

Administrative Office of the U.S. Courts
Department of Program Services / Case Management Systems Office

CM/ECF

Release Notes

for PACER Users

**Small Business Reorganization Act Changes
and 2019 Form Changes
NextGen 1.3.3, 1.5.1, and CM/ECF Legacy 5.2.3, 5.3.2**

February 2020

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1 Introduction

This document summarizes the changes you may notice when you use NextGen CM/ECF in a U. S. Bankruptcy Court that has installed hot fix Release 1.5.1 or 1.3.3, or CM/ECF Legacy hot fix release 5.2.3 or 5.3.2 of the application. Because certain features are court configurable, courts may choose not to implement all of them. Thus, what you see in particular courts may vary.

2 Small Business Reorganization Act Changes

The Small Business Reorganization Act of 2019 (SBRA) introduces a new small business Subchapter V of chapter 11 filing, effective February 2020. To accommodate this change, the B309E and B309F forms are being split into two versions each, as follows:

- B309E1:** Notice of Chapter 11 Bankruptcy Case (For Individuals or Joint Debtors)
- B309E2:** Notice of Chapter 11 Bankruptcy Case (For Individuals or Joint Debtors under Subchapter V)
- B309F1:** Notice of Chapter 11 Bankruptcy Case (For Corporations or Partnerships)
- B309F2:** Notice of Chapter 11 Bankruptcy Case (For Corporations or Partnerships under Subchapter V)

This change impacts a number of CM/ECF features.

2.1 Voluntary Case Opening for Chapter 11 Small Businesses

The CM/ECF case opening screens that indicate the Small Business status have been updated to add a new option for the filer to choose a chapter 11 Subchapter V filing.

Small business	Yes, and I do not choose to proceed under Subchapter V of Chapter 11 <input type="button" value="v"/>
	No, I am not a small business debtor
	Yes, and I do not choose to proceed under Subchapter V of Chapter 11
	Yes, and I choose to proceed under Subchapter V of Chapter 11

2.2 Case Upload

A new subchapter V element (element #80) has been added to the legacy Case Upload file. See the [CM/ECF Case Upload Resources](#) page on pacer.gov for details regarding Case Upload.

2.3 Case Opening With Data Collection (XML case opening)

A new <Subchapter> element has been added to the NextGen XML Case Opening XML schema. For more information, go to the [NextGen CM/ECF XML Case Opening and Docketing Information](#) page on pacer.gov.

2.4 Bankruptcy Notices

As described in the introduction section, chapter 11 bankruptcy notices have been split into two versions: chapter 11 and chapter 11 subchapter V. The subchapter V versions include additional information relevant to a subchapter V filing.

3 2019 Form Changes

The following form changes are effective in 2019. The Electronic Self-Representation (eSR) screens have been modified to include the updated language and PDFs.

3.1 HAVEN Act Changes

The Honoring American Veterans in Extreme Need Act of 2019 (the HAVEN Act) amended 11 U.S.C. § 101(10A) to exclude from the definition of Current Monthly Income certain payments made under title 10, 37, or 38 of the United States Code in connection with a disability, combat-related injury or disability, or death of a member of the uniformed services.

Lines 9 and 10 of Official Forms 122A-1, 122B, and 122C-1 have been updated to address the HAVEN Act, effective October 2019.

3.2 December 2019 Form Changes

Official Form 122A-1 now includes an instruction to line 14a to remind a debtor that if there is no presumption of abuse, Official Form 122A-2 should not be filled out or filed.

4 Miscellaneous Changes

The following changes apply to CM/ECF Legacy 5.2.3 and 5.3.2 releases only.

- The debtor's aggregate noncontingent liquidated debts threshold displayed on CM/ECF case opening screens has been changed to match the value in the B201 form.

The following changes apply to the CM/ECF Legacy 5.3.2 release only.

- Previously, PDF Headers were not always displayed properly for documents in landscape or seascape orientation; this has been fixed.
- The Pay.gov payment interface previously did not load when the user's name or address data in CM/ECF contained special characters; this has been fixed.