

**Administrative Office of the U.S. Courts**  
Department of Program Services / Case Management Systems Office

# ***CM/ECF***

## ***Release Notes***

***for PACER Users***

**2020 CARES Act Changes**  
**NextGen 1.6.1, 1.5.3, and CM/ECF Legacy 5.3.4**

**November 2020**

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# 1 Introduction

This document summarizes the changes you may notice when you use NextGen CM/ECF in a U. S. Bankruptcy Court that has installed hot fix Release 1.6.1 or 1.5.3, or CM/ECF Legacy hot fix release 5.3.4 of the application. Because certain features are court configurable, courts may choose not to implement all of them. Thus, what you see in particular courts may vary.

## 2 CARES Act Changes

In early 2020, a new small business Subchapter V of chapter 11 filing was introduced, as defined by the Small Business Reorganization Act of 2019 (SBRA). Then in April 2020, the CARES Act amended section 1182(1) (definition of debtor under Subchapter V) by removing the reference to small business. Thus, a debtor that is not a small business debtor may now choose to proceed under subchapter V.

This change impacts a number of CM/ECF features, as detailed below.

### 2.1 Voluntary Case Opening for Chapter 11

The CM/ECF case opening screens that indicate the Small Business status have been updated to add a separate option for the filer to choose a chapter 11 Subchapter V filing, where previously the Subchapter V designation was captured as part of the Small Business status.

<b>Small business</b>	<i>A small business debtor is defined in 11 U.S.C. § 101(51D).</i>
	Is this a small business debtor? <input type="text"/>
<b>Subchapter</b>	<input type="checkbox"/> <i>Debtor is defined in 11 U.S.C. § 1182(1) and elects to proceed under subchapter V of Chapter 11</i>

In addition, the “Form B201: Debtor’s aggregate non-contingent liquidated debts < \$2,725,625” checkbox has been removed from the Case Opening screen. The value is now set automatically to “y” when the type of debtor is non-individual, the nature of debt is “business”, and small business is “yes”.

### 2.2 Case Upload

The field definitions for Liquidated Debts (element #22) and Case Subchapter (element #80) have been updated. For details regarding Case Upload, go to the [Developer Resources](#) page under the section heading CM/ECF Case Upload on <https://pacer.uscourts.gov>.

### 2.3 Case Opening With Data Collection (NextGen XML case opening)

The business rules for the Subchapter element in NextGen XML Case Opening have been updated. For more information, go to the [Developer Resources](#) page under the section heading NextGen CM/ECF XML Case Opening and Docketing Information on <https://pacer.uscourts.gov>.

## 3 Miscellaneous Changes

### Electronic Self-Representation (eSR) Updates

- On the Edit Login screen, when attempting to change an email address, the Cancel button did not behave as expected; this has been fixed.
- A change has been made to log and notify the user when a PDF upload fails during case opening, so the user can ensure the files are uploaded properly before the case is opened.

### Automatic Judge/Trustee Assignment Updates

- Previously, cases created using automatic assignment displayed on the Trustee 341 Calendar as manual entries; this has been fixed.

### Automatic Docketing Interface (ADI) Updates

- When a Claims Upload or Claims ADI **transferClaim** XML transaction was processed for a transferee creditor with an edit history (i.e., Creditor History), the creditor name that appeared in docket text was that of the terminated creditor record, rather than the active creditor record; this has been fixed.

### Other Updates

- All 309 forms have been updated to reflect the new PACER website URL. (all releases)
- In release 1.5, exempt PACER users were no longer exempt by default; this has been fixed. This fix applies to releases 1.5.3 and 1.6.1.