

Insights

Mandatory Federal Registration Requirement for High-Volume Paper Bankruptcy Notice Recipients Effective December 1, 2021

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As noted recently by some United States Bankruptcy Courts, effective December 1, 2021, the Director of the Administrative Office of the United States Courts (the “AO”) has designated any entity that receives 100 or more paper bankruptcy notices in a single calendar month as a **high-volume paper notice recipient** pursuant to Fed. R. Bankr. P. 9036(b)(2)(B) (as amended effective December 1, 2021) (the “Rule”). These courts have noted that the threshold number of paper notices that will cause a notice recipient to be designated as a “high-volume paper notice recipient” pursuant to the Rule will be reviewed annually, and may be adjusted once a year, effective on December 1st of each year.

Further, once the threshold paper notice amount is reached, these courts have noted that the Bankruptcy Noticing Center (the “BNC”) will notify the notice recipient that it *must* register for Electronic Bankruptcy Noticing (the “EBN”) or that, if the recipient does not register within 45 days of the date of the notification the BNC will establish an electronic address where the AO Director designates the recipient to receive its notices pursuant to the Rule.

Takeaway: We live in an increasingly “digital only” world, as the above-discussed forthcoming amendment to the Federal Rules of Bankruptcy Procedure underscores. To avoid potential problems resulting from the AO’s designation of an electronic address for your entity to receive future bankruptcy notices (especially if your entity currently receives 100 or more paper bankruptcy notices in a single calendar month) **now is the time** to consider registering for EBN, which can be done simply and relatively painlessly through the BNC’s website, <https://bankruptcynotices.uscourts.gov/>.

If you would like to learn more about our Creditors’ Rights and Bankruptcy Professionals, please **click here**.

Disclaimer. The contents of this article should not be construed as legal advice or a legal opinion on any specific facts or circumstances. The contents are intended for general informational purposes only, and you are urged to consult with counsel concerning your situation and specific legal questions you may have. In addition, marijuana remains a federally illegal Class I drug. All activities related to marijuana are currently illegal under the federal laws of the United States and nothing contained on this alert is intended to assist in any way with violation of applicable law.