

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA**

**EFFECTIVE JULY 12, 2010, THE BANKRUPTCY NOTICING CENTER WILL NOT
MAIL NOTICES TO A CREDITOR IF ADDRESS IS INVALID**

PUBLIC NOTICE

When a bankruptcy court mails notices to a creditor, the court is required to use the address a debtor provides on its creditor mailing list, unless a creditor has provided the court with a different address. The court uses the Bankruptcy Noticing Center (“BNC”) to mail notices, but the BNC only can do so if an address is valid. If an address is invalid, the United States Postal Service (“USPS”) treats this as sending mail to an “undeliverable address.” Reasons for undeliverable mail may include: incomplete address, moved to a foreign address, moved and left no forwarding address, post office box closed, or forwarding order expired. In some instances the USPS will forward mail when a creditor has given the USPS a forwarding address but only for a limited time. It is up to the debtor or creditor to file a change of address with the court.

Since the start of the BNC program, the Administrative Office of the U.S. Courts has authorized the contractor operating the BNC to bypass notices with incomplete addresses. Effective July 12, 2010, the BNC no longer will print and mail notices to undeliverable addresses for the additional reasons stated above. Instead, the BNC will mail a notification to the debtor or debtor’s attorney stating that the notice was bypassed. The bypass notification will: (1) include a copy of the notice that the BNC did not mail to the undeliverable address; (2) identify the creditor and the undeliverable address; (3) instruct the debtor immediately to mail the undelivered notice to the creditor; (4) inform the debtor that the BNC will not mail future notices to the undeliverable address; and (5) include space on the notification for the debtor to insert a corrected address for the creditor. (The United States Bankruptcy Court for the Eastern District of Virginia has a local court policy for filing a change of address. The debtor is required to file a statement of any change in the debtor’s address. A creditor may file a statement of a change in the creditor’s address. The debtor or debtor’s attorney may provide notification of a creditor’s change in address without amending the petition if using the Clerk’s Change of Address form, which is accessible on the court’s Internet web site at <http://www.vaeb.uscourts.gov/scripts/formsqry.exe> and then click on [changead.pdf](#)).

The BNC will continue to identify undeliverable addresses for creditors on each BNC Certificate of Notice under the category “Bypassed.” The BNC also will include the reason why a creditor’s address was bypassed and state that the debtor or debtor’s attorney was notified that the address was undeliverable.

Please note that the BNC will continue to mail notices to undeliverable addresses under the following conditions: (1) the address is for a debtor, or (2) the address is for a creditor who, pursuant to 11 U.S.C. § 342(f), has filed a preferred address with the BNC for all cases or who, pursuant to 11 U.S.C. § 342(e), has filed a preferred address with the court for a particular

case. The BNC will attempt to contact the preferred address recipient regarding the need for address correction.

Providing valid addresses will reduce the volume of returned mail that the debtor, debtor's attorney, and the courts receive and will avoid unnecessary postage costs.

William C. Redden
Clerk of Court

Date: July 9, 2010