11 - corporation, involuntary	Original + 5	Judge, UST, IRS, SEC, PB
Chapter 12	Original + 3	UST, TR, PB
Chapter 12, pro se	Original + 4	Judge, UST, TR, PB
Chapter 13	Original + 4	UST, TR, IRS, PB
Plan - chapter 11	Original + 2	Judge, UST
Plan - chapter 12	Original + 3	Judge, UST, TR
Plan - chapter 13	Original + 2	UST, TR
Combination chapter 13 plan, motions, notice	Original + 2	UST, TR
Proof of claim - chapter 7 or 11	Original	
Proof of claim - chapter 12 or 13	Original + 1	Case manager to give to trustee after docketing so docket number is on proof of claim
Reaffirmation agreement by pro se filer	Original + 1	Judge
Request for hearing	Original + 1	Judge
Response to motion for summary judgment	Original + 1	Judge
Schedules and statement of affairs - SEE PETITION		
Statement of intention by individual chapter 7 debtor	Original + 3	UST, TR, PB
Transcript of judgment	Original	
Writ of execution/garnishment	Original	
If the document you are submitting is not listed, submit only the original		
<ul style="list-style-type: none"> • IRS = Internal Revenue Service • PB = public box • SEC = Securities & Exchange Commission • TR = case trustee • UST = United States trustee 		

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Notice to Practitioners

**Bankruptcy Appellate Panel of the Tenth Circuit:
New Internet Home Page
Updated Guide to Understanding the Appellate Process**

The Bankruptcy Appellate Panel of the Tenth Circuit has established a home page on the Internet. The location is: <http://www.ck10.uscourts.gov/circuit/bap.htm>. It contains local rules, forms, published opinions and information regarding practice before the BAP. For your convenience, this site can also be reached from the New Mexico Bankruptcy Court's website (<http://www.nmcourt.fed.us>), under Links to Other Sites of Interest, then Federal Courts and Government Organizations, and then from the website for the Tenth Circuit Court of Appeals.

The BAP has also issued its updated *Guide to Understanding the Appellate Process*. This guide covers appeals to the district court and the BAP, with additional detail on BAP appeals. The *Guide* is available for downloading from the BAP's website (you will need Adobe Acrobat Reader to view the Guide onscreen or to download it as a pdf file).

A copy of the *Guide* is maintained in the clerk's office for your reference and a very limited supply is available for distribution (first come, first served). Please dispose of any copies of the *Guide* you may have which predate the February 7, 2000, edition.

Questions about bankruptcy court appellate matters may be directed to Monica S. Montoya in the clerk's office operations section, at 505-348-2474.

MICHAEL M. SHEPPARD, Clerk