

06 - BK-012



Peter  
McCabe/DCA/AO/USCOURT  
S

09/22/2006 01:17 PM

To "James Ishida" <James\_Ishida@ao.uscourts.gov>, "Judy Krivit" <Judy\_Krivit@ao.uscourts.gov>, "Jennifer Noell" <Jennifer\_Noell@ao.uscourts.gov>, "Gale Mitchell"

cc

bcc

Subject Fw: Error on Bankruptcy Official Form 5, Involuntary Petition

Please log in. Thanks

Peter

----- Original Message -----

From: Robin Hunt [coloatty@earthlink.net]

Sent: 09/22/2006 12:19 PM

To: Peter\_McCabe@ao.uscourts.gov

Cc: Kelly\_Sweeney@cob.uscourts.gov

Subject: Fw: Error on Bankruptcy Official Form 5, Involuntary Petition

Dear Mr. McCabe,

Kelly Sweeney, Chief Deputy Clerk, U.S. Bankruptcy Court, District of Colorado, suggested that I contact you about an apparent error on the Involuntary Petition, Official Bankruptcy Form 5 - part of the proposed revisions to the bankruptcy forms, which I found available via a link on the web site of the U.S. Bankruptcy Court for the District of Colorado.

[http://www.uscourts.gov/rules/BK\\_Forms\\_06\\_Official/Form\\_5\\_rev\\_1006.pdf](http://www.uscourts.gov/rules/BK_Forms_06_Official/Form_5_rev_1006.pdf)

In the Filing Fee block of the Involuntary Petition, there are two references to section 304(g) regarding the availability of a waiver of the filing fee for a petitioner who is a child support creditor. Section 304 has been deleted entirely in BAPCPA, and there never was a subsection (g). Shouldn't the statutory reference be to section 303(g)?

Robin Hunt  
Associate Attorney  
Robert I. Cohen, P.C.  
1888 Sherman St., Ste. 400  
Denver, CO 80203  
303-830-2811

>-----Forwarded Message-----

>>From: Kelly\_Sweeney@cob.uscourts.gov

>>Sent: Sep 22, 2006 8:13 AM

>>To: Robin Hunt <ColoAtty@EarthLink.net>

>>Subject: Re: News on Rule and Forms adopted by Judicial Conference

>>

>>Robin,

>>I have the same information that you have. You could read the comments or

>>try to contact Peter McCabe.

>>Sorry that I cannot be more help.

>>Kelly Sweeney

>>Chief Deputy Clerk, U.S. Bankruptcy Court

>>720-904-7303

>>kelly\_sweeney@cob.uscourts.gov

>>

>>The Bankruptcy Court strives for excellence in delighting its  
>>practitioners, participants and the public by committing to their  
>>satisfaction through flawless service with courtesy, competence,  
>>efficiency, teamwork and professionalism.

>>Robin Hunt <ColoAtty@EarthLink.net>

>>09/22/2006 01:15 AM

>>To: "Kelly\_Sweeney@cob.uscourts.gov" <Kelly\_Sweeney@cob.uscourts.gov>

>>Subject: Re: News on Rule and Forms adopted by Judicial Conference

>>

>>Kelly,

>>

>>I was skimming over the revised forms on the web site for which you  
>>provided a url. I noticed that the Involuntary Petition (page 6 of 45)  
>>refers to section 304(g) in mentioning the waiver of the filing fee for a  
>>petitioner who is a child support creditor. Section 304 appears to have  
>>been completely deleted in BAPCPA, and there never was a subsection (g)  
>>anyway. Isn't that a reference to section 303(g)?

>>

>>Robin Hunt



Page6fromRevisedForms8-06.pdf Page 6 from RevisedForms8-06.pdf