

Electronic Bankruptcy Noticing

Electronic Bankruptcy Noticing, or EBN, refers to a group of electronic services available from the Bankruptcy Noticing Center that federal bankruptcy courts can use to send bankruptcy notices to attorneys, creditors, and trustees. For notice recipients, this means faster delivery.

Staff of the Administrative Office of the U.S. Courts manage the BNC contract and work with federal bankruptcy court advisers to enhance noticing services and implement new programs.

Requesting EBN Service

Bankruptcy Rule 9036, which authorizes electronic noticing, requires participants to sign an agreement with each bankruptcy court.

Creditors can sign-up from among three methods to receive electronic noticing:

- ▶ **Internet e-mail** — For recipients who want the speed and convenience of receiving notices on-line. The BNC sends PDF file attachments by e-mail to creditors. Users must have an account with an e-mail provider that has “electronic delivery service notification” capability and have Adobe’s free Acrobat Reader Version 4.0 or higher installed on their system.

- ▶ **Fax** — For recipients who do not want to set up Internet e-mail accounts but who want to eliminate slower noticing by U.S. mail.
- ▶ **Electronic Data Interchange (EDI)** — For high-volume recipients (200 or more notices a week) who want to process data through computer-to-computer transfers.

How E-mail Noticing Works

E-mail service will start approximately two weeks after a completed noticing agreement is returned. A separate agreement is required for each court jurisdiction. To confirm an e-mail account is working properly, the BNC will run a test transmission.

During the first 30 days of service, the BNC will send notices both electronically and by U.S. mail to further confirm that the process is working smoothly. After 30 days, notices will be sent by e-mail only.

The BNC transmits e-mail notices each evening and follows these guidelines:

- ▶ A record confirming delivery of electronic notices is kept and, if receipt is not confirmed, notices will be printed and mailed the next day.
- ▶ If electronic delivery is unsuccessful three consecutive times, the service will be ter-

minated and mailed copies will be sent. Recipients must contact the court's EBN coordinator or the BNC to resolve the issue and have electronic service reinstated.

- ▶ The BNC is not responsible for notices that are acknowledged but are incorrectly deleted by the recipient or the recipient’s e-mail service provider.
- ▶ Not all notices in a case are processed through the BNC. Those notices from trustees, attorneys, and debtors, and some court-generated notices or orders will continue to arrive by mail.

E-Mail Format

E-mail recipients can select one of the following options for PDF file attachments:

- ▶ An e-mail that has a single PDF file attachment containing multiple notices.
- ▶ A single e-mail for each notice, with one PDF file attachment per e-mail.
- ▶ An e-mail that has multiple PDF file attachments (up to 25), each attachment containing one notice.

The BNC organizes e-mail notices in a standard format:

- ▶ A subject header contains a BNC serial number and the creditor's ID number. The serial number increases each time a mes-

sage is sent so creditors can determine that all e-mails have been received.

- One text block describes the number of notices and total notice pages in the PDF attachment.
- Another text block shows the name and address of the recipient, case number, court form code, and originating court for each notice contained in the PDF file attachment.
- PDF files are not compressed or zipped.

The BNC compares names and addresses listed on the noticing agreements with the names and addresses debtors list on their petitions or an attorney's name and address in the court's database. The BNC software matches names and addresses and sends the notices electronically. For more details and examples, see the Implementation Guide on the EBN web page (www.EBNuscourts.com).

If recipient names and addresses in the court's notice instructions do not match those on the noticing agreement, notices will be sent by U.S. mail.

Fax Noticing

Fax noticing is an option many creditors may want to explore. The Fax noticing process works like e-mail except the notices are sent to a Fax machine.

FOR MORE INFORMATION CONTACT

Bankruptcy Noticing Center Help Line

1-877-837-3424

Web Page

www.EBNuscourts.com



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