



# Tidewater Bankruptcy Bar Association

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“News so important, it can only be printed once a year!” JMR 10/29/07

## Look out world...

For those of you who have not heard, Frank J. Santoro has been named the next judge in the U.S. Bankruptcy Court’s Eastern District of Virginia, Norfolk and Newport News Divisions. He will be filling the vacancy created when Judge Adams retires. Mr. Santoro is expected to take his post in March of 2008. Mr. Santoro is the managing partner of Marcus, Santoro & Kozak, P.C., which focuses

its practice on bankruptcy, corporate reorganizations and corporate finance. He represents unsecured and secured creditors, as well as individual and business debtors. He served as a Chapter 7 Trustee from December 1981 through May 1990 and has been one of two Standing Chapter 13 Trustees since October 1987 for filings in Norfolk and Newport News. Mr. Santoro is one of the

most well-respected and distinguished attorneys in our bar. He has been named the top bankruptcy attorney in Virginia by his peers in an article published in Virginia Business Magazine (December 2005). The members of the TBBA wish him all the best as he embarks on his new career!

November 2,  
2007

The  
Quarterly  
News-  
letter,  
Published  
Annually

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Ce’Ann Weschler and Ellen C.  
Carlson**

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# Hot off the Presses

For those of you interested or just curious, no vacancy announcement has been posted for a Standing Chapter 13 Trustee position for cases filed in the Norfolk and Newport News Divisions of the Eastern District of Virginia. When this position becomes available, the opening will be posted in all the usual locations (Clerk's Office, 341 meeting rooms, UST Office) and also listed at: [http://www.usdoj.gov/ust/eo/private\\_trustee/vacancies/13ad.htm](http://www.usdoj.gov/ust/eo/private_trustee/vacancies/13ad.htm).

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# From the U.S. Trustee's Office

## **Submission of Debtors' Income Tax Returns to Chapter 7 Trustees**

At a recent meeting, the chapter 7 trustees discussed the wide variety of ways that they are receiving 1) income tax returns, and 2) pay advices from debtors' attorneys. They drafted me to give you guidance and their preferences regarding these important, mandatory documents.

Their suggestions follow:

1. You may mail, *or fax*, the debtor(s) income tax returns and pay advices to the chapter 7 trustee. To preserve the security of your clients' personally identifiable information, the trustees would prefer that documents NOT be sent via e-mail. The trustees ask that you only send ONE transmission of the document (example: **no need to fax and mail** the documents to the trustee).
2. Unless specifically requested, the trustees ONLY want the pay advices for the 60 days (not six months) prior to date the case was filed, and the most recent income tax returns filed by the debtor(s).
3. Should you decide to fax the income tax returns and pay advices to the trustee, do not fax information of multiple debtors simultaneously. It is difficult and time consuming to sort through the documents and determine which debtor the documents belong to.
4. PLEASE include the date of the § 341 meeting on the transmittal cover sheet.
5. Do not wait until the last minute. The trustees need time to review the tax returns prior to the § 341 meeting. In addition, 11 U.S.C § 521(e)(2)(A) requires the returns to be submitted at least seven days prior to the § 341 meeting.

Thank you for your assistance with these requests. Please pass these suggestions on to your staff members responsible for providing this information to the trustee.

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# From the U.S. Trustee's Office Con't

## **Hearing Impaired and Limited English Proficiency Debtors**

The Office of the U. S. Trustee will provide language assistance to debtor(s) that have Limited English Proficiency at no cost to the debtor. Should your client need a language interpreter to assist with their appearance at the § 341 (a) meeting of creditors, we encourage you to contact our office for assistance.

The Office will also provide assistance to hearing-impaired debtors. Again, should your client need an interpreter for the hearing impaired to assist with their appearance at the § 341 meeting of creditors, we encourage you to contact our office for assistance.

As a last resort, we will consider allowing a debtor to bring a family member to translate. This method must be approved in advance by the Office of the U. S. Trustee.

Please contact me or Margaret Bloom, Paralegal Specialist, (757) 441-6012 ext.108, as soon the § 341 meeting date has been assigned.

Debera F. Conlon  
Assistant U. S. Trustee  
(757) 441-6012 ext. 101



## SAVE THE DATE - December 3rd.

for the  
Tidewater Bankruptcy Bar Association's  
Annual Social  
in recognition of the  
Honorable David H. Adams

Time: December 3rd at 5 p.m.

Location: Town Point Club  
101 W. Main Street, Suite 300  
Norfolk, VA 23510

[www.town-point.com](http://www.town-point.com)

TBBA Members & Staff, Court & UST Personnel, and friends of Judge Adams are cordially invited.

*RSVP Required by November 23rd to*

[jmerna@mernalaw.com](mailto:jmerna@mernalaw.com).

Please provide the names of the people attending from your office!

Any questions? Contact John Merna at (757)340-4895.

16<sup>th</sup> Annual Tidewater Bankruptcy Bar Association Seminar  
Registration Form

Location: Norfolk Waterside Marriott

Date: Friday, January 25, 2008

Time: 8:15 a.m. to 4:30 p.m.

I desire to register for the 16<sup>th</sup> Annual TBBA CLE Seminar

Name: \_\_\_\_\_

Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Fax: \_\_\_\_\_

E-mail address: \_\_\_\_\_

Registration Fee (circle one)

TBBA Member \$200    Non-Member \$250    Written Materials Only \$100

Enclose a check payable to TBBA for Registration or Written Materials Fee. Your cancelled check is your receipt.

Signed: \_\_\_\_\_

Please submit a completed form to the TBBA or the TBBA Treasurer with the required fee at least ten (10) business days prior to the date of seminar.

TBBA  
PO Box 3476  
Norfolk, VA 23514-3476

Daniel F. Blanks, Esq., Treasurer  
McGuire Woods  
World Trade Center  
101 West Main Street  
Suite 9000  
Norfolk, VA 23510

CLE credit has been sought for this program and is expected to be approved. Please use a separate form for each attendee.

Norfolk Waterside Marriott, 235 East Street, Norfolk, VA 23510; 757-627-4200.