

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF COLORADO**

IN THE MATTER OF ESTABLISHING
DEADLINE TO RAISE EMPLOYEE INCOME RECORD
DEFICIENCIES UNDER 11 U.S.C. § 521

GENERAL PROCEDURE ORDER 2006-2

Pursuant to 11 U.S.C. § 521(a)(1)(B) the Court is authorized to enter orders modifying the filing requirements for documents listed in that subsection. The Court finds that such a modification is appropriate for the employee income record requirement as the Clerk's office cannot always readily and easily discern whether a filed document actually is an employee income record. The identification of employee income records is complicated due to the wide disparity in the form, type and detail of documents submitted as evidence of payment from an employer received by the debtor(s) within 60 days before the date of the filing of the petition, the substantive review of which is more properly the role of the trustee assigned to the case or the U.S. Trustee pursuant to Section 704(b)(1)(a). Therefore, it is appropriate to modify what will be accepted as payment advices or other evidence of payment received by the debtor from any employer of the debtor.

Accordingly, all parties in the case shall have until 45 days after the case is filed, or upon discovery of a fraud upon the Court related to the filing of evidence of payment by an employer, to file a motion to modify a docket entry that states an employee income record was filed or to challenge the Court's acceptance of records in satisfaction of the employee income record requirement. The failure to timely file such a motion or to challenge the Court's acceptance of the records shall result in the documents being deemed accepted and sufficient in satisfaction of the Section 521(a)(1)(B)(iv) requirement.

Dated: August 3, 2006

BY THE COURT:

Sidney B. Brooks, Chief Judge
A. Bruce Campbell, Judge
Elizabeth E. Brown, Judge
Howard R. Tallman, Judge
Michael E. Romero, Judge