

Centralized Processing of Returned BNC Mail

This month, the Judiciary's Bankruptcy Noticing Center (BNC) contractor will begin accepting, processing and securely disposing of notices that would otherwise be returned to the bankruptcy courts by the United States Postal Service (USPS). The service will eliminate nearly all manual processing of returned mail currently performed by court personnel and will provide timely notification to debtors' attorneys of returned notices.

Currently, BNC returned mail goes either to the court or to debtors' attorneys. As a cost-savings and efficiency measure, bankruptcy courts have been strongly urged to have most returned mail sent to the debtor's attorney, which provides notice that a better address for such recipient should be provided to the court. This procedure is not changing. What does change, however, is that those pieces of mail that are currently directed for return to the bankruptcy courts will now be handled in one facility through the new centralized return mail program.

Under the terms of the revised contract, the BNC contractor will have two business days from receipt to process the returned mail, and the contractor's system will autogenerate a Notice of Returned Mail email notification to the debtor's attorney, with a copy of the notice as a PDF attachment, advising of the returned mail by the USPS. If no attorney email address is available or if the debtor is pro se, the Notice of Returned Mail will be sent by U.S. mail to the attorney or pro se debtor, as appropriate.

Thus, beginning this month, debtors' attorneys will start to receive returned mail in bankruptcy cases in two different ways: regular USPS mail for the majority of items where the return address is the debtor's attorney, and email Notices of Returned Mail for returned mail that would have been sent back to the bankruptcy court.

A sample Notice of Returned Mail is provided below.

Returned Mail Notice to Debtor/Debtor's Attorney

March 12, 2011

From: United States Bankruptcy Court, district

Re: U.S. Courts, Bankruptcy Noticing Center- Returned Mail Notice

In re: Case Name, Case Number 05-12336, judge's initials

TO THE DEBTOR/DEBTOR'S ATTORNEY:

The attached document was mailed to the notice recipient(s) listed below via the U.S. Postal Service, and it was returned to the Bankruptcy Noticing Center as undeliverable. Please be advised that dischargeability of a debt may be affected if a creditor fails to receive certain notices. You should determine whether the address should be updated. NOTE: THIS FORM CANNOT BE USED TO ADD A NEW CREDITOR NOT PREVIOUSLY LISTED ON YOUR SCHEDULES.

If this form is used by the court in place of filing a separate notice of change of address and/or an amended schedule: 1) determine the updated address and send the attached document to the notice recipient; 2) list the updated address below; 3) sign and date the form; and 4) file this form with the court. Please type or print legibly.

Notice Recipient's Address on Envelope Returned to the Bankruptcy Noticing Center:

Bart Simpson Company

301 Maple Avenue

Springfield, Illinois 28123-1204

THE UPDATED ADDRESS IS :

Signature of Debtor or Debtor's Attorney

Date

The Bankruptcy Noticing Center does not respond to messages regarding returned mail notification. Please contact the U.S. Bankruptcy Court where the case is pending with questions or comments.

Figure 1 - Notice of Returned Mail Format