



# MEMORANDUM

**To:** Bankruptcy Practitioners in the Middle District of Georgia  
**From:** Kyle George, Clerk of Court  
**Subject:** Proposed Amendment of LBR 2002-1(h) and (i) July 29, 2022

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1. As a result of procedural changes at the Bankruptcy Noticing Center (BNC) regarding the disposition of Returned or Undeliverable Notices, the Court proposes to amend LBR 2002-1 subsections (h) and (i) to comport with current procedures. Subsection (h) is modified to change the responsibility of resolving undeliverable notices from the Clerk's Office to pro se debtors. Subsection (i) is modified to include pro se debtors and to remove reference to the Clerk's Instruction certification form because the BNC now provides a notice of non-mailing for undeliverable mail. Direction to provide a correct address or report an address as undeliverable has also been added to the rule.

2. The proposed changes to the rule are noted in the below red-line version:

**LBR 2002-1. Notice to Creditors and Other Parties in Interest [updated subsection (g) on August 1, 2014, subsection (a) on December 1, 2017, and subsections (h) and (i) on September 1, 2022]**

(Paragraphs a through g are omitted)

**(h) Returned Notices.** Notices from the Court as generated by and mailed out of the Bankruptcy Noticing Center including notice of any orders entered by the Court shall contain a return address for the attorney representing the debtor. If the debtor is pro se, the ~~return address~~ notices shall be ~~the debtor's address.~~ ~~returned to the Clerk of Court.~~ If a notice is returned to debtor's attorney ~~or pro se debtor~~ as undelivered, or the ~~debtor's~~ attorney ~~or pro se debtor~~ is given notice by the Bankruptcy Noticing Center that a notice was returned to the Bankruptcy Noticing Center, the debtor's attorney ~~or pro se debtor~~ shall be responsible for determining the correct address for the addressee on each returned notice. The debtor's attorney ~~or pro se debtor~~ shall reserve the notice and file a certificate of such service. At the time of the certification, the debtor's attorney ~~or pro se debtor~~ shall also provide the Clerk of Court with any corrected address. If a corrected address is not available, ~~counsel for debtor the~~

debtor's attorney or pro se debtor shall inform the Clerk by filing an appropriate certification, and the Clerk is then authorized to remove any incorrect address from the mailing list. ~~If the debtor is pro se, the Clerk's office shall attempt to resolve any undelivered notices. If unable to locate a corrected address for a returned notice, the Clerk is authorized to remove any incorrect address from the mailing list.~~

**(i) Undeliverable Notices.** If a creditor address is provided to the Court which cannot be mailed by the Bankruptcy Noticing Center, the debtor's attorney or pro se debtor will be notified by the **Bankruptcy Noticing Center** that the address is insufficient and the notice of the 11 U.S.C. § 341(a) Meeting of Creditors for the particular creditor involved was undeliverable. The debtor's attorney or pro se debtor shall immediately ascertain the correct address for such creditor and serve the notice of the 11 U.S.C. § 341(a) Meeting of Creditors at the correct address. The debtor's attorney or pro se debtor shall file a certification regarding service of such notices **using the Notice of Undeliverable Mail form provided by the Bankruptcy Noticing Center.** ~~in a form specified in the Clerk's Instructions.~~

**At the time of the certification, the debtor's attorney or pro se debtor shall also provide the Clerk of Court with any corrected address. If a corrected address is not available, the debtor's attorney or pro se debtor shall inform the Clerk by filing an appropriate certification, and the Clerk is then authorized to remove any incorrect address from the mailing list.**

3. If you have comments or suggestions regarding this new local rule, please contact me via email at [kyle\\_george@gamb.uscourts.gov](mailto:kyle_george@gamb.uscourts.gov) no later than September 1, 2022. Your assistance in this matter is greatly appreciated.