

Trustee's Report of No Distribution and §341 Meeting Filings

This procedure was developed to expedite the processing of §341 Meetings between the court and the Trustee. This feature enables the Trustee to enter the outcome of debtor appearances and have the event immediately recorded to each case record.

This feature offers these benefits:

- More timely entries
- More efficiency in processing multiple meetings by each trustee
- Ease of entry
- Reduction of paperwork
- Automatic entry to the docket
- Notice of electronic filing certifying the entry

Section 602 of the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA), as codified in 28 U.S.C. § 589b, requires uniform final reports for bankruptcy cases. The new UST Form 101-7 No Distribution Report (NDR) requires specific data elements regarding each chapter 7 no asset case and has variable text depending upon the situation the trustee determines for that case.

This NDR replaces the current No Distribution Report and will continue to be produced by CM/ECF as a virtual (text only) entry. There will not be a PDF document associated with this report.

- ❖ The text in each event varies depending upon whether any funds were collected, or if the case has been converted, dismissed or reassigned to another trustee.
- ❖ These are the four new variations of this virtual entry.
 1. Chapter 7 Trustee's Report of No Distribution - ***no funds***
 2. Chapter 7 Trustee's Report of No Distribution - ***dismissed, converted or reassigned, no funds***
 3. Chapter 7 Trustee's Report of No Distribution - ***dismissed, converted or reassigned, some funds collected***
 4. Chapter 7 Trustee's Report of No Distribution - ***minimal funds collected***
- ❖ This revised NDR has been incorporated into the CM/ECF Trustee's 341

Filings utility so trustees can continue to process this document in an efficient manner.

- ❖ The four NDR docket entries have been added to the courts' dictionary lists of events. In addition, entries can be docketed separately in each case rather than through the Trustee's 341 Filings utility at any time.
- ❖ Data elements required for this CM/ECF report will be:
 - gathered from values in the debtor's schedules in the database at the time the report is produced,
 - calculated from database values on the case, and
 - entered by the trustee following the §341 meeting, as required by United States Trustee Program (USTP) policy guidance.
- ❖ If values from the debtor's schedules do not apply to the report selected, the text report will display these values as "Not Applicable." Otherwise, if values from the debtor's schedules have not been submitted when the NDR - No Funds or the NDR - Minimal Funds reports are filed, the text report will display "Not Available."

Revised Trustee’s 341 Filings Screen

The process is illustrated below and designed to be executed by the trustee. The trustee will have access only to his/her own cases. A user must be logged in as the trustee of record for the targeted activity to appear.

- ❖ Access to the Trustee’s 341 Filings program will be the same. The trustee will select one option for each case.
- ❖ The five columns outlined in **Figure 1** remain the same.
 - Pass
 - Asset
 - Undetermined
 - Now Show
 - No Supporting Document

U.S. Bankruptcy Court Western District of Kentucky Trustee Julie Brown Apperson Date: 2/6/2009									
Case No.	Pass	Report of No Distribution (NDR)				Asset	Undetermined	No Show	No Support Doc
		No Funds	Dismiss/Convert No Funds	Dismiss/Convert Funds	Min Funds				
09-30043 A. Bald KYWB Eagle and Harp E. Eagle	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
09-30003 Mary Lois Purple and George Purple	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
09-30006 A. Bald KYWB Eagle and Harp E. Eagle	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
09-30021 Arlene M. Green	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Figure 1

- ❖ **Pass** - No processing will be done to this case. This button is to be used if:
 - **Joint filing and only one debtor appears.**
 - ▶ The trustee is instructed to manually docket the event “Meeting of Creditors Not Held - All Chapters”. This event is found from the ECF menu “Bankruptcy”, “Trustee/US Trustee”, then select from the pick list “Meeting of Creditors Not Held - All Chapters”. This event allows the trustee to indicate that only one debtor appeared.

- **The debtors appear however, the trustee passes the hearing to verify information such as a Social Security Number**
 - ▶ This case will appear on the docket until one of the other options is selected. It will not automatically be rescheduled to another docket. The trustee will need to enter the original §341 meeting date to have the debtors name appear again to select an option.

- **Trustee wishes to adjourn meeting to next docket.**
 - ▶ The trustee is instructed to manually docket the event "Virtual - Meeting of Creditors Adjourned - Chapter 7". This event is found from the ECF menu "Bankruptcy", "Trustee/US Trustee", then select from the pick list "Virtual - Meeting of Creditors Adjourned - Chapter 7". This event will prompt for the next meeting date and time for the trustee and the case will automatically move to that docket. **This event should be used for limited purposes only.**

- ❖ **Asset** - By checking this radio button the court's entry of ***"Meeting of Creditors Held - Assets. Trustee requests Notice of Assets be sent to all creditors"*** will be docketed to the case and the §341 meeting will be satisfied.

- ❖ **Undetermined** - By checking this radio button the court's entry of ***"Meeting of Creditors Held - Asset Status is undetermined at this time"*** will be docketed to the case and the §341 meeting will be satisfied. Once the asset status is determined the trustee is instructed to manually docket the appropriate event which may be found from the ECF menu "Bankruptcy" then "Trustee/US Trustee".

- ❖ **No Show - THIS BUTTON WILL ONLY BE CHECKED WHEN BOTH DEBTORS DO NOT APPEAR.** By checking this radio button the court's entry of ***"Meeting of Creditors Not Held"*** will be docketed to the case, however the §341 meeting will **NOT** be satisfied. The Clerks office will set a fourteen day deadline for the debtor to file a motion to dismiss, convert, excuse, or continue said hearing.

- ❖ **No Support Doc** - By checking this radio button the court's entry of ***"Meeting of Creditors Not Held Due to No Supporting Documents Submitted"*** will be docketed to the case, however the §341 meeting will **NOT** be satisfied.

- ❖ The Report of No Distribution (NDR) now has four columns where there used

to be one as shown in **Figure 2**.

- No Funds
- Dismiss/Convert/Reassign No Funds
- Dismiss/Convert/Reassign Funds
- Minimal Funds

U.S. Bankruptcy Court Western District of Kentucky Trustee Julie Brown Apperson Date: 2/6/2009									
Case No.	Pass	Report of No Distribution (NDR)				Asset	Undetermined	No Show	No Support Doc
		No Funds	Dismiss/Convert No Funds	Dismiss/Convert Funds	Min Funds				
08-30043 A. Bald KYWB Eagle and Harp E. Eagle	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
09-30003 Mary Lois Purple and George Purple	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
09-30006 A. Bald KYWB Eagle and Harp E. Eagle	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
09-30021 Arlene M. Green	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Figure 2

❖ **Chapter 7 Trustee's Report of No Distribution - No Funds**

- ❖ The **Figure 3** below illustrates how the NDR No Funds report will be processed using the Trustee's 341 Filings program. Selecting the **No Funds** button will expand the screen to two new rows to display the fields used to produce the report.

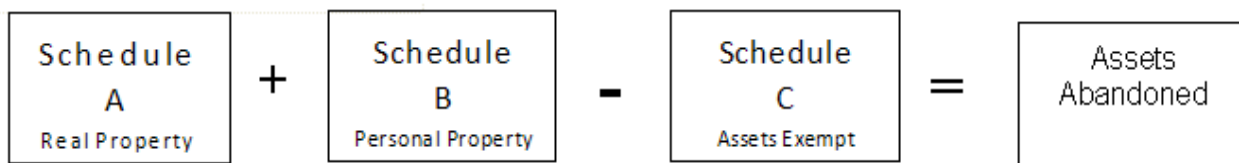
U.S. Bankruptcy Court Western District of Kentucky Trustee Julie Brown Apperson Date: 2/6/2009									
Case No.	Pass	Report of No Distribution (NDR)				Asset	Undetermined	No Show	No Support Doc
		No Funds	Dismiss/Convert No Funds	Dismiss/Convert Funds	Min Funds				
08-30043 A. Bald KYWB Eagle and Harp E. Eagle	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
		Real Property (6A)	80000.00	Personal Property (6B)	53910.00	Assets Exempt (6C)		Assets Abandoned	133910.00
Claims Discharged	204650.00	Secured Claims (6D)	100539.00	Unsecured Priority Claims (6E)	1037.00	Unsecured Nonpriority Claims (6F)	103074.00	Claims Scheduled	204650.00

Figure 3

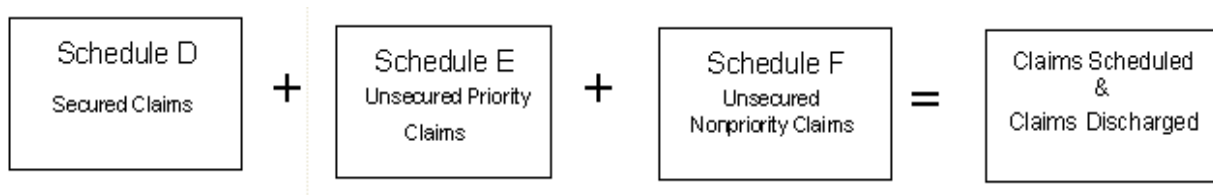
- ❖ Figures shown in grey are values from the debtor's schedules if previously entered in CM/ECF. These values cannot be modified by the trustee on this screen:
 - Real Property (6A)
 - Personal Property (6B)
 - Secured Claims (6D)
 - Unsecured Priority Claims (6E)
 - Unsecured Nonpriority Claims (6F)
- ❖ The following data field values will not be greyed out and are accessible by the trustee for entry or modification as necessary:
 - Assets Exempt (6C).
 - Assets Abandoned
 - Claims Discharged
 - Claims Scheduled

NOTE: *Single Case Docketing* - Docketing this event in a single case will present the same screen.

- ❖ For both screens, the values in Schedule A plus Schedule B minus Schedule C calculate to the amount in Assets Abandoned.



- ❖ The values for Assets Abandoned and Assets Exempt value remain accessible in the event the trustee needs to enter an amount that does not equal $A + B - C$. If the trustee enters an amount in either of these fields, the remaining values on the screen will not be recalculated nor automatically adjusted.
- ❖ For both screens, the values in Schedule D plus Schedule E plus Schedule F calculate to total reported for Claims Discharged and also Claims Scheduled.



- ❖ The Claims Discharged and Claims Scheduled values remain accessible in the event the trustee needs to enter an amount that does not equal $D + E + F$. If the trustee enters an amount for either of these values, the remaining values on the screen will not be recalculated or automatically adjusted.
- ❖ The NDR docket text report produced for this option from either the Trustee's 341 Filings program or single case docketing process for No Funds will be identical.
- ❖ The number of months pending will be calculated from today's date less the file date of the case.
- ❖ If values from the debtor's schedules do not apply to this report, the text report will display these values as "Not Applicable." Otherwise, if the debtor's schedules have not been submitted when the NDR - No Funds is filed, the text report will display "Not Available."
- ❖ This virtual report will only be produced as a docket text entry on the case docket report. Calculated variables and entries by the trustee will be stored in text but not written to the CM/ECF database.

Chapter 7 Trustee's Report of No Distribution: I, **Trustee's Name**, having been appointed trustee of the estate of the above-named debtor(s), report that I have neither received any property nor paid any money on account of this estate; that I have made a diligent inquiry into the financial affairs of the debtor(s) and the location of the property belonging to the estate; and that there is no property available for distribution from the estate over and above that exempted by law. Pursuant to Fed R Bank P 5009, I hereby certify that the estate of the above-named debtor(s) has been fully administered. I request that I be discharged from any further duties as trustee. Key information about this case as reported in schedules filed by the debtor(s) or otherwise found in the case record: *This case was pending for 9 months.* **Assets Abandoned: \$ 125000.00, Assets Exempt: \$ 25000.00, Claims Scheduled: \$ 153616.00, Claims Asserted: Not Applicable, Claims scheduled to be discharged without payment: \$ 153616.00.** Filed by **Trustee's Name** .

❖ **Chapter 7 Trustee's Report of No Distribution - Dismissed, Converted or Reassigned, No Funds**

- ❖ When a case has either been dismissed, converted or reassigned, and no funds are available for distribution, no additional entry of data is required by the trustee for the Trustee’s 341 Filings program.
- ❖ When the Dismiss/Convert No Funds radio button is selected, as shown in **Figure 4**, the row will not expand to display additional fields the way it does on the other NDR reports.

U.S. Bankruptcy Court Western District of Kentucky Trustee Julie Brown Apperson Date: 2/6/2009									
Case No.	Pass	Report of No Distribution (NDR)				Asset	Undetermined	No Show	No Support Doc
		No Funds	Dismiss/Convert No Funds	Dismiss/Convert Funds	Min Funds				
08-30043 A. Bald KYWB Eagle and Harp E. Eagle	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
09-30003 Mary Lois Purple and George Purple	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Figure 4

NOTE: *Single Case Docketing* - Docketing this event in a single case will present the same screen.

- ❖ The docket text report produced from either the Trustee’s 341 Filings program or single case docketing process for this event will be identical.
- ❖ All fields will be reported as “Not Applicable.”
- ❖ The number of months pending will be calculated from today’s date less the date the trustee has filed the event to the date the case was opened/reopened or converted.

Chapter 7 Trustee's Report of No Distribution: I, **Trustee’s Name**, having been appointed trustee of the estate of the above-named debtor(s), report that this case was dismissed, converted, or reassigned. I have neither received any property nor paid any monies on account of this estate. Pursuant to Fed R Bank P 5009, I hereby certify that the chapter 7 estate of the above-named debtor(s) has been fully administered. I request that I be discharged from any further duties as trustee. Key information about this case as reported in schedules filed by the debtor(s) or otherwise found in the case record: *This case was pending for 4 months. Assets Abandoned: Not Applicable, Assets Exempt: Not Applicable, Claims Scheduled: Not Applicable, Claims Asserted: Not Applicable, Claims scheduled to be discharged without payment: Not Applicable.* Filed by **Trustee’s Name** .

❖ **Chapter 7 Trustee's Report of No Distribution - Dismissed, Converted or Reassigned, Some Funds Collected**

- ❖ When a case has been converted, dismissed or reassigned and some funds were collected, only the field for Assets Collected is available for entry for both Single Case Docketing and the Trustee's 341 Filings utility.
- ❖ Selecting the Dismiss/Convert Funds button will display a field for entry of the amount of Assets Collected for that case as in **Figure 5**.

U.S. Bankruptcy Court Western District of Kentucky Trustee Julie Brown Apperson Date: 2/6/2009									
Case No.	Pass	Report of No Distribution (NDR)				Asset	Undetermined	No Show	No Support Doc
		No Funds	Dismiss/Convert No Funds	Dismiss/Convert Funds	Min Funds				
08-30043 A. Bald KYWB Eagle and Harp E. Eagle	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assets Collected <input type="text"/>									
09-30003 Mary Lois Purple and George Purple	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Figure 5

NOTE: *Single Case Docketing* - Docketing this event in a single case will present the same screen.

- ❖ The only key information appearing on the NDR Dismissed, Converted or Reassigned, Some Funds report is Total Collected Funds and the calculation of months the case was pending.
- ❖ The number of months pending will be calculated from today's date less the date the trustee has filed the event to the date the case was opened/reopened or converted.

Chapter 7 Trustee's Report of No Distribution: I, **Trustee's Name**, having been appointed trustee of the estate of the above-named debtor(s), report that this case was dismissed, converted, or reassigned. I **collected funds totaling: \$1054.00**. All funds have been returned or transferred to the successor trustee. All bank statements and canceled checks, if any, have been submitted to the United States Trustee. The bank statements reflect a final zero balance and no other funds or assets of the estate remain in my custody. Pursuant to Fed R Bank P 5009, I hereby certify that the chapter 7 estate of the above-named debtor(s) has been fully administered. I request that I be discharged from any further duties as trustee. Key information about this case as reported in schedules filed by the debtor(s) or otherwise found in the case record: **This case was pending for 5 months. Assets Abandoned: Not Applicable, Assets Exempt: Not Applicable, Claims Scheduled: Not Applicable, Claims Asserted: Not Applicable, Claims scheduled to be discharged without payment: Not Applicable.** Filed by **Trustee's Name**.

❖ Chapter 7 Trustee's Report of No Distribution - Minimal Funds Collected

- ❖ The screen in **Figure 6** illustrates how the Minimal Funds Collected NDR will be created using the Trustee's 341 Filings program.
- ❖ Figures shown in grey are values from the debtor's schedules if previously entered in CM/ECF. These values cannot be modified by the trustee on this screen:
 - Real Property (6A)
 - Personal Property (6B)
 - Secured Claims (6D)
 - Unsecured Priority Claims (6E)
 - Unsecured Nonpriority Claims (6F)
- ❖ The following data field values will not be greyed out and are accessible by the trustee to enter an amount :
 - Assets Collected
 - Assets Exempt (6C)
 - Assets Abandoned
 - Claims Discharged
 - Claims Scheduled

U.S. Bankruptcy Court Western District of Kentucky Trustee Julie Brown Apperson Date: 2/6/2009									
Case No.	Pass	Report of No Distribution (NDR)				Asset	Undetermined	No Show	No Support Doc
		No Funds	Dismiss/Convert No Funds	Dismiss/Convert Funds	Min Funds				
08-30043 A. Bald KYWB Eagle and Harp E. Eagle	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Assets Collected	<input type="text"/>	Real Property (6A)	<input type="text" value="80000.00"/>	Personal Property (6B)	<input type="text" value="53910.00"/>	Assets Exempt (6C)	<input type="text"/>	Assets Abandoned	<input type="text" value="133910.00"/>
Claims Discharged	<input type="text" value="204650.00"/>	Secured Claims (6D)	<input type="text" value="100539.00"/>	Unsecured Priority Claims (6E)	<input type="text" value="1037.00"/>	Unsecured Nonpriority Claims (6F)	<input type="text" value="103074.00"/>	Claims Scheduled	<input type="text" value="204650.00"/>

Figure 6

NOTE: *Single Case Docketing* - Docketing this event in a single case will present the same screen.

- ❖ The docket text produced from both processes will be identical.

Chapter 7 Trustee's Report of No Distribution: I, **Trustee's Name**, having been appointed trustee of the estate of the above-named debtor(s), report I collected funds totaling **Funds Collected: \$1054.00**. After making diligent inquiry into the financial affairs of the debtor(s) and the location of the property belonging to the estate, I have determined that there are insufficient assets to administer. All funds have been returned. All bank statements and canceled checks, if any, have been submitted to the United States Trustee. The bank statements reflect a final zero balance and no other funds or assets of the estate remain in my custody. Pursuant to Fed R Bank P 5009, I hereby certify that the estate of the above-named debtor(s) has been fully administered. I request that I be discharged from any further duties as trustee. Key information about this case as reported in schedules filed by the debtor(s) or otherwise found in the case record: **This case was pending for 10 months. Assets Abandoned: \$ 125000.00, Assets Exempt: \$ 25000.00, Claims Scheduled: \$ 153616.00, Claims Asserted: Not Applicable, Claims scheduled to be discharged without payment: \$ 153616.00.** Filed by **Trustee's Name**.

- ❖ Key information provided in docket entry report from schedules or calculations:
 - *Funds (Assets) Collected*
 - Months case was pending
 - Assets Abandoned
 - Assets Exempt
 - Claims Scheduled
 - Claims Asserted (always NA)
 - Claims scheduled to be discharged without payment
- ❖ The number of months pending will be calculated from today's date less the file date of the case
- ❖ If values from the debtor's schedules do not apply to this report, the text report will display "Not Applicable." Otherwise, if the debtor's schedules have not been submitted when the NDR - Minimal Funds is filed, the text report will display "Not Available."