

Request for Clerk to Send Notice of Filing of Claim by Debtor or Trustee

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Federal Rule of Bankruptcy Procedure 3004 - Filing of Claims by Debtor or Trustee. If a creditor does not timely file a proof of claim under Rule 3002(c) or 3003(c), the debtor or trustee may file a proof of the claim within 30 days after expiration of the time for filing claims prescribed by Rule 3002(c) or 3003(c), whichever is applicable. The clerk shall forthwith give notice of the filing to the creditor, the debtor and the trustee.

The attorney who represents a debtor, or the chapter 13 Trustee, pursuant to Federal Rules of Bankruptcy Procedure 3002(c) for the benefit of the plan presented to the court, will file a claim on behalf of the creditor. Pursuant to Federal Rules of Bankruptcy Procedure 3004, the Clerk is to give notice of the filing to the creditor, the debtor and the trustee.

In CM/ECF, the attorney for the Debtor or the Trustee (the filer of the claim) should docket a *Request for Clerk to Send Notice of Filing of Claim* to inform the Clerk of this filing so that notice may be perfected. This docket event is located under **Bankruptcy > Miscellaneous > Request for Clerk to Send Notice of Filing of Claim by Debtor or Trustee.**

After the *Request for Clerk to Send Notice of Filing of Claim* has been docketed in CM/ECF, the Clerk will send the *Notice of Filing of Claim by Debtor or Trustee* to the affected creditor which states the Debtor or Trustee has filed a proof of claim on their behalf and the amount of the claim filed. The creditor is also notified they can file their own proof of claim for the proper amount and showing the proper perfection of a security interest.

If the Debtor or Trustee subsequently files an *Amended Claim* on behalf of the creditor and the Clerk has previously notified the creditor of the claim filing with no action taken, the Clerk will not send a second *Notice of Filing of Claim by Debtor or Trustee*.