



BEST CASE SCENARIOS

A Newsletter For Users of Best Case® Bankruptcy Software

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Dear Best Case Customers,

The release of Best Case® Bankruptcy Version 16 in September was a huge success. We added significant customer-requested new features and enhanced functionality to make filing cases even easier and faster. This edition of *Scenarios* highlights Version 16 and provides valuable tips and techniques for maximizing your Best Case investment.

Check out *What's New in Best Case Bankruptcy* to discover all the new and revised Federal forms, new features including how to change between pre-BAPCPA, 2005 and 2006 forms, the CMI Calculator—making it easier to enter and calculate income information in the Means Test—and much more.

As if this wasn't enough, the Best Case OneTouch® system made sure you had a smooth transition to CM/ECF 3.1.

Featured in this edition are "How To" articles that provide you with step-by-step instructions for using Best Case features. Make sure you read *BestScan™ Converts Paper Documents to PDFs*, *How to File Credit Counseling and Debtor Ed Certificates* and *Credit Report Import Saves Time and Aids Due Diligence*.

Is the tide turning? Now that it's been a year since the inception of BAPCPA, we address the recent shift in filings in the article *Filings Pick Up in Q3 2006*. And we take a look at how BAPCPA has affected bankruptcy over the past year.

We hope you enjoy this edition of *Scenarios*. Let us know what you think about the Best Case newsletter and take a quick survey at www.bestcase.com/survey. You could win an Amazon gift certificate, just for giving us your opinion.

Thank you for being a loyal customer. Our goal at Best Case is to provide you with top-quality products and services. If you have any questions or comments, we are here to take your calls.

Sincerely,

The Best Case Team

P.S. If you haven't installed Version 16 yet, access the Check for Update feature in Best Case to update your system today.

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Right on Time: Forms and Schedules Updated in Version 16

Best Case Version 16 includes all the new and revised forms required for filing as of October 1, 2006. Here's an overview of the revisions:

Form 1. Voluntary Petition

Printed Form: Updates and Changes

- * Revised form: Reflects official changes
- * Exhibit D—Added to the Voluntary Petition and is automatically included with any individual filing
- * New: An attachment is automatically generated if the debtor has several prior or pending bankruptcies
- * An "Other" check box has been added to the Nature of Business Section of the form so when the Nature of Debt is set to "Business," and no option is selected

in the Nature of Business section, the "Other" box will be marked for the nature of business on the printed form.

Data Entry Screens: Updates and Changes

- * Business Info Tab: New check boxes were added to indicate that Exhibit C will be included and to indicate a pending related bankruptcy for the debtor's affiliate, general partner or partnership. The small business and aggregate non-contingent debt checkboxes were moved to the Chapter 11 tab to create a more intuitive data entry process.
- * Filing Information Tab: Nature of Business Section: "Non-Profit" text box was replaced with a "Tax Exempt" option. Also, if the Nature of Debt is set to "Business," and no option is selected in Nature of Business section, the "Other" box is automatically marked for the nature of business on the printed form.
- * Info 2/Ex D Tab Replaces the Reform 2005 Tab: Use the new tab to enter information about the debtor, or the debtor's/joint debtor's credit counseling status, to enter data pursuant to § 362(1) for tenants of residential property and to indicate that the debtor is including Exhibit C.
- * New: Chapter 11 Tab: Use this tab to select the options you want checked in the "Chapter 11 Debtor's Section" of the printed form.
- * Prior/Related Tab: The entry system has been modified for prior and pending bankruptcies to give you more flexibility, to improve the entry process, and to facilitate handling multiple entries.
- * Statistical/Administrative Tab: The range and scope of the debtor's assets and liabilities reflect the new data courts are required to collect.

Exhibit D. Individual Debtor's Statement of Compliance with Credit Counseling Requirement

- * A new Exhibit replaces the "Certification Concerning Debt Counseling by Individual/Joint Debtor(s)" section of Form 1. This is included as a separate form in the Forms and Schedules Menu so that the Certificate of Credit Counseling can be easily attached. (See the Exhibit D Help topic for more instructions.)
- * For joint filings, a second copy of Exhibit D is available for the Joint Debtor.
- * Access the Exhibit D entry screen through the Info 2/Ex D tab of the Voluntary Petition, or by double-clicking on Exhibit D in the Forms and Schedules Menu.

Form 6. Summary of Schedules

- * Revised form: Reflects official changes
- * Expanded to include the Debtor's CMI from Form 22, the Net Income from Schedule I, the Net Expenses from Schedule J, the total unsecured debt from Schedule D, the total non-priority debt from Schedule E, and the total of all general unsecured debts listed on Schedule F.

Declaration Concerning Debtor's Schedules

- * Revised form: Reflects official changes

Form 22A and Form 22C

- * Revised form: Reflects official changes
- * The debtor's Current Monthly Income is included from Form 22A Line 12; OR, Form 22B Line 11; OR, Form 22C Line 20 in the Statistical Summary of Certain Liabilities and Related Data.
- * Per new requirements, the Means Test Calculator now activates Part III. Application of § 1325(b)(3) for Determining Disposable Income (the marital adjustment) for all debtors completing Form 22C.

Form 23. Debtor's Certification of Completion of Instructional Course Concerning Personal Financial Management

- * Revised form: Reflects official changes
- * The data entry screen now includes a field for the certificate number, available on the debtor's Certificate of Completion.
- * For joint filings, the Supplemental Forms folder now includes separate copies of this form for the debtor and the joint debtor.

Schedule D. Creditors Holding Secured Claims

- * Revised form: Reflects official changes
- * Per new requirements, Best Case prints the total of the unsecured portions at the end of the schedule, and on the Statistical Summary of Certain Liabilities and Related Data.

Schedule E. Creditors Holding Unsecured Priority Claims

- * Revised form: Reflects official changes
- * Added a new column on the form to list the non-priority portion of all claims.
- * Per new requirements, Best Case keeps a running sub-total of the non-priority portions on each page,

and prints the total non-priority debt at the end of the schedule and on the Statistical Summary of Certain Liabilities and Related Data.

Schedule F. Creditors Holding Unsecured Non-priority Claims

- * Revised form: Reflects official changes
- * Per new requirements, Best Case now prints the total general unsecured debt at the end of the form and on the Statistical Summary of Certain Liabilities and Related Data.

Schedule I. Current Income of Individual Debtor(s)

- * Revised form: Reflects official changes
- * Per new instructions, the income for a non-filing spouse is no longer included in the total net income for Line 16.
- * Best Case prints the total for Line 16 on the Statistical Summary of Certain Liabilities and Related Data.

Schedule J. Current Expenditures of Individual Debtor(s)

- * Revised form: Reflects official changes
- * The total expenses from Line 18 are included in the Statistical Summary of Certain Liabilities and Related Data.

Making a Seamless Transition to CM/ECF 3.1

The Best Case[®] ECF Wizard and OneTouch[®] Plus electronic filing system have been updated to be fully compliant with the courts' new requirements for CM/ECF 3.1, effective October 17, 2006. The transition is seamless—Best Case automatically generates a case extract file that complies with your court's CM/ECF release.

Creating electronic files is simple with the OneTouch[®] electronic filing system. Only a few mouse clicks and files are created for submission to your local court. Best Case goes a few steps further by helping you manage and upload your files. The ECF Manager gives you instant access to the court's web site and lets you view files before uploading.

The exclusive OneTouch[®] feature enables you to submit forms directly to the court's web site. Electronic case filing doesn't get any faster and easier than this!

BAPCPA Mandates Change to CM/ECF 3.1

The changes to CM/ECF are the result of statutory mandates in BAPCPA, 28 U.S.C. §159, which require the Director of the Administrative Office of the U.S. Courts to compile statistical information on bankruptcies filed by individual debtors with primarily consumer debts, make the information available to the public, and publish an annual report. The data required to be collected will be extracted from the Voluntary Petition and Official Form 6, Schedules of Assets and Liabilities.

Data collected by CM/ECF Release 3.1 will be transmitted to the Administrative Office's Statistics Division. Data that will be collected include actual dollar amounts of assets and liabilities as shown on debtors' schedules, amount of debt discharged, average lifespan of bankruptcy cases, the number of cases in which creditors were sanctioned for misconduct, and the number of Chapter 13 cases dismissed before completion of plan payments.

For more information on OneTouch[®], go to www.bestcase.com/onetouch.htm

New CMI Calculator: More Ways to Calculate Average Income

In response to your requests for an easier way to enter the debtor income information needed for the Means Test, Best Case developed the Current Monthly Income (CMI) Calculator.

The CMI Calculator gives Best Case Bankruptcy users the ability to:

- * Determine a debtor's average monthly income using year-to-date or monthly totals quickly and easily
- * Create a detailed income statement that prints as an attachment to Form 22
- * Document information about Social Security benefits and other non-CMI income
- * Show negative income for a business, rental property or farm that might not otherwise be documented on Form 22

Calculation of 6 Month Average Income for 707(b)(7)		
	Debtor (a)	Spouse (b)
3. Wages, salary, tips, bonuses, overtime, commissions	0.00	0.00
4. Income from operation of business, profession or farm	0.00	0.00
5. Rents and other real property income	0.00	0.00

To access the CMI Calculator in Best Case, go to the Income tab of the Means Test Calculator, then click the "Enter CMI Detail" button

CMI Instructions: Click Insert to create a new income source.

Type: The income type you select determines where the income is included on the Form. Click the drop down arrow to see a full list of income choices, or click the first letter of the income type you wish to select. Note that next to the income types in the drop-down list, Best Case Bankruptcy identifies the line where the income will be added.

Source: Type in the source of the debtor's income here. For example, if you are entering a debtor's gross income from a job you might want to enter the name of the debtor's employer.

Debtor/Spouse: Select whether the income belongs to the debtor or the debtor's spouse.

Method: There are three methods available for calculating the average income. No matter which method you use, the CMI Calculator will keep track of the dates in the six-month look-back period and remind you of the approximate dates for which you should enter income data.

6 Individual Months: This method allows you to enter the debtor's income for each of the six-months in the look-back period and compute an average income based on the monthly totals. Using this method, you can manually enter the income and expenses for each individual month. If the debtor has several months where the income or expenses are identical, click the Copy Amount Down button.

Same Income Every Month: If the debtor receives the same amount every month, for example a pension or child support payment, use this method to enter the regular monthly gross income the debtor receives.

Year-to-Date Subtraction: The year-to-date subtraction method calculates the debtor's average income by taking the debtor's year-to-date gross income from the last income statement prior to the start of the CMI look-back period and subtracting it from the debtor's year-to-date gross income from the last income statement received during the look-back period. If the debtor's expected filing date is June 30 or earlier, his look-back period extends into the previous year, and the CMI Calculator will help you to compute the year-to-date income separately for each year.

Remarks: To include special comments on the attachment sheet, click on the Remarks tab. In this text box, you may type any supplemental comments or details about the source of income.

After entering the information, click OK to save changes and return to the main CMI Details screen. Click Insert to add a new income source, click Change to edit an existing record, or click Close to return to the Means Test.

Trust Best Case to be on Top of Changing Chapter 13 Plans

Many Chapter 13 trustees have revised their preferred Chapter 13 plan formats to incorporate changes in Chapter 13 law. At Best Case, our development team has been busy in the last six months adding and revising 13 plans.

Revisions

Since April 2006, we've revised plans in the following districts:

The Northern District of Alabama	The Eastern District of North Carolina
The Southern District of Alabama	The Middle District of North Carolina
The Eastern & Western Districts of Arkansas	The Western District of North Carolina
The Central District of California	Oregon
The Eastern District of California	South Carolina
The Northern District of California	The Eastern District of Tennessee
The Southern District of California	The Western District of Tennessee
Colorado	The Northern District of Texas
The Southern District of Florida	The Southern District of Texas
The Northern District of Georgia	The Western District of Texas
The Southern District of Georgia	The Western District of Washington
The Northern District of Illinois	The Eastern District of Wisconsin
The Eastern District of Louisiana	The Southern District of West Virginia
Maryland	
Massachusetts	
Minnesota	
The Eastern District of Missouri	
New Jersey	

To get these revisions, you'll need to run the Check for Update feature, then for many plans, install a new jurisdiction file.

Complete instructions are included, see page 5.

Additions

Since April 2006, we've added brand new plans in these districts:

District	Release (Year, Month, Day)	New Jurisdiction
District of Hawaii	060831	HI-A-ZZ
Eastern District of Missouri	060404	
District of Puerto Rico	060801	PR-A-ZZ
District of Rhode Island	060629	
District of Utah	060404	
District of Virgin Islands	060831	VI-A-ZZ
Southern District of West Virginia	060831	
Eastern District of Wisconsin	060404	

One final note: Thank you to all of our customers for informing us about changes in your district. You are usually the best source of information about local documents, so if your 13 plan has recently changed, please let us know by calling 1.800.492.8037. We may ask you to fax a copy of the form to us.

After installing the latest version, you can access updated instructions for your plan by visiting the Help File in Best Case, or going to www.bestcase.com/c13instructions.htm.

Installing a New Jurisdiction

In Best Case, jurisdiction files are used to determine which forms apply to clients in a district. When a plan changes dramatically, the changes sometimes require a new jurisdiction file.

To give you access to both the old version of a 13 plan, and the new version of a 13 plan, a new jurisdiction file is created with the new plan classes and plan format. You must install the new jurisdiction to have access to the new plan.

Follow these instructions to install the new jurisdiction and apply it:

1. After running a Check for Update, detailed above, install the new jurisdiction:
 - a. Close any entry screens that are open, then close the Forms and Schedules Menu.
 - b. Close the Client List Window.
 - c. Click on **Setup** in the Main Menu bar, then click Jurisdictions.
 - d. Click the **Install New Jurisdiction** button in the bottom left corner.
2. A list of jurisdictions appears. Highlight the name of the one you want to install, then click **Select**.
3. Click on **Change Usual** to set the new jurisdiction as default. Click **OK**. This will assign the new jurisdiction to new cases you start in Best Case.
4. To get the new plan for a case that you've already started, you'll need to open the case, go into the Voluntary Petition, click the **Filing Information** tab, and select the new jurisdiction. (If you don't, this case will use the older version of the 13 Plan.)

Please remember that custom Chapter 13 Plans are sold as "add-ons" which are available for additional fees. If you already own a custom plan, you can get the revised version for no charge while covered by our maintenance plan. If you haven't yet bought the custom plan for your district, contact Best Case Solutions at 1.800.492.8037 for pricing.

Bankruptcy in the News: A Look at the Effects of BAPCPA

Judicial Conference Acts to End Credit Counseling Confusion

Some debtors who receive pre-petition credit counseling are unable to obtain a copy of the counseling certificate prior to filing. Other debtors, particularly *pro se* debtors, do not fully understand the adverse consequences of filing a bankruptcy petition before receiving credit counseling or the very few and very narrow exceptions to that requirement.

In order to mitigate confusion over the credit counseling requirement, the Judicial Conference recently approved amendments to Interim Bankruptcy Rule 1007, which no longer requires debtors to file a credit counseling certificate with their petitions if the debtor has received credit counseling but does not yet have a certificate. Debtors in this position are allowed to make a statement in lieu of filing a copy of the certificate that they have completed the counseling and are awaiting receipt of the certificate.

As amended, Interim Rule 1007 requires debtors to file an Official Form—Exhibit D—that includes a statement of the debtor's compliance with the pre-petition credit counseling requirement. The Voluntary Petition instructs debtors to attach a completed Exhibit D and makes it clear that each spouse in a joint case must complete and attach a separate Exhibit D.

Exhibit D contains a number of warnings intended to deter improvident or premature filings. One warning is about the requirement to obtain pre-petition credit counseling and the consequences of failing to fulfill this requirement. Exhibit D also provides checkboxes for additional documents needed under certain circumstances, for example, if the debtor seeks a waiver for exigent circumstances, incapacity, or disability.

Practitioners' Ethical Dilemmas May Result in Court Challenges to BAPCPA

Parts of BAPCPA are likely to be challenged in court, especially provisions that tend to "persuade" lawyers through certain built-in penalties to advise their clients to pay off, rather than walk away from, their debts.

BAPCPA has built-in preferences for seeking Chapter 13 filings as opposed to Chapter 7 filings; for example, under the new law, if a U.S. Trustee determines that a Chapter 7 petition should have been filed under Chapter 13, then the cost is to be borne by the petitioner's attorney.

According to David L. Miller, a Salt Lake City, Utah-based bankruptcy attorney and panelist on a recent *Tax Talk Today* live web cast sponsored by the IRS, while BAPCPA attempts to impose accountability upon debtors, it does so at the expense of creating an ethical dilemma for attorneys seeking to advise clients.

"It isn't necessarily the best way to go, but it's the way Congress wants people to go," Miller said of the built-in preferences. "I always have to counsel the client on what makes sense to them and not to Congress."

Other provisions likely to be challenged by bankruptcy practitioners are those creating requirements for "debt relief agencies". At least two federal district courts already have held that the debt relief agency provisions of the Bankruptcy Code are unconstitutional. While the courts in *Olsen v. Gonzales*, 2006 U.S. Dist. LEXIS 56197 (DOr 2006), and *Hersh v. United States*, 2004 U.S. Dist. LEXIS 29953 (NDTex 2006), rejected arguments that attorneys are not debt relief agencies, both courts concluded that Sec. 526(a)(4) is unconstitutional, finding that Sec. 526(a)(4)'s restrictions on legal advice violate the attorney-plaintiffs' First Amendment rights.

Filings Pick Up in Q3 2006

While many in the industry believed that the lull in bankruptcy filings would be a thing of the past by Spring, filings remain down 9.3 percent during the 12-month period ending June 30, 2006. But the pace of new bankruptcy cases filed seems to be gaining momentum. More than two-thirds of 700 members recently surveyed by the National Association of Bankruptcy Attorneys say that their bankruptcy filings are up in the third quarter of 2006, compared to the first half of the year. Almost 60 percent now expect filings to reach their pre-BAPCPA levels by the legislation's second anniversary in 2007.

Long before the effective date of BAPCPA, auto repossessions, personal bankruptcies, and mortgage foreclosures were climbing to levels unseen in decades. In 2002, the *Wall Street Journal* reported that overall household debt exploded to more than 100 percent of disposable income. That means that the average household earned in one week an amount equal to what they owed in long-term debt. While most people typically struggle for years with financial troubles before filing for bankruptcy, there was a rush in filings last year to "beat the clock," and the rush is very likely a major contributor to the present decline in new cases.

Post-reform there is no reason for most to rush into bankruptcy. While the urgency to file isn't there, the economic factors that fed bankruptcy filings pre-reform still exist today. A March 2006 survey of consumer finances by the Federal Reserve Board exposes a troubling trend of growing debt and shrinking savings among American households. Additionally, a large segment of the American public is very close to being financially illiterate, according to a Harris Interactive study prepared for the National Council on Economic Education, and the Census Bureau reports a growing number of people who are uninsured or underinsured against medical bills. Figures released by the Census Bureau last month reveal that over 45 million people are uninsured, and a recent Harvard study found that illness and medical bills are the main factor in most consumer bankruptcies.

In addition to taking on more credit card debt, Americans are spending money that used to be off-limits. With property values steadily increasing over the last decade, Americans have become house rich and cash poor due to the popularity of home equity loans. More than ever before, people are borrowing against their homes to satisfy their spending habits. If these trends continue, the pace of bankruptcy filings could quickly follow. An unexpected medical emergency, a bad furnace, or even a fender bender may be all that it takes to push a person into bankruptcy.

Around the Circuits

First Circuit

Supreme Court to Decide if Debtors Have an Absolute Right to Convert to Chapter 13

The U.S. Supreme Court will address the question of whether a debtor has an absolute right to convert a Chapter 7 case to Chapter 13, or if the Bankruptcy Court can deny conversion for lack of good faith. Currently, the Fifth, Ninth, and Tenth Circuits have ruled that the right to convert is absolute, while the First and Second Circuits have said that it is not. Oral argument in the case is set for November 6, 2006.

In the underlying case, *In re Marrama*, 430 F.3d 474 (1st Cir. 2005), the debtor transferred property to a trust and withheld information regarding an \$11,000 tax refund prior to filing a Chapter 7. The debtor was unemployed and therefore eligible to file a Chapter 7.

When the Chapter 7 bankruptcy trustee questioned the debtor about the trust and discrepancies in his schedules and statement of affairs, the debtor moved to convert his Chapter 7 bankruptcy to a Chapter 13 bankruptcy. The Bankruptcy Court denied the debtor's motion to convert, finding that the debtor had filed a bad faith bankruptcy petition by intentionally trying to conceal assets from his creditors, determining that Sec. 706(a) bestows on debtors a privilege rather than an absolute right to convert a case from Chapter 7 to Chapter 13.

The Bankruptcy Appellate Panel affirmed the Lower Court's decision. The debtor appealed to the U. S. Court of Appeals for the First Circuit, which upheld the panel's ruling.

Second Circuit

Bankruptcy Reform Proponents Say Tithing is Allowed During Bankruptcy

In an outcome that could not have been intended by supporters of bankruptcy reform, a New York Bankruptcy Court put credit card companies ahead of church tithing. Applying a literal interpretation to phrase "reasonable necessary expenses," as amended by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA),

the Court in *In re Diagostino*, No. 06-10384 (BankrNDNY 2006), determined that the Bankruptcy Code forbids tithing or any other charitable giving until the debtor's unsecured creditors are paid.

The Court observed that BAPCPA creates a bifurcated framework that makes church tithing and charitable giving easier for some debtors and not others. Unlike low income debtors, above-median debtors must use specific dollar amounts for living, housing, transportation, and other expenditures deemed necessary by the IRS. IRS expense guidelines do not currently allow an expense for church tithing. Additionally, while the Code enumerates several "reasonably necessary" expenses such as deductions for health or disability insurance premiums or expenses to protect the debtor from domestic violence, church tithing is not an enumerated expense deduction. The final category of authorized expense deductions is "Other Expenses," but this category must satisfy the necessary expense test, which church tithing does not.

Congress Disagrees with Court Decision

The Court's decision startled senators who pushed hard for bankruptcy reform. According to Republican senators and lead Congressional proponents of BAPCPA Chuck Grassley, Orrin Hatch, and Jeff Sessions, the Court was wrong—church tithing and other charitable contributions are protected by the Religious Liberty and Charitable Donation Protection Act of 1998.

In a letter to Attorney General Alberto Gonzales, the three senators expressed disapproval of the Court's decision saying that it "inaccurately interprets how tithes are to be treated under the bankruptcy laws" and "runs counter to Congressional intent". The letter asks the Attorney General to clarify the status of tithes paid by debtors to their churches, and it urges the Department of Justice to direct trustees not to object to reasonable charitable donations.

Eleventh Circuit

Homestead Exemption Trumps Fraudulent Transfer, Debtor Loses Benefits of Bankruptcy

The application of non-exempt property to protect a debtor's homestead from unsecured creditors is not always fraudulent nor grounds to deny the debtor a discharge, according to a recent decision by the 11th Circuit Court of Appeals. In *Chauncey v. Dzikowski (In re Chauncey)*, No. 12543 (11th Cir. 2006), the debtor received a personal injury settlement prior to filing for bankruptcy and had the proceeds sent directly to the bank holding the mortgage to the home.

The debtor's intent was clear: to significantly increase the equity in her home and to protect that equity from her unsecured creditors. In fact, the debtor delayed her bank-

ruptcy filing until after the money from her settlement was transferred to the bank.

State Law Homestead Protections

The trustee sought an equitable lien on the debtor's property, upon which he could foreclose and distribute the proceeds to creditors. However, in *Havoco v. Hill*, the Florida Supreme Court held that a debtor may use non-exempt cash otherwise subject to creditors to either purchase a homestead or reduce the principal balance of a mortgage on the debtor's homestead without fear that the purchase or principal payment later could be reversed or undone under the state's fraudulent conveyance laws. Under the State Court's decision, it made no difference that funds are applied to the homestead to protect the money from creditors.

The debtor in *Chauncey* did not obtain the funds by fraud or wrongdoing, and while the transfer of the settlement proceeds within three months of filing bankruptcy was a blatant attempt to deceive her creditors and made in bad faith, it did not rise to the level of fraud or egregious behavior, as required for the imposition of an equitable lien under state law. Nonetheless, the Bankruptcy Court could deny the debtor a discharge for abuse of the bankruptcy system.

Speed-up Your Search for Prior Cases: Access PACER through Best Case®

BAPCPA extended the time allowed between discharges in bankruptcy. The court will not grant a Chapter 7 discharge if the debtor received a discharge during the previous eight years (vs. six years previously). For Chapter 13 cases, the court will not grant a discharge if the debtor filed under Chapter 7, 11, or 12 during the previous four years, or under Chapter 13 during the previous two years. (These provisions modify 11 U.S.C. § 727(a)(8) and add a new subsection (f).)

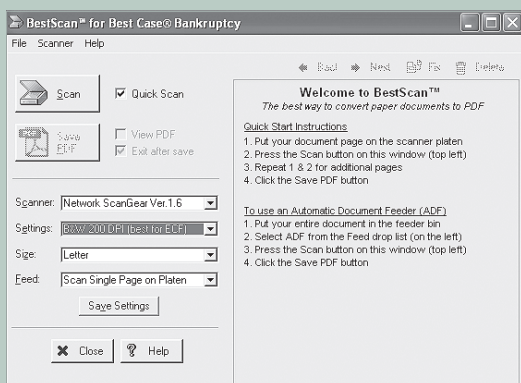
The new PACER U.S. Party/Case Index button opens a web browser to the PACER login page and places the debtor's Social Security number on your Windows clipboard for easy searching.

To help you search for prior cases a PACER U.S. Party/Case Index button was added to Best Case Bankruptcy in the Voluntary Petition. Here's how easy it is:

1. Open the Voluntary Petition
2. Choose the Prior/Related/ExC tab
3. Click the PACER U.S. Party/Case Index button
4. The PACER login page will open in a new browser window
5. The debtor's Social Security Number will be copied to your clipboard so that you can quickly paste it into the search box when running your query
6. Insert your cursor in the Social Security field and press [Ctrl]-[V] to paste

BestScan™: The Best Way to Convert Paper Documents to PDF

Whether you have a flatbed scanner or an auto-feed scanner, BestScan converts the scanned document to the courts' preferred settings, and saves it as a PDF for uploading to the court's web site. BestScan is ideal for the variety of supplemental documents you have to upload, such as pay stubs, certificates of credit counseling, and signed declarations of electronic filing.



Attach documents with signatures, pay stubs and other items quickly and easily with BestScan.

Here's how BestScan* works:

1. Insert document in scanner
2. Open BestScan by clicking on the button in the lower right corner of the ECF Manager window
3. Press the Scan button
4. Repeat 1 & 2 for additional pages
5. Click the Save PDF button

BestScan uses the courts' guidelines for all scanned documents, producing black and white, letter-size images with a resolution of 200 dots per inch (DPI).

BestScan eliminates the need to have Adobe Acrobat Writer; there is an internal PDF maker within Best Case.

BestScan makes it easy to upload supplemental PDFs. Because each file is contained in a client's ECF Manager, there's no need to navigate to a particular folder or remember where documents are saved.

*Scanners must have a Twain driver for this feature to work.

How to File Credit Counseling and Debtor Education Certificates with Best Case® Bankruptcy

Saving Your Credit Counseling Certificate in the Right Place

Once you receive the credit counseling certificate in your email in box, right-click on the PDF attachment and choose Save As.

Navigate to the client's ECF folder, generally C:\ECF\{client's name}, then save the certificate as CCC.PDF for an individual or a combined joint debtor, or CCC1.PDF and CCC2.PDF if you have two certificates for joint debtors. (The path to the client's ECF folder is listed at the top of the ECF Manager window directly after the words "ECF Folder".)

If you have a paper certificate instead of an electronic PDF file, see Scanning a Paper Certificate below.

Filing the Credit Counseling Certificate

Currently, Best Case files CCC.PDF (or CCC1.PDF and CCC2.PDF) when you use the OneTouch® feature in the majority of districts. Once you've saved the CCC.PDF in the right place (see above), you will see it in the ECF Manager, and it will be uploaded with other files during the OneTouch process.

Scanning a Paper Certificate

If you received a paper copy of the certificate from the credit counseling agency, use the BestScan™ feature to convert the certificate to a PDF document. See sidebar for BestScan.

Filing the Debtor's Certification of Completion of Instructional Course Concerning Personal Financial Management (Debtor Education Certification)

You can create Form 23 by opening the form in the Supplemental Forms folder and inserting the date and agency. If needed, you can attach the PDF of the certification to Form 23 so they both are in the same PDF once you convert Form 23 through the Wizard. For more information see "Adding a PDF Attachment (Electronic Filing Only)" in the Help File for instructions. Then, use the ECF Wizard:

- * Click the ECF button in the toolbar and select "Motion or Supplemental Document."
- * Select Form 23 then click Next, then click Prepare Filing.
- * This will create a PDF and bring you to the ECF Manager where you can view the file before uploading.
- * Click ECF Express to open your court's website, then navigate to the appropriate menu option to upload Form 23.

Alternatively, if you have ordered debtor education through CIN Legal, you'll get an email when the debtor has successfully completed the course which has a PDF of Form 23 attached. Instead of creating Form 23 in Best Case, you can save the certification attached to the email in the right place (see "Saving..." instructions), and name the file "Form23.PDF". You will need to upload the file to the court's site manually.

From the ECF Manager there are two options for logging into the court's CM/ECF site to file Form23.PDF. Use ECF Express, which logs into the Bankruptcy Events Menu, to complete the filing. Or click on the Manual Filing button which opens a browser to the court's login screen. Both options are a manual filing, meaning you are responsible for filing the document.

Best Case on Tour



Best Case team members Ryan Gilmour, Technical Support; Susan Berry, General Manager; and Julia Vaughan, Marketing, at the National Association of Chapter 13 Trustees seminar in Denver.

We enjoyed getting to know many of you at conferences during the past several months. Listening to your suggestions and understanding your needs is what has enabled Best Case to be the first choice of bankruptcy practitioners.

We also appreciate your participation in the educational programs we've presented for Best Case users in Atlanta on April 5th, in New Orleans on May 18th, in Memphis on July 7th, and in New York on July 18th.

As you know, Best Case is proactive in incorporating changes in the software to make BAPCPA compliance easier, and to help attorneys maintain bankruptcy as a profitable area of practice. We are happy to attend bankruptcy seminars convened by local bar associations and answer questions about Best Case Bankruptcy.

Here are highlights of meetings we attended recently:

Annual Seminar of the Southeastern Bankruptcy Law Institute

April 6-8, 2006 in Atlanta, Georgia

Best Case representatives were pleased to meet customers in Atlanta while exhibiting our software at the Annual Seminar of the Southeastern Bankruptcy Law Institute at the Grand Hyatt Hotel in Atlanta. This Annual Seminar brought in a panel of experts, and offered several interesting workshops and break-out sessions for consumer bankruptcy attorneys. Save the date for next year's SBLI seminar, April 12-14, 2007.

19th Annual Northwest Bankruptcy Institute

April 14-15, 2006 in Portland, Oregon

We exhibited Best Case Bankruptcy software at the Northwest Bankruptcy Institute, which was co-sponsored by the Oregon State Bar and the Washington State Bar Association. This year's conference covered updates on case law, a session on means-testing with The Honorable Eugene R. Wedoff, a panel discussion with several Chapter 13 Trustees, and a session with a panel of Bankruptcy Judges from Washington and Oregon.

Annual Convention of the National Association of Consumer Bankruptcy Attorneys*

May 19-21, 2006 in New Orleans, Louisiana

The NACBA convention is always a favorite for getting together with Best Case users. The 2006 Convention covered case law updates, means-testing strategies, credit counseling and debtor education requirements, a viewing of "Maxed Out", a film about lending practices of the credit industry, and many other hot topics. Next year's convention will be in Philadelphia: April 19-22, 2007.

*The National Association of Consumer Bankruptcy Attorneys (NACBA) is, according to its website, "the only national organization dedicated to serving the needs of consumer bankruptcy attorneys and protecting the rights of debtors in bankruptcy." NACBA is not affiliated with Best Case Solutions. If you're not a member of NACBA, we urge you to consider joining. Visit www.nacba.org to learn more about the benefits of membership.

National Association of Chapter 13 Trustees

June 29-July 2, 2006 in Denver, Colorado

Best Case Solutions attended the 41st Annual Seminar of the National Association of Chapter 13 Trustees at the Adam's Mark Hotel in Denver. It was a pleasure talking with the trustees about their custom Chapter 13 plans, and ways that our software can help. To learn more about the National Association of Chapter 13 Trustees, visit www.nactt.com.

The Sixteenth Annual Bankruptcy Skills Workshop

August 11, 2006 in Miami, Florida

Best Case traveled to Miami to exhibit at the Bankruptcy Skills Workshop, which was co-sponsored by the Center for Continuing Legal Education at the University of Miami School of Law and the Bankruptcy Bar Association of the Southern District of Florida. As many users in this district get up to speed with mandatory electronic filing and the changes due to BAPCPA, it was a pleasure showing users how to use the Means Test Calculator, prepare PDF files with the ECF Wizard, and then electronically file all PDFs, including the petition, declaration, certificate of credit counseling, and pay stubs, via OneTouch, Best Case's electronic filing system.

Vendor Fair at the National Conference of Bankruptcy Clerks

August 31, 2006 in Newport, Rhode Island

Staying in close contact with the staff of the Bankruptcy Courts is of utmost importance to all of us at Best Case. At this year's Bankruptcy Clerks' Conference, we exhibited Best Case's software and discussed the upcoming changes with the Courts' CM/ECF systems.

Annual Convention of the National Association of Bankruptcy Trustees

September 14-17, 2006 in Seattle, Washington

Best Case visited the Chapter 7 Trustees in Seattle in September for the Annual Convention of the National Association of Bankruptcy Trustees. We enjoyed meeting the trustees of your districts and demonstrating new features in Best Case.

If you'd like to have a Best Case class at a professional conference or convention you're associated with, please contact Julia Vaughan at 1.800.492.8037.

29th Annual Bankruptcy Institute, Sponsored by the North Carolina Bar Association

Friday, November 10th - Saturday, November 11th
Village of Pinehurst, North Carolina
Pinehurst Resort

Best Case Solutions attended the North Carolina Bar Association's 29th Annual Bankruptcy Institute in Pinehurst. We enjoyed meeting users and discussing the very latest features in Version 16.

Credit Report Import: Save Time and Satisfy Attorney Accountability Demands

Within minutes you get a credit report delivered electronically to your desktop. It's that easy.

The Credit Report Import feature transfers liabilities directly to creditor schedules in Best Case, including creditor addresses and claim amounts. It's that efficient.

Here are step-by-step instructions to order credit reports:

Set-up: Provider Information

Best Case Solutions partners with two companies—Credit Infonet (CIN Legal Data Services) and OCR/Suite Solutions—to offer you a choice of vendors. You may select a default provider if you signed up with both providers.

Access the Credit Report menu:

1. Open a client file to the Forms and Schedules menu
2. From the Menu bar at the top of the screen choose Credit Reports
3. Choose Edit Configuration
4. Enter the information as described below

Login Configuration: You only have to input login information it every time you order a credit report.

Credit Infonet (CIN)

Input:

- * Client Code
- * User Name
- * Password

Call 866.218.1003 to set up an account with CIN.

NOTE: You cannot download credit reports into Best Case without your login information.

Once your login information has been filled in, click the Next Tab button until you advance to the Security tab.

NOTE: In this screen, you will also be able to select whether you download a two-source or three-source report. For more information on what sources are used for these reports, call CIN.

Security:

Information in the Security tab allows you to restrict access to the Credit Report Manager. If you have not specified any passwords in this section, anyone accessing your Best Case software will be able to use the Credit Report Import feature and view information in the Configuration window. There are two types of passwords:

- 1. Supervisor Password:** This password controls who is allowed to order credit reports and access the Configuration window to view and modify login, credit card, and security settings. You can also type in a word or phrase to help remember the password in the Hint Phrase text field.
- 2. User Password:** This password controls access to order and download credit reports. It cannot be used to view or modify configuration settings.

Options:

As a default, the following options are checked for your convenience:

- 1. Change UPPERCASE Data to UpperLower:** Changes the format of the credit report information from all upper case to lower case with the first letters of each word in upper case.
- 2. Remove Joint Debtor Duplicates:** If there are duplicate claims shown on the credit report for both the debtor and joint debtor, Best Case will remove the joint debtor's claim.

Download Credit Reports:

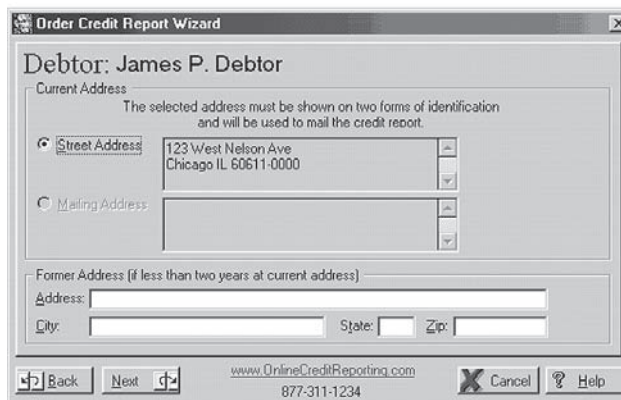
Once the necessary configuration information has been entered, you are ready to start downloading credit reports. Use the easy Order Credit Report Wizard to request reports from Credit Infonet(CIN) or OCR/Suite Solutions:

It's as easy as 1-2-3!

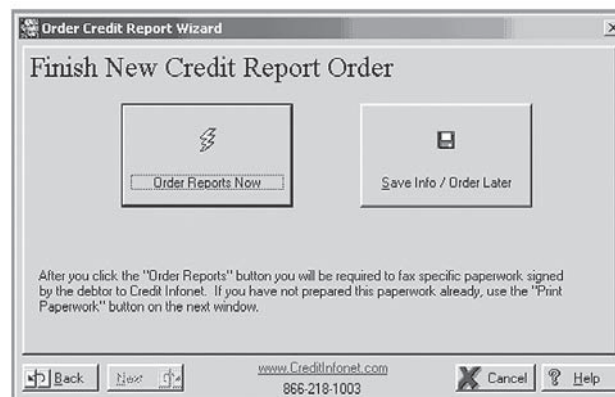
Step 1: Select Credit Reports to Request



Step 2: Input Former Address if Less Than Two Years

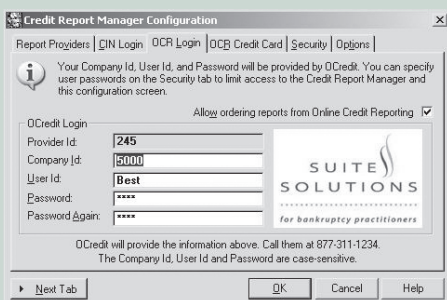


Step 3: Choose Order Reports Now or Save Information to Order Later



once. Best Case® automatically saves it so you don't have to re-enter

(OCR) Suite Solutions



Input:

- * Company ID
- * User ID
- * Password

Call 877.311.1234 to set up an account with Suite Solutions.

NOTE: You cannot download credit reports into Best Case without your login information.

Once your login information has been filled in, click the Next Tab button to advance to the Credit Card tab.

Credit Card:

Enter your credit card information if you are ordering through Suite Solutions. After entering the required information, click the Next Tab button to advance to the Security tab.

Credit Report Manager:

The Credit Report Manager is where you order and download credit reports before importing claims into your client file. You can reopen the Credit Report Manager by clicking **Credit Report/Credit Reports for this Client** in the menu bar. (Note: In order to access the Credit Report Manager, you must have a client file open to the Main List of Forms and Schedules.)

If you ordered reports through the Wizard, the Step 1 button (Order Reports) is disabled. Move on to Step 2.

Import Claims to Best Case

1. Open the Credit Report Manager: With your client file open, go to the Forms and Schedules menu and click Credit Report/Credit Reports for this Client.
2. Click the Import Reports to Best Case button.
3. The next screen lists all claims that appeared on the merged credit report. For each claim, you can see the creditor name, account type, loan type, date reported, last activity date, balance, the person responsible for the debt, the status, and account number. Additional information for the highlighted creditor, such as the creditor's address and the collateral for the debt, appears at the bottom of the screen.

Highlight a creditor and determine the appropriate schedule.

- * The View PDF button in the upper right allows you to view a PDF of the merged credit report.
- * The "Omit \$0.00 & Paid" checkbox in the bottom left corner allows you to exclude claims that have both a \$0 balance and a status of Paid.

Ordering and Downloading Credit Reports

From CIN Legal Data Services:

STEP 1: If you have not already authenticated the identity of the debtor, select Authenticate. This will take you to the CIN website where the debtor must answer questions to verify his or her identity. To authenticate the debtor's identity, visit www.cinlegal.com.

STEP 2: Click the Order Reports button to send the debtor information to CIN, who will process your report and release it for download.

STEP 3: When the report has been downloaded a message will appear letting you know it's done. Click OK to return to the Credit Report Manager.

STEP 4: Click Import Reports to Best Case. This will allow you to view claims and will open the Import window. For more information contact CIN at 866.218.1003.

From OCR's Suite Solutions:

STEP 1: Click the Order Reports button to send the debtor information to Suite Solutions, who will process your order.

STEP 2: After you have clicked the Order Reports button, you will be required to authenticate the debtor's identity through Suite Solutions before the reports can be downloaded. To do this, click Authenticate. For more information on Suite Solution's authentication process, contact 877.311.1234.

STEP 3: Once you have ordered your reports and the debtor has authenticated their identity through Suite Solutions, wait a few minutes for your request, then click the Download Reports button to download your client's credit report information to your computer in preparation for importing creditors into your client file in Best Case. Contact Suite Solutions at the number above if your reports are unavailable.

STEP 4: Click Import Reports to Best Case. This will allow you to view reports and will open the Import window. For more information, contact Suite Solutions at 877.311.1234.

A complete list of claims is provided prior to importing into the desired Schedules.

- You can either import all records to Schedule F and move a creditor from Schedule F to another schedule, or select a schedule for each debt in this screen.

- * To import all debts to Schedule F, click the Tag All as Sch F button at the top of the window then click the Import to Client button.
- * To select a schedule for each debt, highlight the first creditor record and press D, E or F on your key board or use the Sch D, Sch E, or Sch F button at the top of the window. For Schedule E claims, you'll need to select the type of priority for each debt. After you select a schedule, the highlighter bar will automatically move to the next record. Select the appropriate schedule for each creditor. Click Import to Client when you have marked each record that you want to import.
- * A message will appear telling you how many creditors were imported. You can either import all records to Schedule F and move a creditor from Schedule F to another schedule, or select a schedule for each debt in this record.

Detailed instructions for the Configuration Screens, Order Credit Report Wizard, and Credit Report Manager can be found in your Help File and Version 16 User's Guide.

Now Available Through OCR's Suite Solutions: Merged 3-Bureau Credit Reports and Due Diligence Items

Check out what Suite Solutions has to offer in credit reporting and new due diligence items.

Three-Bureau Credit Reports:

Suite Solutions offers merged three-bureau credit reports for downloading into Best Case. All the information on your client is collected from Equifax, Experian and Trans Union, along with detailed medical information and public record information, and then merged and delivered in one report from Suite Solutions.

Due Diligence Items Now Available:

- * IRS Personal and Business Tax Transcripts: Verify a debtor's income data quickly by obtaining IRS tax transcripts including 1040 Tax Transcripts, W2 Statement of Earnings & Withholdings, 1099 Statement of Earnings, 1120 Tax Return Listing.
- * Real Estate Evaluators: Nationwide, quick, and cost-effective—get accurate property valuations in a matter of seconds. Get a ranking of AVM selection in the order most likely to deliver accurate valuations for every location in the United States.
- * NADA Vehicle Valuations: Get make and model specific values on the spot. Free service to Suite Solutions members.

For more information visit
www.suitesolutions.info or call 1.877.311.1234.

From CIN Legal Data Services: Consumer Liability Reports and an Array of Due Diligence Items

CIN Legal Data Services offers various credit report options and new due diligence items.

Credit Reports:

CIN offers both 2-Source and 3-Source Consumer Liability Reports (CLRs) containing data from Experian, Trans Union, a national public records database, and a nationwide 8-year bankruptcy search. A 3-Source Plus CLRs that contain Equifax data is also available.

Due Diligence Items:

- * I.R.S. Tax Transcripts: CIN generates a pre-populated order form for you to have your client sign and date. You'll get up to four years of tax records in 24-48 hours.
- * Real Property Appraisals: 60 million property appraisals available immediately with distressed, market, and high values listed and up to 12 comparables.
- * Real Property Title Products: Ownership Report and Lien Search returned in 24-72 hours nationwide.
- * Automobile Valuations: Instantly available for used vehicles.
- * Credit Counseling and Debtor Education: When you place an order, CIN transmits an email to you and the debtor acknowledging the order and instructing the debtor on obtaining credit counseling. The debtor can take the counseling courses over the Internet or by telephone. The email will provide both telephonic and online access information. Upon consumer's completion of a course, CIN Legal will notify you and will send you a PDF of the Certificate of Completion.

- * **NEW: FREE Redemption and Replacement Auto Loan Review and Prequalification Service:** CIN sends you an Auto Loan Review letter that presents any redemption and /or replacement loan options your client is pre-qualified for through 722 Redemption Funding Inc. and its banking partner US Bank™, and compares the savings presented by these options to the cost of the client's full reaffirmation options.
- * **NEW: Post-Discharge Credit Report Review and Bankruptcy Verification Package:** Provides consumers and counsel with an easy and cost-effective way to ensure that a consumer's credit report reflects information accurately and completely based on the recent bankruptcy proceedings. Includes a copy of the post-discharge credit report, the bankruptcy schedules with the discharge notice, and pre-populated dispute letters in triplicate for the consumer to sign and mail to the credit bureaus to request correction of inaccurately reported bankruptcy related items.

Visit: www.cinlegal.com for more information on products and services or call 1.866.218.1003.

Tips & Tricks:

Quick Tip: AddressClipper™

Task: Copy a name and address from any address entry in Best Case® and paste it to any other address field in Best Case.

Shortcut: Position the cursor anywhere in the address field and press [Ctrl+Shift+C] to copy, then press [Ctrl+Shift+V] to paste.

Trick: Creating the § Section Symbol

Have you ever scratched your head in wonder, and thought "How do I create an (§) symbol?" Here's how:

Hold down the [Alt] key then press [0] + [1] + [6] + [7] on the number key pad on the right side of your keyboard.

This shortcut should also work in your word processing software.

What Your Peers Have to Say About the Credit Report Import Feature

"What a time saver! The ability to import client account information directly from the credit report means less manual entry and thus far greater accuracy..."

**– Lyssa A. Pelinski, Attorney
Gandy Law Offices, Fairfield, IA**

"Best Case's Credit Report Import feature gives any firm the option to simultaneously please and protect its clients while decreasing the firm's manual labor and the possibility for typographical errors."

**– Mark C. Dutton, Esq.
Dutton & Associates LLC, Indianapolis, IN**

"The downloadable Credit Report Import feature allows me to file 180 cases a year without staff."

**– L. Jed Berliner
Berliner Law Firm, Springfield, MA**

Get answers to all your questions when you download a Version 16 User's Manual today at: www.bestcaseupdate.com/dl/usersguide.pdf

Time-saving Keystrokes

In this busy world we live in, every mouse click counts. Instead of wasting time moving back and forth from your mouse to your keyboard try using keyboard commands. They can save you time and increase your productivity, especially if you are a laptop user.

Best Case Bankruptcy provides a wide array of keyboard shortcuts for your convenience. In fact, you can enter an entire case in Best Case without a single mouse click.

Here's a chart of some frequently used shortcuts to get you started. Post it near your computer for easy reference. For an entire list of Best Case shortcuts open your Help File in Best Case, click the Index button, and type *keyboard*.

SHORTCUT KEYS	RESULT
Basic Functions:	
Esc	Go back a screen (Same as clicking close)
Ctrl + C	Copy
Ctrl + X	Cut
Ctrl + V	Paste
Ctrl + Z	Undo
Tab	Move forward from field to field
Shift + Tab	Move backward from field to field
F1	Opens context-sensitive help
Ctrl + \	Opens spell check
Forms and Schedules:	
↑ or ↓	Opens a Client file: Highlight file with arrows, then Enter
A – J	Opens a Schedule: Choose corresponding letter
1	Opens the Voluntary Petition
4	Opens Form 4
6	Opens the Summary of Schedules
7	Opens the State of Financial Affairs
8	Opens the Chapter 7 Individual Debtor's Statement of Intention
3	Opens the Chapter 13 Plan Calculator
Ctrl + Shift + J	Opens the Jurisdiction Window
Ctrl + Shift + K	Opens the Form Preferences
Ctrl + Shift + P	Opens the Best Case Standard Preferences
Alt + Enter	To add new items to a schedule in an entry screen. Saves changes and moves to a new entry screen
Accelerator Keys:	
Alt + underlined letter	Jump to a question that has one letter underlined

A Goldmine of Online Information

Go to the Best Case website and discover:

- * What's new in Best Case Bankruptcy
- * Valuable product information including tech tips and time-saving shortcuts
- * All the local forms available in Best Case
- * What customers have to say about Best Case Bankruptcy

Go to: www.bestcase.com today.

Did You Know?

Back issues of *Best Case Scenarios* are available in PDF format at www.bestcase.com/scenarios.htm

Scenarios Survey

What do you have to say?

Take this quick survey and you could win an Amazon gift certificate.

Go to: www.bestcase.com/survey

Tech Tips

Get answers to some of the most commonly asked technical questions instantly online.

Log on to www.bestcase.com/TechWIN.htm

Gain access to more than 20 topics including:

- * Means Test Calculator
- * Chapter 13 Plans
- * Credit Report Import
- * Electronic filing
- * Importing and exporting Best Case data
- * Attachments
- * And much more

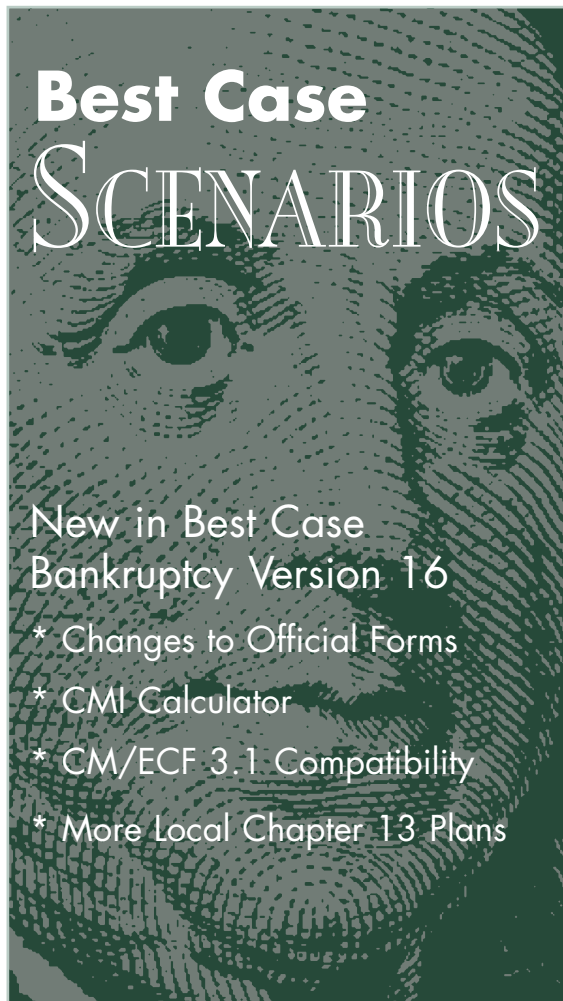
Time-saving Tips

Make filing easier and faster with these time-saving secrets:

- * Keyboard macros
- * Auto-calculate features
- * Instant access to exemption laws
- * Common creditor list
- * Plus 19 other topics

Go to: www.bestcase.com/timesavers.htm

If there are topics you'd like to see covered on www.bestcase.com, please email help@bestcase.com.



Best Case
SCENARIOS

New in Best Case
Bankruptcy Version 16

- * Changes to Official Forms
- * CMI Calculator
- * CM/ECF 3.1 Compatibility
- * More Local Chapter 13 Plans

BEST CASE SOLUTIONS
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