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MEMORANDUM

To: Clerks, United States Bankruptcy Courts
Bankruptcy Administrators

From: Mary Louise Mitterhoff *Mary Louise Mitterhoff*

RE: CHANGE IN USE OF FORMS B6I (SCHEDULE I: YOUR INCOME)
AND B6J (SCHEDULE J: YOUR EXPENSES) (**ACTION**)

I am writing to inform you that there are changes to Schedule I and Schedule J, effective December 1, 2013, which will require action by your court. Historically, Schedule I and J forms were used when filing or amending schedules; however, the Bankruptcy Rules Advisory Committee determined that they may also be used as a supplement to the initial filing. In reaching this determination, the Committee noted that "some courts are using Schedules I and J in analyzing proposed chapter 13 plans and potential modification of those plans or when a debtor's financial circumstances change." (Committee Note)

To facilitate use in determining plan feasibility, new Schedules I and J will include check boxes for the debtor to indicate that the schedule "supplement's" the initial filing of the form. Courts should make attorney filers aware of these form changes and, if your court decides to require supplemental Schedules I and J - either on a regular or ad hoc basis - you should advise filers to use the new CM/ECF dictionary event discussed fully below. Even if your court chooses not to use Schedules I and J as supplements, attorney filers will still need to understand the difference between the new "supplement" check boxes and the historical "amendment" check boxes in order to check the appropriate box. In addition, Schedule J will now also include a third check box to indicate if it is being filed because there is joint debtor who maintains a separate household.

Schedule I & J (supplement)

The option to submit supplements to these schedules is a method for capturing additional information regarding a debtor's post-petition income and expenses as of a specific date (e.g., prior to chapter 13 confirmation hearing) for purposes of analysis or potential modification. These supplemental filings are distinguishable from Schedules I and J, which are **required** to be filed as

part of the original schedules and statements under F.R.B.P. 1007(b)(1). This supplemental information is intended to inform and not amend previously reported information. (The filer would use the "amendment" check box instead, if the purpose is to correct information on the original filing of the form).

To accommodate the filing of supplements using these forms, a new starter dictionary event will be provided soon by DTS-SDSO-TB called "Supplement to Schedule I / J." This event should **not** be modified to include any part of the Summary of Schedules DPF. If your court decides to use these schedules as optional supplements, filers will need to be advised to use this new event and to follow your court's specific procedures.

Schedule J only

New lines 1, 2, and 3 on revised Schedule J request information about the debtor's household. Line 1 requires joint debtors who maintain separate households to file separate Schedule J forms. A check box has been added to the caption to identify such filings. Line 2 requires information about each dependent

If debtor 2 (also known as the joint debtor) maintains a separate household, s/he will be required to file a separate Form B6J (Schedule J: Your Expenses) and check the appropriate box on the modified Schedule J form. When the box is checked, attorney filers should follow the form instructions and ensure that total expenses on Form B6 - Summary of Schedules and Form B6J for Debtor 1 include the amounts for both Debtor 1 and Debtor 2. Debtor 2's Schedule J form should be included with the petition when schedules are filed.