

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

**NOTICE OF PROCESS CHANGES:
USE OF FILING INSTEAD OF CERTIFICATE DATE FOR
CALCULATION OF DEADLINES;
QUALITY CONTROL FOR STATEMENT OF CONSENT**

No More Docketing of or Calculation from Certificate of Service Date

In approximately sixty events, the electronic filer docketed a certificate of service date and that date is used within CM/ECF to generate a response deadline. Filer error when entering the certificate of service date has resulted in a large number of Notices of Deficient Filing. (Use of a prospective date – when service will occur – is particularly problematic.) Effective February 5, 2018, all events that prompt for a certificate of service date will no longer do so. Docket text will note if a certificate of service is included, but any deadline for response will be determined based on the filing date.

Heightened Quality Control for “Consent” Statements

Clerk staff will now quality control pleadings for required statements of consent. A notice issued in February 2017 reminded counsel that edits to the national rules effective on December 1, 2016, require various pleadings to include a statement that the filer does or does not “consent to entry of final orders or judgment by the bankruptcy court.”

More background on the requirement is in the notes accompanying the sample consent language found at this link:

<http://www.insb.uscourts.gov/sites/insb/files/Consent-to-Entry-of-Final-Judgment-or-Order-Sample-Language.pdf>

Despite that earlier notice, the required statement is missing from many pleadings. The absence of the statement can hamper the Court’s processing of the matter.

Because of the problems arising from the absence of the consent statement, quality control is shifting from chambers to the Clerk’s office so that omissions will be brought to counsel’s attention earlier. The Notice Regarding Consent Language will warn that failure to amend the pleading may delay issuance of the summons or other processing of the matter.

February 1, 2018

/s/ Kevin P. Dempsey
Clerk