

MODEL BANKRUPTCY PROTOCOL

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This Model Bankruptcy Protocol is a tool to provide social service districts general guidance for implementing office procedures and protocols for handling child support cases when the child support obligor has filed for bankruptcy protection. The Protocol is a general guide for establishing paternity and establishing, modifying, and enforcing child support after a bankruptcy petition has been filed.

This Model Bankruptcy Protocol serves as a general guide only. Development of your district's specific procedures and treatment of individual cases should be undertaken in consultation with your attorney.

The procedures identified below apply equally to child support and combined child and spousal support obligations. The Bankruptcy Code does not distinguish between spousal and child support, and both are treated the same.

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I. Terminology:

- A.** Pre-petition Arrears: Unpaid child support that became due before the date the bankruptcy petition was filed
- B.** Post-Petition Arrears: Unpaid child support that became due after the date the bankruptcy petition was filed
- C.** Trustee: The representative of the bankruptcy estate who exercises statutory powers, principally for the benefit of the unsecured creditors. The trustee's responsibilities include reviewing the Debtor's petition and schedules and bringing actions against creditors or the Debtor to recover property of the bankruptcy estate.
- D.** Chapter 7 Trustee: In chapter 7, the trustee also liquidates property of the estate, and makes distributions to creditors.
- E.** Chapter 12 or 13 Trustee: Trustees in chapter 12 and 13 have similar duties to a chapter 7 trustee and the additional responsibilities of overseeing the Debtor's plan, receiving payments from Debtors, and disbursing plan payments to creditors.
- F.** Claim: A creditor's assertion of a right to payment from the Debtor or the Debtor's property.
- G.** Proof of claim: A written statement and verifying documentation filed by a creditor that describes the reason the Debtor owes the creditor money. (There is an official form for this purpose.)
- H.** Bankruptcy Estate: A bankruptcy estate is created at the time the petition is filed. The property in the bankruptcy estate is administered under the provisions of bankruptcy law and is used to satisfy claims. The estate property is subject to certain protections from creditors. In general, it includes all legal or equitable interests of the debtor in property as of the commencement of the case, and in some cases, property transferred before the case commenced. In chapters 12 and 13 it includes all property debtor acquires post-petition including post-petition earnings until case is closed, dismissed, or converted.
- I.** Domestic Support Obligation (DSO): Debts including past, present and future debts in the nature of alimony, maintenance and support (spousal and child), including interest on these obligations. The definition includes debts owed to governmental units for assistance provided. 11 U.S.C. § 101(14A):

The term "domestic support obligation" means a debt that accrues before, on, or after the date of the order for relief in a case under this title, including interest that accrues on that debt as provided under applicable nonbankruptcy law notwithstanding any other provision of this title, that is—

- i. owed to or recoverable by—
 - 1. a spouse, former spouse, or child of the Debtor or such child's parent, legal guardian, or responsible relative; or
 - 2. a governmental unit;
- ii. in the nature of alimony, maintenance, or support (including assistance provided by a governmental unit) of such spouse, former spouse, or child of the Debtor or such child's parent, without regard to whether such debt is expressly so designated;
- iii. established or subject to establishment before, on, or after the date of the order for relief in a case under this title, by reason of applicable provisions of—
 - 1. a separation agreement, divorce decree, or property settlement agreement;
 - 2. an order of a court of record; or
 - 3. a determination made in accordance with applicable nonbankruptcy law by a governmental unit.

II. NOTICE OF BANKRUPTCY, IDENTIFICATION OF DISTRICT'S CLAIM

A. County-wide procedures.

1. Each county or city should have a procedure for handling bankruptcy notices. For example, every notice of bankruptcy received by the county or city, whether written or oral, could be routed to a designated office or offices, such as the County Attorney's office, the social services district's counsel, or the finance office. This office would then identify the nature of the debt and notify each affected county or city agency of the filing and the need to cease any enforcement barred by the automatic stay or other provision of bankruptcy law.
2. The notice may not state the exact nature of the debt or debts. Possible debts include child support, real property taxes, public benefits recoupment, claims arising from welfare fraud, county agency fines, etc.
3. To ensure that the appropriate county agency knows of the filing (and automatic stay), the exact nature of the county or city's interest must be ascertained.
 - a. The nature of the claim might be apparent from the notice or other communications. If not, the office handling the bankruptcy notices should review the court file (using PACER, the federal court's electronic service for public access to court records and docket information: <http://pacer.psc.uscourts.gov>).
 - b. If the nature of the debt is unclear the county or city should have a procedure for contacting the Debtor's attorney for clarification.
 - c. The county or city may also ask individual departments to search its records for any debts that might be subject to the provisions of the Bankruptcy Code.
4. If the bankruptcy notice identifies a domestic support obligation (DSO) the notice must be immediately forwarded to the child support enforcement unit (CSEU), so it may take steps to comply with the Bankruptcy Code, including the automatic stay. (See Sections III and IV, below). Employees receiving oral notice of the filing of a bankruptcy petition should request the name and address of the court, date of filing, name and address of the Debtor and of his or her attorney, and the nature of the debt.

B. General procedures for county or city agencies or departments.

1. Any agency or department with a potential claim in bankruptcy should consult with its counsel's office regarding the bankruptcy and the nature of the claim. In the alternative, counsel's office may establish procedures to be followed by affected agencies.
2. Counsel will advise any agency or department of the appropriate steps to comply with the automatic stay and other provisions of the Bankruptcy Code.
3. Counsel may file an appearance with the bankruptcy court, ensuring that all future information, inquiries or notices will go through counsel's office.
4. In general, no collection activities should be undertaken without consulting counsel or following an established procedure.

C. CSEU Procedures.

1. Notice of bankruptcy. Once a child support claim is identified, the CSEU should be immediately notified that a bankruptcy petition has been filed. The "Notice of Chapter _XX_ Bankruptcy Case, Meeting of Creditors & Deadlines" will identify the name, social security number, and address of the Debtor, the Debtor's attorney and attorney address, the case number, and the name and address of the Bankruptcy Trustee. The notice also identifies

the date, location and time for the meeting of creditors; provides deadlines for filing a complaint objecting to discharge; and direction as to whether or not a proof of claim must be filed. The bankruptcy notice also advises the creditor of the automatic stay of certain collection and other actions against the Debtor and the Debtor's property. (See Sections III and IV, below).

2. In developing its procedures, the CSEU should designate who receives all notices and who is responsible for taking the necessary steps to comply with the Bankruptcy Code requirements. Unless counsel's office is designated as the initial point for processing bankruptcy notices, CSEU counsel should be sent a copy of bankruptcy notices. The case record should be updated to reflect the date of filing and date of receipt of the notice.
3. The CSEU or counsel should review the notice and ensure that the Debtor named in the notice is a child support obligor and has a child support order that is being enforced by the CSEU.
 - a. If there is a DSO but child support services are not being provided by any CSEU (a "private" or "non-IV-D" case), no further action is required, but the CSEU may return the notice to the Bankruptcy Court, copy to the Debtor's attorney and trustee, with a cover letter indicating that the CSEU is not providing child support services for the Debtor or the custodial parent.
 - b. If the case record indicates that the arrears have been referred to the Department of Taxation and Finance (DTF) for enforcement, that another NYS CSEU has an open case, or the child support agency of another state has an open case, a copy of the notice should be sent to DTF, the other CSEU, and/or the other state's child support agency.

III. LIMITATIONS ON ENFORCEMENT DURING BANKRUPTCY– GENERAL INFORMATION

A. Automatic Stay

1. The automatic stay goes into effect on the date that the bankruptcy petition is filed, although there are some exceptions for DSOs. The automatic stay means that a creditor, including a county, city, or CSEU, may not take or continue certain actions to enforce or establish debts. Actions which violate the automatic stay may result in a court order sanctioning the creditor and awarding damages, attorney's fees, punitive damages, and costs payable to the Debtor.
2. There are exemptions to the automatic stay (See Section IV.A below). If an action is exempt from the automatic stay, the CSEU may commence or continue that action without violating the automatic stay or being subject to penalties.
3. The CSEU (by its counsel) may seek to lift the automatic stay for a specific enforcement action if there is a question about whether it is exempt. The CSEU **MUST** move to lift the automatic stay if the action the CSEU wishes to take will violate the automatic stay. To do so, the CSEU counsel files a motion for relief from the automatic stay in the bankruptcy court.

B. Chapter 13 limitations after confirmation of the plan.

1. The provisions of a confirmed Chapter 12 or 13 plan bind the Debtor and each creditor, whether or not the claim of such creditor is provided for by the plan, and whether or not a creditor has objected to, has accepted, or has rejected the plan. 11 U.S.C. § 1327(a).

2. An unappealed, confirmed plan is res judicata, and its terms are not subject to collateral attack. Once final, the plan represents a binding determination of the rights and liabilities of the parties as set out by the plan.
3. The terms of a confirmed plan are binding, even if they conflict with other provisions of the Bankruptcy Code.
4. A violation of the terms of the plan by a creditor may be enforced as a contempt of court. The court may award damages, attorneys fees and costs.

IV. ENFORCEMENT DURING BANKRUPTCY UNDER CHAPTERS 7 AND 13

A. Exemptions: The DSO exemptions from the automatic stay are the same for all bankruptcy chapters. The case record should be adjusted to prevent all non-exempt enforcement activities (See Appendix A).

1. The following actions are exempt from the automatic stay:
 - a. Collection of a domestic support obligation from property that is not property of the estate.
 - b. Income Executions for payment of a domestic support obligation (both current support and arrears).
 - c. Withholding, suspension, or restriction of a driver's license, a professional or occupational license, or a recreational license.
 - d. Reporting of overdue support owed by a parent to any consumer reporting agency.
 - e. Interception of a state or federal tax refund.
 - f. Enforcement of a medical obligation, including medical executions.
2. Lottery intercept and passport suspension – These actions are not specifically listed as exempt. In a Chapter 7, neither the lottery prize nor the Debtor's passport are property of the bankruptcy estate and enforcement against non-estate property is an exemption from to the stay. In chapters 12 and 13, property acquired after filing the petition is property of the estate. See paragraph C.2 below regarding post-petition arrears.
3. Referral to DTF – This enforcement activity is not exempt. If the referral is not complete, discontinue the process. If the case has already been referred, send DTF a copy of the bankruptcy notice. DTF should not take any enforcement activity that violates the automatic stay.
4. Property executions and restraining notices – This enforcement activity is not exempt. No new executions or notices should be issued. Counsel should be consulted as to whether outstanding restraining notices and levies must be withdrawn.
5. Personal Injury Claims – This enforcement activity is not exempt. Counsel should be consulted as to whether existing liens need to be withdrawn. In a chapter 7 case, no new liens should be issued unless the Trustee abandons any interest in the personal injury claim or case. Otherwise no efforts should be made to create or enforce the lien against estate property without a court order lifting the stay.

B. Court Proceedings.

1. Commencement or continuation of the following types of civil actions or proceedings is exempt from the automatic stay:
 - a. Establishment of paternity.
 - b. Establishment or modification of a DSO.
 - c. Child custody or visitation proceedings.

- d. Dissolution of a marriage, except to the extent that the proceeding seeks to determine the division of property that is property of the estate.
 - e. Domestic violence proceedings.
 - f. Court actions to withhold, suspend, or restrict a driver's license, a professional or occupational license, or a recreational license to enforce a DSO.
2. Criminal proceedings generally are not stayed.
 3. Enforcement of Child Support
 - a. Family court violation petitions based on pre-petition arrears are stayed and the CSEU must withdraw or move to terminate any family court enforcement petition except in limited circumstances. The CSEU could proceed to collect or enforce the obligation against non-estate property or seek a remedy that is exempt from the automatic stay (i.e., court-based license suspension). Great care should be taken not to inadvertently violate the automatic stay in any proceeding, as a violation will lead to an award of damages and attorney's fees.
 - b. Family court violation petitions based on post-petition arrears may be filed if they seek to collect support from non-estate assets or seek a remedy that is not barred by the automatic stay. Counsel should at all times emphasize that only post-petition arrears are being enforced. Since the Debtor is required to make all post-petition current support payments under Chapter 13, a motion to dismiss the bankruptcy proceeding or convert it to a chapter 7 for failure to pay current child support may be filed.
 - c. Post-petition state court enforcement proceedings, even when allowed by the Bankruptcy Code, can lead to litigation in the bankruptcy court. CSEU counsel should be careful at every stage of the proceeding to ensure that the court's actions do not go beyond the relief permitted by the Bankruptcy Code. When in doubt, counsel could consider first moving for relief from the stay.
 - d. If the custodial parent files a violation petition that violates the automatic stay, the CSEU should alert the court and, if the CSEU is a party, move to dismiss without prejudice to re-file when permitted by the Bankruptcy Code. The CSEU should not take any action in support of a proceeding initiated or continuing in violation of the stay.

C. Additional Limitations on Enforcement in Chapter 13

1. Pre-petition arrears.
 - a. If child support arrears are included in the Plan, they must be paid in full during the term of the Plan.
 - b. The CSEU may not collect the arrears by other means, and the account must be adjusted to prevent automated enforcement. (See Appendix A.)
 - c. The Debtor will make payments to the Chapter 13 trustee, who will forward them periodically. If payments are not being received, the CSEU should contact the Trustee to determine whether payments are being made.
2. Post-petition child support arrears
 - a. The Debtor is required to pay current support that becomes due after the filing of the petition in order for the plan to be confirmed. 11 U.S.C. § 1325(a)(8)
 - b. If the Debtor fails to pay post-petition support, a creditor may ask the court for an order to convert the case to a chapter 7 or dismiss the case. 11 U.S.C. § 1307(c)(11).
 - c. Post-petition debts are generally not paid under the plan and enforcement does not violate the terms of the plan. However, the automatic stay still applies and prohibits any act to create, perfect, or enforce any lien against property of the estate. The exceptions to the stay listed in section IV.A. above allow some enforcement activities.

- d. Any enforcement should be clear that the only arrears being enforced are those that accrued post-petition. CSEU and its counsel should be careful at every stage of administrative enforcement or court proceedings to ensure that the actions do not go beyond the relief permitted by the Bankruptcy Code.

V. INTERIM STEPS UNDER ALL CHAPTERS

A. Claims

1. Appearance by CSEU Counsel. Counsel for the CSEU may file a notice of appearance at no cost (form [B2810 APPEARANCE OF CHILD SUPPORT CREDITOR](#)). This will entitle the CSEU to notice of all future appearances, court actions, etc.
2. Claims. The CSEU should file a proof of claim, unless directed not to do so in the “Notice of Bankruptcy Chapter 7 Case” (the CSEU doesn’t need to file a claim in a Chapter 7 “no assets” case). The claim should be prepared by or reviewed and approved by the CSEU’s legal office or by the CSEU following a procedure approved by CSEU counsel. If a claim is filed, it is presumed to be correct unless the Debtor objects.
3. The proof of claim should specify the arrears due to the custodial parent and to the CSEU separately. If a money judgment has been entered, the claim should include interest on the judgment and state that interest is accruing.
4. Child support claims are priority unsecured claims, with priority over other creditors, except certain administrative expenses.

B. Discovery

1. The Debtor is required to provide detailed financial information with the petition that may be used in filing motions in the bankruptcy or in future enforcement or modification proceedings.
2. The CSEU may obtain a copy of the petition and the income, expense and property schedules for its records.
3. The CSEU attorney may attend creditor meetings, including a section 341 meeting (if one is held), where the Debtor testifies.

C. Evaluating Chapter 12 and 13 plans.

1. Review the plan to ensure that child support arrears are treated properly. Non-assigned (non-PA) arrears are entitled to first Priority status and must be paid in full under the Plan. Arrears assigned to a governmental entity (PA arrears) are also entitled to Priority status, right after non-assigned arrears. They must be paid in full under the plan UNLESS the Debtor is paying all of his or her “disposable income” (as defined in the Bankruptcy Code) into the plan for a 5-year period. If the full amount of assigned arrears is not paid during the plan, the balance is non-dischargeable.
2. Current support is paid outside the plan. The CSEU should file objections to the plan where appropriate, such as where the amount paid by the Debtor monthly is not sufficient to pay the arrears and interest in full.
3. A plan should not be confirmed if the Debtor has not paid post-petition current child support when due. Counsel should review the other debts and overall plan.

D. Transfer of child support services case.

1. If the case is transferred to another county's CSEU during the pendency of the bankruptcy case, the transferring CSEU must advise the receiving CSEU of the pending bankruptcy and cooperate with the new CSEU to ensure ongoing compliance with the automatic stay.
2. The CSEU receiving the case must advise the bankruptcy court to add its name and address on the creditor's matrix (for notice purposes), and the CSEU attorney in the receiving district should file an appearance.

E. Interstate Cases. If New York is the initiating state, a copy of the initial Notice must be sent to the receiving state. If New York is the receiving state, a copy of the initial Notice must be sent to the initiating state.

VI. CLOSE OF THE BANKRUPTCY CASE

A. Discharge.

1. Bankruptcy discharge releases the Debtor from personal liability for most types of debts. The discharge is a permanent order prohibiting the creditors from taking any form of collection action on discharged debts, including legal action and communications with the Debtor, such as telephone calls, letters, and personal contacts. Valid liens that are not avoided by the bankruptcy court may be enforced against the property the lien is attached too, but the Debtor can't be held personally liable for any amounts due after sale of the property.
2. DSOs are still enforceable. In general, the CSEU does not need to initiate proceedings to determine the dischargeability of a child support debt. Any debt "in the nature of ... support" is non-dischargeable. This includes medical expenses, confinement, child care orders, educational expenses and certain legal fees.
3. The Debtor must certify that he or she has made all current support payments in order to obtain a discharge in Chapter 12 or 13.

B. Dismissal.

1. Debtor's failure to comply with the plan may lead to dismissal of the case. The Debtor must also continue to make all current child support payments, both after filing a petition and after confirmation of the plan.
2. The Debtor is required to begin making payments to the Chapter 13 Trustee within 30 days of filing the plan. Once the plan is confirmed, plan payments should be distributed to the CSEU.
3. If the Debtor fails to make the required plan payments, the Trustee should move to dismiss the case. The CSEU attorney may also move to lift the automatic stay or dismiss the case.

C. Termination of the automatic stay.

1. All actions subject to the automatic stay are barred until:
 - a. The case is closed;
 - b. The case is dismissed;
 - c. A discharge is granted or denied; or
 - d. A motion to lift the automatic stay is granted.

2. The court will give notice of the closure or dismissal of the case, or of the discharge to all creditors. In addition, the trustee is required to notify the child support agency of the termination of the case, and provide information including:
 - a. the Debtor's last known address;
 - b. the Debtor's most recent employer and the employer's address; and
 - c. the names and addresses of creditors holding claims that were not discharged or were reaffirmed. The CSEU may write these creditors and ask for the Debtor's most recent address.

D. Re-institution of collection activities.

1. On receipt of a notice of dismissal, closure or discharge, the CSEU should re-set all fields on ASSETS to re-institute enforcement activities. However, non-payment of pre-petition arrears during a chapter 7 proceeding or partial payment under a chapter 12 or 13 plan cannot, standing alone, be the basis for filing a violation petition or instituting a DMV suspension proceeding, DTF referral or other default-based enforcement process. If a default occurred before the bankruptcy petition was filed, and the case still meets the threshold or statutory requirements for an administrative enforcement process after the case closes or a discharge is granted, then the administrative enforcement may be initiated. A violation petition may be filed if the Debtor has failed to make current support payments during the pendency of the bankruptcy proceeding (as set forth above) or defaults post-discharge.
2. The CSEU should have a "tickler" system to periodically review cases in bankruptcy, in the event the case has been dismissed, closed, or discharged without notice reaching the CSEU. Normally, a discharge issues in a Chapter 7 case 60 to 90 days after the date first set for the meeting of creditors. In Chapter 13 cases, the case continues according to the terms of the plan, usually between 3 and 5 years from the date the plan is confirmed.

APPENDIX A

Steps To STOP Administrative Enforcement Processes on ASSETS, when appropriate.

Income Executions – Change the delinquency switch on IVDQRY to 86 and then, the next day, to 19.

Medical Execution Process – To ensure that the case is taken out of the MEDX process local districts must complete the following steps:

If the MEDX-IND is equal to 02, 04, 05, 07, 08, 15 or 95 and the account does not have a pending/open MEDX (no RE records with an EM-IND = 1, 2, 3, 7, 8, 9, Z or A) then the MEDX-IND should be changed to 13 (Bankruptcy case, no MEDX enforcement).

If the MEDX-IND is equal to 02, 04, 05, 07, 08, 15 or 95 and the account has a Pending/open MEDX (RE records with an EM-IND = 1, 2, 3, 7, 8, 9, Z or A), then the MEDX must be terminated by setting the MEDX-IND to an 86. All records with an EM-IND of 1, 2, 3, 7, 8, 9, Z or A will be selected for a MEDX Termination Notice and the MEDX-IND will be set to a 02 during the weekend accounting run. The following week after the MEDX-IND has changed to a 02 the MEDX-IND must be changed to a 13 (Bankruptcy case, no MEDX enforcement).

Unemployment Insurance Intercept -- Enter an “8” in the UIB-IND to request a termination to the Department of Labor. When CSMS changes the UIB-IND to “4”, set the UIB-IND to “9” to prevent the case from reentering the process.

Tax Refund Offset Process (TROP) – by entering a “B” in the DCO field for the tax refund offset process via the 33 DCOR transaction on page 00 of IVDQRY screen, and, if the account is already certified, by processing a negative 64 batch transaction for each ledger certified on the account to delete the account from TROP. After the August end-of-month, the district must still enter the “B” value for bankruptcy so it will appear on the listing of accounts generated during May’s end-of-month run each year, which lists each case in a district with the “B” value for bankruptcy. Once this annual list is received, the district should review each case to determine if the automatic stay is no longer in effect. If the automatic stay is no longer in effect, the “B” value should be removed via the 33 DCOR transaction, else leave the “B” on the account.

Driver License Suspension – The entry of delinquency switch 19 in #1 above will generate a termination notice to DMV on those accounts in which a referral to DMV has been sent and will prevent the submission of any new eligible accounts to DMV. The entry of a “B” in #2 above will not remove accounts already in the DMV process and will prevent the submission of any new eligible accounts to DMV.

Lottery Intercept and Credit Reporting – Enter a “C” in the CR-IND. For credit bureau reporting, contact Larry Dole at (518) 473-0192 to prevent these accounts from resubmittal to the CRA’s and Lottery.

Referral to Taxation and Finance – The entry of delinquency switch 19 in #1 above will stop enforcement at DTF and will prevent the submission of any new eligible accounts to DTF. The entry of the “B” in #2 above will not remove those accounts already sent to DTF and will prevent the submission of any new eligible accounts to DTF.

Property Execution: Delinquency switch 19 will prevent CSMS from building new PEX records from financial institution data match records (CSMS screen IVDFDM).

The local district worker must:

Vacate **all** restraining notices (property execution code 02 or 15 [mistake of fact claim]) **and all** executions (IVDRPA records with a property execution code of (04).

When vacated **and only** when vacated, change the property execution code from 01 to 96 on the affected property execution records. Note that in all instances where the property execution code is being changed from 01 to 96, the property execution code must be changed from 01 to 96 on the same day.

Set a tickler date for one year. Property execution code 96 changes to 60 after one year.

Look for a property execution record with a property execution code of 01. If found, change the code to 96.

Look for a property execution record with a property execution code of 07. If found, change the code to 96.

Look for a property execution record with a property execution code of 60. If found, change the code to 96.

Look for a property execution record with a property execution code of 66. If found, change the code to 01 then 96.

Look for a property execution record with a property execution code of 76. If found, change the code to 01 then 96.

Look for a property execution record with a property execution code of 86. If found, change the code to 01 then 96.

Please note that property execution code 96 will remain for one (1) year. After one (1) year and if the CSMS account continues to meet the PEX eligibility criteria, CSMS will change the property execution code value from 96 to 01 to 60. The local district will then have forty-five (45) days to decide whether to allow PEX to proceed.

In the alternative and depending on the facts and circumstances of the case, the local district can set the DCO indicator on the CSMS screen IVDQY1 to the value “B”. To do so, on IVDQY1, the local district worker must use

transaction code 33 with type DCOR followed by a space followed by the letter B.

TR-TYPE 33 CHNG DCOR B _____ R1 _____ R2 _____
KEY _____ PAGE 00 OF 03 XMT/PASSOFF ->

Whenever the DCO value is set to “B” (bankruptcy), new PEX records will be built by CSMS but set to a property execution code 01 and will be prevented from entering the PEX process (CSMS will not issue a restraining notice etc.). PEX records with property execution code 60 (review in progress) will be reset by CSMS to property execution code 01 and prevented from entering the PEX process. PEX records with property execution code 02 (restraining notices issued) or 04 (execution issued) must be reviewed by the local CSEU and a determination made as to whether the restraining notice or execution should be allowed to move forward. Local CSEUs should consult with their attorney or the bankruptcy court as to whether PEX should proceed.

Personal Injury Insurance Claim Settlement Intercept Process – If the PIC Code on any IVDPIC record is 01, contact DCSE for coding to prevent the record from entering the process. If the PIC Code on any IVDPIC record is 02, change the PIC Code to 76. If the PIC Code on any IVDPIC record is 04, change the PIC Code to 86. If the PIC Code on any IVDPIC record is 15, change the PIC Code to 86.