

Table of Local Bankruptcy Rule Changes – Effective Jan 5, 2009

NOTE AND DISCLAIMER:

The table was prepared by court staff to act as a starting point to help you identify *changes* in Local Bankruptcy Rules (LBR). It does not restate LBR provisions that remain the same.

The comments in this table may not be relied upon as legal advice for the facts of any particular situation and are not a substitute for your own study of the LBR.

Please consult a bankruptcy attorney if you have questions.

Item #	LBR #	New Requirements/Procedures
Overview:		
1	2004-1, 4008-1 9020-1, 7000 series	<u>Clarity Improved by Adding Subheadings and Conforming to National Numbering System:</u> For example see: LBR on Motion for Examination under FRBP 2004, Reaffirmation Agreements, OSC re Contempt, Discovery & Adversary Proceedings. Many other topics are now numbered to correspond to related FRBP and other numbers consistent with courts in districts nation-wide.
2	1002-1, 7054-1 1007-1, 1071-1 2002-2, 3007-1 3015-1, 4001-1 5005-2, 5005-4 5010-1, 5075-1 9004-1 9013-1, 9021-1 9036-1, 9075-1	<u>Items Now in Court Manual.</u> * Two items moved into Court Manual: Paper formatting requirements, Items taxable as costs. * Other items relate to LBR & provide information that may be modified without requiring the cumbersome LBR revision process. <u>Examples are:</u> (1) address for court & federal agencies; (2) filing petition documents; (3) fee chart for Motions to reopen; (4) objection to claims; (5) electronic filing, notice & service; (6) where/when to serve Judges with filed documents; (7) obtain hearing date on Emergency motions or Order Shortening Time; (8) serving orders; (9) using court forms; (10) chapter 13 procedures; and (11) Motions for Administrative Orders pursuant to 28 U.S.C. 156(c). * Chart at Section 1.4 of Court Manual indicates where provisions are found in Court Manual
3	G.O. 93-01 G.O. 97-04 G.O. 02-02 G.O. 02-03 G.O. 05-03 G.O. 06-01 G.O. 06-02 G.O. 07-01	<u>8 General Orders Being Repealed: Some Provisions Moved to LBR; Some Superseded</u> * Dismissal for Ch 7 Debtor's failure to attend 341(a) meeting of creditors has been superseded by LBR 1017-2(b). <i>For changes, see below, Case Initiation & Case Dismissal.</i> * Joint petition of spouses treated as a substantively consolidated case (so that the estate can file one joint tax return) – now in LBR 1015-1(a). <i>No changes.</i> * Chapter 11 Procedures were previously incorporated into LBR 2081-1. A few remain in 2081-1; the rest are spread throughout LBR. <i>For changes, see below, Chapter 11 Procedures.</i> * Suspension of Chapter 13 Provisions re Six Month Rule was superseded in July 2007 by modified provisions in LBR 3015-1(m). <i>No new changes to 3015-1(m).</i> * Procedure for debtor depositing rent re Section 362(l) now in LBR 4001-1(f). <i>No changes.</i> * Max Attorneys Fees Allowed in Chapter 13 RARA was superseded in August 2006 by Amended General Order 06-01. Caps raised to \$4500 for debtors “engaged in a business” and \$4000 in all other cases. <i>NOTE: Fees listed in RARA, which is referred to by LBR 3015-1(u)(1).</i> * Authority for Chapter 13 Trustee to disburse adequate protection payments pre-confirmation was previously moved in July 2007 to LBR 3015-1(k)(2). <i>No substantive changes.</i> * Procedures for Chapter 15 cases now in LBR 2085-1. <i>Only change is that provisions re Proof of Claim filing apply in chapter 7, 9 and 11 cases instead of “all cases under this title.”</i>
<i>See Public Notice 08-026 for general information on the LBR revision process.</i>		

Item #	LBR #	New Requirements/Procedures
Initiation: Bankruptcy Case or Adversary Proceeding		
4	1002-1 5005-1 1006-1 1007-1 1007-4 1015-1 1015-2 1073-1 9011-2 1010-1 1017-2	<p><u>Bankruptcy Case Initiation</u></p> <p>* Petition & Case Commencement Information remain in 1002-1 and 5005-1, with related items also in Court Manual.</p> <p>* 1002-1(e) refers to FRBP 9037(a) re Redaction Policy.</p> <p>* Filing fee provisions:</p> <p>--- Separate provisions for request to pay filing fee in installments (7, 11, 13 individuals).</p> <p>--- Separate provisions for request to waive chapter 7 filing fee.</p> <p>--- Entities must still pay filing fee at time of filing petition.</p> <p>--- Judge can allow debtor to not appear at hearing on filing fee waiver or installment request.</p> <p>* Amended Mailing list - ONLY list creditors not previously listed.</p> <p>* Requirement that creditor list with “greater than 100 creditors” must be filed in electronic format is now in Court Manual.</p> <p>* Disclosure of Corporate Relationships – No changes</p> <p>* Joint Administration or Substantive Consolidation</p> <p>--- Motion must request transfer of case(s) if all cases are not assigned to one judge.</p> <p>--- Motion can be ruled on without notice and hearing.</p> <p>--- Party can file Motion for reconsideration.</p> <p>* Related Cases: Disclosure on F 1015-2.1</p> <p>--- Definition now includes current or former domestic partners,</p> <p>--- Prior language was eliminated, i.e. that the case filing is “deemed deficient” if mandatory form F 1015-2.1 is not filed with the petition.</p> <p>* New petitions must be assigned randomly to judges, and court can retain or transfer a case if it is filed in the wrong division.</p> <p>* Expanded list of debtors not allowed to file petition without an attorney - limited liability partnerships, limited liability companies, and trusts.</p> <p><u>Case Dismissal – Chapter 7 or Involuntary Cases</u></p> <p>* New LBR 1010-1: Identifies grounds for court to dismiss involuntary petition sua sponte:</p> <p>--- Petitioner fails to serve summons and petition within time frame of FRBP 7004;</p> <p>--- Petitioner fails to file Proof of Service of summons and petition with the court; or</p> <p>--- Petitioner fails to appear at the status conference set by the court.</p> <p>* New Requirements for chapter 7 cases in which debtor fails to attend 341(a) meeting:</p> <p>--- Instead of a notice from trustee, the trustee can “request” dismissal, and trustee must certify that the debtor missed two section 341(a) meeting of creditors.</p> <p>--- Language eliminates reference to automatic 180 day prohibition.</p> <p>* Deficiency “Notice” replaces “OSC re Dismissal.”</p> <p>* Reinstatement of case that was dismissed for failure to timely file documents requires:</p> <p>(1) that all missing documents have been filed; AND (2) Motion to Reinstate Case.</p> <p>* Motion to dismiss or suspend proceedings – Language relocated from prior 9013-1(b). <i>No change in procedure, however the title was modified to read “Motion to Dismiss or Suspend Proceedings” instead of “Dismissal or Suspension of Proceedings.”</i></p> <p>* New subsection 1017-2(a)(1) indicates “Cause For Dismissal”: Failure of petitioner to file in a timely manner any document required by the Bankruptcy Code, FRBP or LBR.</p>

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5	7003-1 7004-1 9027-1	<p><u>Initiation of Adversary Proceeding</u></p> <p>* Cover Sheet Required: 7003-1 provides that a cover sheet is required for complaints filed electronically or non-electronically. <i>This overrides instructions on Form B104, p.2, which states that an adversary proceeding cover sheet is not needed if a complaint is filed electronically.</i></p> <p>* Mandatory Summons and Notice of Status Conference: 7004-1(a) identifies F 7004-1 as mandatory Summons and Notice of Status Conference form to be submitted for execution by clerk.</p> <p>* Required FRBP 7026 Notice: 7004-1(b) duplicates language in 7026-1(a)(1) that the notice required by FRBP 7026 and LBR 7026-1 must be served with the summons and complaint.</p> <p><u>Requirements for Removal and Remand.</u> New provisions clearly state what is required:</p> <p>* Notice of Removal: <u>new</u> requirement that a Notice of Removal must be filed.</p> <p>* Status Conference: <u>same</u> provisions re timing, notice, and service of notice of removal</p> <p>* Remand: <u>new</u> requirement that a motion to remand must be filed no later than 30 days after the <i>filing</i> of a notice of removal.</p> <p>* Filing of Pleadings: <u>new</u> requirement that the party who filed the Notice of Removal must file copies of all documents and orders that were filed in the litigation prior to its removal, AND a copy of docket from the court where the action is removed from.</p> <p>* Demand for Jury Trial – <u>new</u> requirement that to preserve any right to jury trial, a party must comply with LBR 9015-2 no later than 10 days after <i>service</i> of the Notice of Removal.</p>
6	1006-1 1017-1(b) 2010-1 3011-1 4001-1(f) 7065-1(c) 7067-1	<p><u>Fiscal Procedures – SAME except 1 change and 1 clarification</u></p> <p>* Procedure for Paying Filing Fees in Installments or Filing Fees Waived <i>One Clarification:</i> Longer list of entities which must pay filing fee at time of filing petition; <u>No change</u> in procedure for chapter 7 waiver of filing fees.</p> <p>* Additional fees to file conversion - <u>no change</u> in procedure</p> <p>* Bonds or Undertakings - <u>no change</u> in procedure</p> <p>* Motion for Unclaimed Funds - <u>no change</u> in procedure; <i>NOTE: F 3011-1 was revised November 2008 and the format of the Proof of Service contained within F 3011-1 is approved though it differs from mandatory form F 9013-3.1</i></p> <p>* Deposit of Rent Under Section 362(l) - <u>moved</u> from General Order 05-03, and <u>no change</u> in procedure</p> <p>* Approval of Bonds, Undertakings, & Stips for Security: <i>One change:</i> <u>new</u> requirement of compliance with LBR 2010-1.</p> <p>* Registry Funds - formerly “Deposit in Court”; <u>no change</u></p>
Motions: General		
7	3007-1 3017-1 3017-2	<p><u>Titling Documents as “Motions”.</u> You will notice that some documents that historically aren’t titled “motions” are now required to be titled as a motion.</p> <p>(1) Objection to Claim (Motion for order disallowing claim) <i>RELATED NOTE: New Proof of Claim form effective 12/1/08 ... B10 (Official Form 10)</i></p> <p>(2) Disclosure Statements (Motion for order approving disclosure statement)</p> <p>(3) Ch 11 Plan Confirmation (Motion for order confirming plan)</p>

Item #	LBR #	New Requirements/Procedures
Motions: Notice & Hearing		
8	9013-1 <i>(Topics that remained in 9013-1)</i> 9011-3(b) 9019-1	<p><u>New Service Items for Motions Set for Hearing</u></p> <ul style="list-style-type: none"> * 9013-1(d)(2): 21 days service of motions, instead of 24 (<i>See specific list of exceptions</i>). * 9013-1(g)(2): Can serve reply by email; <u>NOTE</u>: <i>Make sure FRCP 5(b)(2)(E) is followed re consent & alternate service if email not received.</i> * 9013-1(f), 5005-2(d): Limited Service of Opposition - Only required to serve opposition on movant, U.S. Trustee and the Judge. * 9013-1(g)(2), 5005-2(d): Limited Service of Reply - Only required to serve a reply on the U.S. Trustee, the individual party/counsel who filed an opposition, and the Judge. * <u>NOTE</u>: <i>As a practical matter, all attorneys on the NEF list for a case or adversary proceeding will receive a NEF of oppositions and replies; but the person who files the document does not have to list them on the Proof of Service.</i> <p><u>Evidence Required; Continuances:</u></p> <ul style="list-style-type: none"> * 9013-1(i): Evidence also required for response and reply. * 9013-1(m): All items re motions to continue hearing are now in this subsection. <p><u>Expanded List of Motions for Which a Points & Authorities is Not Needed.</u></p> <p>9013-1(c)(4): List now includes motions to sell, use, lease or abandon estate assets; still includes fee apps and relief from stay motions.</p> <p><u>Consequence of Failure to Appear at Hearing or Be Prepared</u></p> <ul style="list-style-type: none"> * 9013-1(j)(1): Failure of counsel or unrepresented party to appear at hearing, or counsel to be prepared, is deemed consent to adverse ruling. * 9011-3(b); Failure of counsel to take steps to be prepare for trial/hearing may be deemed an abandonment or failure to prosecute or defend diligently. <p><u>Stipulations re Settlement; Waiver of Appearance:</u> Only changes: (1) Judges copy of stipulation must be delivered to chambers; and (2) Points to LBR 9011-3 for sanction provisions</p>

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9	More 9013-1 <i>(Topics that used to be in 9013-1, but are now relocated to different LBR #)</i>	<p><u>Six Motion Types Were Moved from 9013-1 into their own LBR:</u></p> <p>1017-2(f) ... Motion to Dismiss or Suspend Case or Proceedings. No changes.</p> <p>4001-1 ... Motions for Relief from Automatic Stay. Basically same provisions, except mixed in with other Section 362 motions. <i>One new item</i> is that if relief from stay motion is granted to proceed in another forum, movant must promptly file the relief from stay order in that forum.</p> <p>4003-2 ... Motions to Avoid Lien Under 11 U.S.C. 522(f). Only <i>differences</i> are: (1) Motion, notice of motion and supporting papers must be served on holder of lien sought to be avoided in the same manner as service of a summons and complaint under FRBP 7004; and (2) Motion, notice and supporting papers must be served on any other holder of a lien on that property.</p> <p>5011-1 ... Motions for Withdrawal of Reference. <i>Now includes</i> language about automatic referral by district court to bankruptcy court of cases under title 11 and proceedings under title 11 or arising in/related to case under title 11.</p> <p>7026-1 ... Motions for Order Resolving Discovery Disputes. Much more logically located here. <i>Only new provision</i> is a specification that LBR 9021-1 is the contempt procedure to compel a non-party to comply with a deposition subpoena for testimony or production of documents.</p> <p>7056-1 ... Motions for Summary Judgment. <i>New Provisions:</i> (1) 36 day service of motion instead of 35; (2) Parties may file stipulated facts; (3) Parties required to file all evidentiary documents referred to in papers; (4) Detailed list of pleadings/documents that can be cited in Statement of Uncontroverted Facts and Statement of Genuine Issues; and (5) If “need for discovery” is cited as basis for denial of MSJ, respondent must identify specific facts or issues on which discovery is necessary and justify request for additional time to pursue such discovery.</p>
10	4001-1 3015-1(r) 3015-1(x)(4)	<p><u>Section 362 Motions More Extensive.</u> This used to be a “relief from stay” topic in 9013-1(a)(5) and 3015-1(r). The 9013-1(a)(5) provisions are now located in LBR 4001-1, treating all types of 362 motions including: (1) Motions to impose or continue the stay, and (2) Motions to confirm that the stay does not apply or was terminated. 3015-1(r) requires compliance with 4001-1 and adds reference to Motions to impose or continue the stay. 3015-1(x) refers to service of “A motion regarding the stay of 11 U.S.C. 362” instead of the prior reference to “relief from stay.”</p>
11	9013-1(k)	<p><u>“Withdrawal” of Motion replaced by “Voluntary Dismissal” of Motion.</u></p> <ul style="list-style-type: none"> * There is no authority in the FRBP for withdrawing a motion. * “Voluntary dismissal” of motion complies with FRBP 7041. * FRBP 9014 indicates that FRBP 7041 applies in contested matters. * If a response to a motion <u>has not been filed</u>, FRBP 7041(a)(1) indicates that a Notice of Voluntary Dismissal is sufficient. * If a response to a motion <u>has been filed</u> at the time that movant no longer seeks to proceed with its motion, FRBP 7041(a)(1) and movant must EITHER: <ul style="list-style-type: none"> (1) file a stipulation to dismiss the motion, and the stipulation must be signed by all parties who have appeared; OR (2) obtain court approval of a motion to dismiss the underlying motion.

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12	9075-1	<p><u>Emergency Motion Procedures</u></p> <p>* No Changes</p> <ul style="list-style-type: none"> --- Call chambers staff if you seek a hearing date on less than 48 hours notice. --- Must file the emergency motion at least two hours before hearing. --- Response to the motion can be filed at the hearing, or make an oral response at the hearing. <p>* New Items</p> <ul style="list-style-type: none"> --- Look to court’s website for special procedures for particular judge – www.cacb.uscourts.gov --- Service of motion & supporting papers on required persons and entities is allowed by facsimile, personal service or email. See above at 9013-1 re FRCP 5(b)(2)(E). --- Telephonic notice must include: date/time/location of hearing, substance of motion, & whether the motion will be served by email, facsimile or personal service. --- Expanded service list includes any party likely to be adversely affected by granting of motion. <p>* Judge’s Copy Delivered Directly to Chambers: See Court Manual for specific location.</p> <p><u>Applications for Order Shortening Time</u></p> <p>* No Changes</p> <ul style="list-style-type: none"> --- Application is ruled on ex parte. --- File and serve application AND underlying motion/declarations. --- Proof of Service must be filed no later than 2 days before hearing. --- At the hearing on the underlying motion, any party may object to adequacy of notice & request a continuance of the hearing. <p>* New Items</p> <ul style="list-style-type: none"> --- Now called “Application” instead of motion. --- Now okay to file the Application electronically via CM/ECF. Prior version of LBR 9075-1 required that the papers be filed at intake window. --- 9075-1(b)(1): Application must conform to F 9075-1.1 (<i>Note: Form not yet on website</i>) --- Declaration must <u>establish</u> a prima facie case to grant underlying motion. Prior version of 9075-1 required declaration “supporting” granting of Motion. --- Proposed Order Shortening Time must conform to F 9075-1.2 (<i>Currently F 9075-1</i>) --- Alternative provisions now included for <u>granting or denying</u> the Application. Prior version of 9075-1 did not indicate that Application could be denied. Instead it indicated “Upon receipt of motion, the court shall promptly notify movant of the date and time set for hearing.” --- If Application is granted, movant must <u>serve the Order Shortening Time</u> in addition to providing telephonic notice of the hearing. <p>* Judge’s copy Delivered Directly to Chambers: See Court Manual for specific location.</p>

Item #	LBR #	New Requirements/Procedures
Motions: Non-Hearing Procedures (except for some sales motions)		
13	9013-1(o)	<p><u>Procedures for Non-hearing Motions Relocated to 9013-1(o)</u></p> <ul style="list-style-type: none"> * Specifies who is to be served, including the U.S. Trustee. * List of Motions not allowed now includes all section 362 motions and some chapter 15 motions. * New notice provisions require notice that a response need only be served on the movant, U.S. Trustee <u>and the Judge [LBR 5005-2(d)]</u>. * For preparing and lodging of proposed orders, language points to LBR 9021-1(b) instead of duplicating language of 9021-1(b). * If no response is timely filed, follow 9021-1(b)(4), as a proposed order does not require service and F 9021-1.1 service list (for court to mail) is limited to debtor, debtor’s counsel and the UST. * Some LBR refer directly to 9013-1(o): 2014-1(b)(5), 6007-1(d)(2), and 9071-1(b)(1). * Some LBR refer to 9013-1(o)(1) w/modifications: 2014-1(b)(4), 3015-1(w)(2), 6004-1(c)(4). * Some LBR are identical to 9013-1(o)(3)-(4): 2016-2(f)(1), 3007-1(b)(6), 5095-1(b), 6004-1(d)(3), 6004-1(e)(5), and 6007-1(e).
14	5010-1	<p><u>Motions to Reopen Bankruptcy Case – 5 new items</u></p> <ul style="list-style-type: none"> * Motion to reopen a bankruptcy case may not contain any other request for relief; instead a separate motion or complaint must be filed. <u>Only exception is F 5010-1.M</u>, “Debtor’s Motion to Reopen Case and for Extension of Time to File Debtor’s Certification of Completion of Post Petition Instructional Course Concerning Personal Financial Management,” i.e. permission to file Official Form 23. * A fee is not always required to file a motion to reopen a bankruptcy case. A chart of motions to reopen that specifies when a filing fee is required can be found in the <u>Court Manual</u> and in the <u>FAQ “After a Debtor Files a Bankruptcy Case” #E.39</u> * Motion to reopen may be ruled upon WITHOUT a hearing. The Judge has discretion to set a hearing, but is not required to do so. * The bankruptcy case will be closed 30 days after being reopened if a trustee is not appointed.

Item #	LBR #	New Requirements/Procedures
15	6004-1	<p><u>F 6004-2 Notice of Sale Still Required.</u></p> <p>* 6004-1(f): LBR 6004-2 was deleted. However, an F 6004-2 Notice is still required in many situations, so that it can be posted to the website under “Notice of Sale of Estate Property.”</p> <p><u>New Procedures on Sales, Including EXCEPTIONS to non-hearing procedures</u></p> <p>* New subsection on sales motions, 6004-1(c):</p> <ul style="list-style-type: none"> --- Applies in Chapter 7, 11 or 12 cases, NOT in chapter 13 cases. --- Sales motions OK by non-hearing motion via 9013-1(o) <u>UNLESS</u> the sale is subject to overbid or the trustee/Debtor-in-Possession has been contacted by potential overbidders. --- A Points & Authorities is not needed. --- <u>6004-1(c)(3)</u>: Notice of Hearing/motion must contain information about the: (1) property; (2) date of hearing and deadline for objection; (3) proposed purchaser; (4) terms/conditions of sale; (5) liens/other interests; (6) overbid procedures; (7) sales commissions; (8) sales consideration to be received by the estate; <u>AND</u> (9) estimated or possible tax consequences of sale and how taxes will be paid. <p>* Notice of Intent to Use, Sell or Lease Property of Estate, 6004-1(d)</p> <ul style="list-style-type: none"> --- Comply with notice contents of 6004-1(c)(3), including certification that the seller has not been contacted by potential overbidders and that there are no viable alternative purchasers. <u>NOTE: Notice will not contain information about hearing, because none scheduled.</u> --- Cannot use “Notice of Intent to Sell” procedure if the sale is subject to overbid or if the trustee or Debtor-in-Possession has been contacted by overbidders. <p>* Sales of Publicly Traded Assets, 6004-1(e):</p> <ul style="list-style-type: none"> --- Motion not required. Seller can serve Notice of Intent to Sell which must include specific details about the sale, sales agent and commissions. --- For the sales agent, an employment application and order are not needed if that person is a registered agent with the Security Investors Protection Corporation (SIPC). --- Sales Notice must be accompanied by declaration of disinterestedness of sales agent. <p>* Report of sale required by 6004-1(g) – Report required by FRBP 6004(f)(1) must be filed and served no later than 20 days after the sale.</p> <p>* Specific limitations on disbursement of sale proceeds, 6004-1(h):</p> <ul style="list-style-type: none"> --- Proceeds must be paid directly to appointed trustee or to Debtor-in-Possession --- Need order authorizing disbursement <u>except for</u> payment: (1) to secured creditors; (2) to debtor for exempt proceeds; (3) for expenses of sale; or (4) for auctioneer fees or broker’s commissions if payment is consistent with terms of order approving the sale or order authorizing employment of the auctioneer or broker. <p>* New reference to 3015-1(p) for Chapter 13 Motions to Sell or Refinance Property.</p>

Item #	LBR #	New Requirements/Procedures
Chapter 13 Cases: Conversion & Dismissal		
16	1017-1(a)(1) 3015-1(q)(2) 3015-1(q)(5) 1001-1(c) 9004-1(b)(1)	<p><u>Notice of Conversion From Chapter 13 to 7 Does Not Require Service on All Creditors, and Debtor's Should Not Lodge a Proposed Order.</u></p> <p>* Debtor only has to file a F 1017-1.4 Notice of Conversion.</p> <p>* Service of Notice of Conversion only required on U.S. Trustee, Chapter 13 Trustee, and Judge.</p> <p>* Do not lodge proposed order; the court will prepare the conversion order.</p> <p>* NOTE: <i>Court form order F 1017-1.5 will be deleted from the list of forms on the court's website.</i></p> <p>* NOTE: Notices of Conversion filed by pro se debtors must have the debtor's name clearly printed below the signature line. LBR 9004-1(b)(1) requires the name of the signing attorney to be clearly printed below the signature line. LBR 1001-1(c) indicates that rules for "attorney" apply to persons appearing without counsel.</p> <p>* NOTE: A new document titled BNC "Notice of Conversion" will contain language instructing the debtor and chapter 13 trustee what each has to do now that the case is converted to chapter 7.</p> <p>* NOTE: A BNC Notice of new section 341(a) Meeting of creditors will be sent to all creditors.</p>
17	3015-1(c)(6)(C) 3015-1(h)(1) 3015-1(k)(4) 3015-1(m)(8) 3015-1(q)(5) 1017-2(a)(1)	<p><u>Do Not Lodge a Proposed Order to Dismiss Chapter 13 Case</u></p> <p>* Applies to several scenarios:</p> <p>--- Case dismissed at Chapter 13 Confirmation Hearing</p> <p>--- Case dismissed at a hearing on Chapter 13 trustee's Motion to Dismiss</p> <p>--- Case dismissed pursuant to Debtor's Request for Voluntary Dismissal</p> <p>* NOTE: In the past, orders to dismiss chapter 13 cases were entered, but not served on all creditors. Instead a separate BNC Notice of Dismissal was prepared and served by the court.</p> <p>* NOTE: When the court dismisses a chapter 13 case, the court will enter and serve a single document that combines the Order of Dismissal and the Notice of Dismissal. The combined document is titled "Order and Notice of Dismissal" and there are a variety of formats of the document which allow the court to specify different conditions upon which a new bankruptcy case may be filed.</p> <p>* NOTE: When the court denies a Debtor's Request for Voluntary Dismissal, the court will prepare its own order.</p> <p><u>Filing of Debtor's Request for Voluntary Dismissal</u></p> <p>* F 3015-1.18 is the mandatory court form: "Debtor's Request for Voluntary Dismissal."</p>
18	3015-1(r) 4001-1	<p><u>Court Retains Jurisdiction Under Sections 362, 329 and 110 When Chapter 13 Case is Dismissed</u></p> <p>* NOTE: Each combined "Order and Notice of Dismissal" contains language retaining jurisdiction for motions under Section 110 (Attorney Petition Preparers), Section 329 (Review of Attorney Fees) and Section 362 (Relief from Stay).</p> <p>* NOTE: Check with staff of particular judge (or Judges' section of the court website) to determine the judge's policy for hearing motions under these sections after the Order and Notice of Dismissal has been entered.</p>

Item #	LBR #	New Requirements/Procedures
Chapter 13 Cases: Non-hearing Motions & Miscellaneous Items		
19	3015-1(n), (p), (v), (w) 3015-1	<p><u>No Longer Required to Obtain Comments from Chapter 13 Trustee Before Filing Non-Hearing Motions.</u></p> <ul style="list-style-type: none"> * Motions/Applications that used to require Chapter 13 trustee comments before being filed can now be filed as the first step in the process. * After the motion is filed, the Chapter 13 trustee will be served with the motion via Notice of Electronic Filing (NEF). * The Chapter 13 trustee has 15 days to file and serve comments or objections, except 20 days if the motion is Debtor’s Motion to Modify Plan After Confirmation. Trustee must use either: <ul style="list-style-type: none"> --- F 3015-1.11: Trustee’s Comments/Objection to Application for Supplemental Fees --- F 3015-1.13: Trustee’s Comments/Objection to: (1) Debtor’s Motion to Modify Plan Or Suspend Plan Payments; (2) Debtor’s Motion for Authority to Incur Debt; (3) Debtor’s Motion for Authority to Refinance Real Property; (4) Debtor’s Motion for Authority to Sell Real Property <p><u>Miscellaneous New Items</u></p> <ul style="list-style-type: none"> * 3015-1(b)(1): Adds reference to FRBP 1019(1)(A) so that if a chapter 13 case is converted to chapter 7, the 15 day deadline (<i>and dismissal for not filing papers</i>) relates to conversion date, not petition date. * 3015-1(b)(4): Must comply with LBR 9009-1 to make any modifications to Official Forms or court mandated forms. * 3015-1(d)(1): To learn variance in procedures for calendaring and appearance in chapter 13 matters, consult judges’ section of court website and website of particular chapter 13 trustee. * 3015-1(e)(1): Provision re post-petition payments retains the phrase “ including vehicles” and deletes the phrase “but not limited to.” * 3015-1(f): Evidence allowable to establish cause to not pay domestic support arrearages through the plan now includes “other admissible evidence” in addition to a declaration. * 3015-1(i): The phrase “Prior review by chapter 13 Trustee preferred” is replaced by “The proponent should give the chapter 13 trustee an opportunity to review the proposed amendment prior to the confirmation hearing.” * 3015-1(k)(1)(D): If pre-confirmation payments were made that differ from the amounts provided in the confirmed chapter 13 plan, the order confirming plan must account for these differences and adjust on-going payments so that payments are completed within the term of the plan. * 3015-1(q)(1): For Debtor’s Request to Voluntarily Dismiss, provision eliminates requirement to disclose whether debtor or spouse has had a bankruptcy case pending within the previous 8 years. * 3015-1(v)(2), 3015-1(x)(5): Application for supplemental fees requires a noticed motion. There is no longer the option of just serving the application on the chapter 13 trustee for comments. There is no change to the limited service required if the application requests an amount not exceeding \$1000. * 3015-1(x)(3): Requires use of court-mandated forms for Motions to modify, suspend or extend the plan. <i>See below at Item #20 for a list of new mandatory court forms.</i>

Item #	LBR #	New Requirements/Procedures
20	3015-1 Forms	<p><u>New Ch 13 Mandatory Form Motions, Form Comments, Form Orders, and RARA.</u></p> <p>* New LBR Forms on court website effective 9/1/08 via Public Notice 08-009.</p> <p>--- F 3015-1.5: Notice of Motion to Modify Plan or Suspend Plan Payments</p> <p>--- F 3015-1.6: Motion to Modify Plan or Suspend Plan Payments</p> <p>--- F 3015-1.11: Trustee’s Comments/Objection to Application for Supplemental Fees</p> <p>--- F 3015-1.12: Order on Application for Supplemental Fees</p> <p>--- F 3015-1.13: Trustee’s Comments/Objection to Motions</p> <p>--- F 3015-1.14: Order on Motions</p> <p>* New LBR Forms on court website effective 1/5/09 via Public Notice 08-027.</p> <p>--- F 3015-1.7: Rights and Responsibilities Agreement between Chapter 13 Debtors and Their Attorneys</p> <p> <i>NOTE: Only change is that maximum attorneys fees listed do not include petition filing fees</i></p> <p>--- F 3015-1.15: Debtor’s Motion for Authority to Refinance Real Property under LBR 3015-1(p)</p> <p>--- F 3015-1.16: Debtor’s Motion for Authority to Sell Real Property under LBR 3015-1(p)</p> <p>--- F 3015-1.17: Debtor’s Motion for Authority to Incur Debtor on Personal Property</p> <p>--- F 3015-1.18: Debtor’s Request for Voluntary Dismissal of Chapter 13 Case</p> <p>--- F 3015-1.19: Declaration of Current/Post-Petition Income and Expense</p> <p><i>NOTE: There is no court form titled “Application for Supplemental Fees.”</i></p>
21	3015-1(w)(3)	<p><u>For Chapter 13 Non-Hearing Motions/Applications, in Some Situations the Chapter 13 Trustee Will Lodge the Proposed Order, and in Other Situations the Movant Will Lodge the Proposed Order</u></p> <p>* If Chapter 13 Trustee files and serves F 3015-1.11 (Trustee’s Comments on Application for Supplemental Fees) or F 3015-1.13 (Trustee’s Comments on Motions)</p> <p>--- Chapter 13 trustee prepares and lodges form order F 3015-1.12 or F 3015-1.14.</p> <p>--- Chapter 13 trustee must lodge proposed orders via LOU, and must do so promptly after filing the separate comment/objection form.</p> <p>--- F 3015-1.12 and F 3015-1.14 provide space for the chapter 13 trustee to recommend conditions to the court for granting the motion/application.</p> <p>* If Chapter 13 Trustee does not timely file and serve F 3015-1.11 (Trustee’s Comments on Application for Supplemental Fees) or F 3015-1.13 (Trustee’s Comments on Motions)</p> <p>--- Debtor files court form F 9013-1.9 Declaration of Service & Non-Response.</p> <p>--- Debtor prepares and lodges F 3015-1.12 or F 3015-1.14.</p>

Item #	LBR #	New Requirements/Procedures
Attorneys: Admission & Practice		
22	5005-4	<p><u>LBR Now Contains Mandatory E-Filing Requirements.</u></p> <ul style="list-style-type: none"> * Mandatory Electronic Filing: 5005-4 is a combination of provisions from General Order 06-03 and Public Notice 07-003. Once an attorney files papers in 5 or more cases or adversary proceedings in one year, all documents must be filed electronically from that day forward. * Exceptions to Mandatory Electronic Filing: (1) Person who is not represented by an attorney; (2) Papers filed under seal; and (3) Attorney who has never filed papers in at least five cases or adversary proceedings in one year. However, court has authority to revoke this third exception. * 5005-4(b): Follow CM/ECF Administrative Procedures if there is a conflict between any LBR and the CM/ECF Administrative Procedures. This provision conforms to language from General Order 06-03, paragraph 20. * Orders to Show Cause re Non-Compliance: The court monitors the filing of documents in paper (non-electronic) format. The court may set Orders to Show Cause re Sanctions for attorneys who are not in compliance with mandatory CM/ECF filing requirements, as allowed via General Order 06-03, paragraph 3, and Public Notice 07-003.
23	1002-1(b) 2090-1 2090-2 2091-1 9011-2 9011-3(b) 9013-1(j)(1) 9074-1	<p><u>Attorney Admission and Practice:</u> New items include:</p> <ul style="list-style-type: none"> * Attorney information on the first page of pleadings must now include an email address. * Prior 2090-1 has been divided into 3 LBR: 2090-1, 2090-2, 2091.1 * Provisions on Application to appear pro hac vice now specify that the district court admission fee must be paid. This isn't a new requirement, but was previously only specified in district court local rule. <i>See district court website for amount of fee.</i> * NOTE: <i>On court website, FAQ "General Information" contains pro hac vice information and links to court forms and district court fee amount.</i> * New provision, 2090-2(a), that an attorney appearing in bankruptcy court for any reason is subject to district court Local Civil Rule 83-3.1.2 * Discipline provisions do not limit or restrict judge's authority to impose sanctions on attorney. * No change to provisions re motion to withdraw as counsel or substitute counsel. * If attorney has a change of address, must file and serve change of address or update email address in court database. NOTE: <i>Our court does not allow attorneys to update CM database on their own; instead attorney must submit request to the Help Desk.</i> * List of persons or entities who may not appear or file papers without counsel now includes limited liability partnership, limited liability company, trusts, and non-attorney guardian for a minor or incompetent person * New Provision, 9011-3(b): Specifies that failure to be prepared for a hearing or appear at a hearing, may be deemed abandonment or failure to prosecute or defend diligently. * New Provision, 9013-1(j)(1): Specifies that failure to appear, unless excused by the court in advance of a hearing, may be deemed consent to adverse ruling. * 9074-1: This is a new LBR #, but contains the same provisions re Telephonic Appearances.

Item #	LBR #	New Requirements/Procedures
Attorneys: Discovery		
24	2004-1	<p><u>Must Meet and Confer Prior to 2004 Motion.</u></p> <ul style="list-style-type: none"> * The attorney requesting a 2004 Examination must schedule a meet and confer prior to selecting a date for the examination. * A “meet and confer” declaration must be filed along with the Motion for Examination.
25	7016-1 7026-1 7026-2 7026-3 7030-1 7069-2 9013-1(n)	<p><u>Discovery Basically Same, Moved to new LBR. New items are:</u></p> <ul style="list-style-type: none"> * 7016-1(a)(5): Stipulation to extend deadlines set forth in prior scheduling orders must contain facts establishing cause; proposed order is a separate document. * 7016-1(b)(2)(E): Provisions re contents of joint pre-trial order deletes language that expert witness “shall not substitute for the narrative statement required.” * 7016-1(f): Refers to sanctions under Fed.R.Civ.P. 16(f). * 7026-1(c)(5): Specifies that LBR 9020-1 is the procedure to apply for an OSC re contempt * 7030-1(a)(2): The party who noticed a deposition is responsible for obtaining the original of the transcript and keeping it in a sealed envelope, so that it is safe. * 7030-1(c): Allows for joint preparation of deposition summary to be used in lieu of question and answer reading of deposition at trial. * 9013-1(n): Unless otherwise ordered by the court, Fed.R.Civ.P. 26(a), (d) & (f) & LBR 7026-1 do not apply in contested matters. * New Transcript Redaction Policy: <i>See Public Notices 08-017 and 08-019 re imminent adoption of Transcript Redaction Policy.</i>

Item #	LBR #	New Requirements/Procedures
Chapter 11 Procedures: LBR 2081-1; Forms		
27	2081-1	<p><u>Chapter 11 Procedures Relocated In Nine Other LBR, with some left in 2081-1; General Order 02-02 Being Repealed</u></p> <p>* Remaining in LBR 2081-1 --- List of Motions (subject to FRBP 6003) that may be heard as Emergency Motions or on Application for Order Shortening Time. --- Prepackaged plans. --- Severance Compensation or Employee Incentive Motions.</p> <p>* Moved to Other LBR --- 1015-2(b): Joint Administration of Cases Pending in Same Court. <i>Only change is that an order for joint administration may be reconsidered by motion after notice & hearing.</i> --- 2014-1(b), (c): Employment Applications; Reconsideration of Employment Terms. <i>Only change is that prohibition against reconsideration is subject to exception of 11 U.S.C. 328(a).</i> --- 2016-1(b): Motion to Approve Compensation Procedures Including Monthly Draw Down & Contingency or Success Fee Agreements. <i>No changes.</i> --- 4001-2: Motions for Emergency Use of Cash Collateral, DIP Financing, or Cash Management. <i>Only change is that requirement of identifying whether motion has certain provisions replaces “Provisions or Findings of Fact that bind the estate...” with “Provisions that bind the estate ...”</i> --- 6004-1(b): Motions for Order Establishing Sales Procedures. <i>Only change is to require service of Judges’ Copy.</i> --- 9036-1: Notice & Service by Electronic Transmission <i>Significant change in that prior language referred to allowance of electronic transmission to persons who requested it, while new language omits reference to “requesting” electronic service and replaces it with “consent” to electronic notice and service. The new and old provisions contain <u>similarly effective language</u> that receipt (by the sender) of electronic confirmation of electronic transmission constitutes service of the document.</i> --- 9075-1: Emergency Motions and Applications for Orders Shortening Time. <i>Prior LBR 2081-1(b)(1) had a separate procedure for emergency motions. Now, follow the procedures in LBR 9075-1.</i></p> <p><u>Two New LBR re Chapter 11 Procedures:</u></p> <p>* 3018-1: Ballots – Voting on Chapter 11 Plan; --- Plan proponent must tabulate ballots. --- Plan proponent must sign and file a ballot summary not later than one day prior to the hearing on confirmation of the plan, including certifying to amount and number of allowed claims and interests voting to accept or reject the plan. --- Make original ballots available at hearing for inspection and review by the court and any interested party. --- Court may order an amended ballot summary to be filed with the original ballots attached.</p> <p>* 5095-1: Investment of Estate Funds --- Not limited to Chapter 11 cases. --- Very specific procedure for Trustee/Debtor-in-Possession to follow. --- Motion and Order not required; Notice is sufficient; but if an objection is filed, the trustee or DIP must schedule a hearing date on the Notice.</p>
	3018-1	
	5095-1	

Item #	LBR #	New Requirements/Procedures
28	3001-1 3016-1 3016-2 3017-1 3017-2 3018-2 3020-1	<p><u>Other LBR re Chapter 11 Have Been Renumbered; Provisions Basically Unchanged</u></p> <ul style="list-style-type: none"> * 3016-1 & 3016-2: Provisions re Form of Disclosure Statement & Plan basically unchanged. * NEW OFFICIAL FORMS From Judicial Conference – Effective 12/1/08 <ul style="list-style-type: none"> B 25A - Plan of Reorganization in Small Business Case B 25B - Disclosure Statement in Small Business Case B 25C - Small Business Monthly Operating Report B 26 - Periodic Report Regarding Value, Operations and Profitability of Entities in Which Debtor’s Estate Holds a Substantial or Controlling Interest * 3017-2(a): More clearly states that the court may conditionally grant an application for approval of disclosure statement in small business case filed pursuant to 11 U.S.C. 1125(f) & FRBP 3016. * 3017-2(b): More clearly identifies the procedure for seeking conditional approval of disclosure statement in small business case, including that the plan proponent may file an <i>ex parte</i> motion. * 3020-1: No changes re special charges, post-confirmation requirements, final decree.

Notice & Service

29	9036-1 2002-1(a) 2002-2(a) PN 08-007 PN 08-014 PN 08-015 F 9013-3.1 F 9021-1.1	<p><u>Consent to Electronic Notice & Service of Documents Filed.</u></p> <ul style="list-style-type: none"> * 9036-1 restates provisions from General Order 06-03 & CM/ECF Administrative Procedures that an attorney with a CM/ECF password consents to electronic notice/service of all documents filed in a case or adversary proceeding, with some exceptions. * Many LBR on service are “subject to electronic service provisions of 9036-1.” <i>This is a reminder throughout the LBR that paper service of documents is not required if an attorney is on the NEF list for the relevant case or adversary proceeding.</i> * 2002-1(a) extends consent to electronic notice & service to filers of Request for Special Notice. * 2002-2(a): U.S. Trustee consents to electronic notice and service, with some exceptions. <i>NOTE: These provisions conform to the items set forth in Public Notice 08-007.</i> * Soon, case trustees will also be on NEF list for all adversary proceedings. * Public Notice 08-014: Limits Requests for Special Notice to the standard of FRBP 2002(i). * Public Notice 08-015: File “Request for Courtesy NEF” (form on website) if can’t meet test for Request for Special Notice. This action adds a person to an NEF list without a clerk having to type in a new street address on a docket. <i>See mandatory court forms F 9013-3.1 and F 9021-1.1, category I, in which email addresses are listed.</i>
30	9013-3 9021-1(b)(1)(E)(ii)	<p><u>Mandatory use of F 9013-3.1 Proof of Service.</u></p> <ul style="list-style-type: none"> * Must use F 9013-3.1 as a Proof of Service for all documents filed, <i>including proposed orders.</i> * F 9013-3.1 is posted on the court’s website as a stand-alone form. * Court form motions and form orders will already contain the language from 9013-3.1. <i>See Public Notice 08-027 for the date on which court forms will be updated.</i> * Note three different categories, & instructs for preparation of F 9013-3.1 <ul style="list-style-type: none"> --- I. To be Served by Court via NEF: List email addresses from “Electronic Mail Notice List.” <i>NOTE: When using F 9013-3.1 as a proof of service of proposed order, do not list anyone in this category because proposed orders are not docketed and therefore do not generate an NEF.</i> --- II. Served via Overnight or U.S. Mail: List street addresses. <i>NOTE: The judge may be in this category.</i> --- II. Served via Personal Delivery, Facsimile or Email: List proper method. <i>NOTE: The judge may be in this category.</i>

Item #	LBR #	New Requirements/Procedures
31	5005-2(d) 6004-1(b)(4) 9013-1(g)(5) 9021-1(b)(3)(B) 9075-1(a)(6) Court Manual	<p><u>Must Serve Judge With Copy of All Documents, INCLUDING PROPOSED ORDERS.</u></p> <ul style="list-style-type: none"> * No more “courtesy copy” or “chambers copy.” * No more delivery of copies to clerk’s office. * Must list Judge on Proof of Service: <u>Category II (Mail)</u> or <u>Category III (Personal Delivery)</u>. * For documents filed under seal, judge’s copy must be sealed in a separate envelope. * See Court Manual for chart of when, how, and where to deliver copies to the judge. * Method of delivery to the judge depends upon whether the document is related to a hearing and whether hearing is 14 or more days after the document is filed. <ul style="list-style-type: none"> -- <u>Hearing 14 or more days after document filed</u>: Personal Delivery, U.S. Mail or Overnight Mail. -- <u>Hearing fewer than 14 days after document filed</u>: Personal Delivery or Overnight Mail. -- <u>No hearing</u>: Personal Delivery, U.S. Mail or Overnight Mail. * Proposed Orders Lodged via LOU: Deliver copy, LOU receipt and (if any needed) the self-addressed stamped envelopes directly to chambers. <i>DO NOT SEND TO CLERK’S OFFICE.</i>

Item #	LBR #	New Requirements/Procedures
Proposed Orders: Preparation & Lodging		
32	9021-1(b)(1) 4001-1(b)(2) 3015-1(r)(3) 9009-1 9071-1(a)(3) New ch 13 forms Court Manual 9021-1(a) 9021-1(a), (b)(2) 9021-1(b)(1)(D) 9021-1(b)(1)(B) 9021-1(b)(1)(C) 9021-1(b)(3)(B) 9021-1(c)(4), (5)	<p><u>Orders are Separate Documents, Except F 4001-1 Orders.</u></p> <p>* Since January 2008, LBR 9021-1 has required orders to be prepared and lodged as a separate document, ending the long- standing filing/lodging of “Stipulation and Order.”</p> <p>* Now the combination of some LBR exempts F 4001-1 series of mandatory orders from being “separate,” because these forms contain Adequate Protection Pages as part of the form order.</p> <p><u>Miscellaneous New Items</u></p> <p>* 9021-1(a): Don’t attach agreements or other exhibits to proposed orders. Instead, when an order approves a motion which is based upon an agreement or other exhibit, the order must refer to the docket number and/or title of the document in which the agreement or exhibit is found.</p> <p>* 9021-1(a): Follow LOU Procedures to prepare and lodge orders.</p> <p>* 9021-1(b)(1)(B): Okay to lodge proposed order before hearing date if authorized in the judge’s tentative ruling</p> <p>* 9021-1(b)(1)(C) and 9021-1(b)(3)(B): <u>Deadline of ”7 court days” replaced by “7 days”</u> for lodging an order after a hearing and for filing/serving objection to form of proposed order.</p> <p>* 9021-1(c)(4)-(5): <u>Deadline of “5 court days” replaced by “5 days”</u> for filing/serving an objection after service of interest computation, and for minimum notice of scheduled hearing on contested computation of interest.</p> <p>* CM/ECF Administrative Procedures, Section III.D. “Documents with Multiple Signatures”: Provisions do not authorize multiple “/s” in the same document. Instead, a document containing the original signatures must be filed.</p>
33	9021-1(b)(4)	<p><u>Not Required to Serve Proposed Order When Motion is Unopposed.</u></p> <p>* 9021-1(b)(4): Specifies that when a motion is unopposed there is no requirement to serve the proposed order on any person or entity, <i>NOT EVEN ON THE U.S. TRUSTEE.</i></p> <p><i>NOTE: This does not prevent a movant from serving a proposed order, but if a proposed order is lodged without a proof of service, it is not deficient and does not have to be marked “unused.”</i></p>
34	7052-1 7056-1	<p><u>Use LOU to Lodge Proposed Statement of Uncontroverted Facts (MSJ), and Proposed Findings of Fact and Conclusions of Law (for any matter).</u></p> <p>* <i>This is designed so that judges or staff may save time when preparing findings of fact and conclusions of law, by not having to retype language already typed by attorneys.</i></p>
35	3001-1(b)(6)(B) 3015-1(q)(5) 7016-1(b)(1)(A) 9013-1(o)(3)(B) 9071-1(a)(3)	<p><u>Orders: Many LBR point to 9021-1 Instead of Repeating Language</u></p> <p><i>Many prior LBR repeated language re requirements of preparing and lodging orders. Now, referring directly to 9021-1 helps increase clarity and consistency about preparation of orders, service of proposed orders, and completing F 9021-1.1 Notice of Entered Order and Service List.</i></p>

Item #	LBR #	New Requirements/Procedures
36	9021-1(b)(1)(E)(I)	<p><u>Mandatory use of F 9021-1.1, Notice of Entered Order and Service List</u></p> <ul style="list-style-type: none"> * The prior “Notice of Entry” form has been significantly revised. * All orders will use F 9021-1.1 “Notice of Entered Order and Service List.” <p><i>NOTE: 9021-1(b)(1)(E)(I) and a few other LBR refer to F 90212-1.1 “Service List for Entered Order.” The form number remains the same, but the title was modified.</i></p> <ul style="list-style-type: none"> * F 9021-1.1 is posted on the court’s website as a stand-alone form. * Court form orders will already contain the language from F 9021-1.1. <p><i>See Public Notice 08-027 for the date on which court form orders will be updated.</i></p> <ul style="list-style-type: none"> * Note three different categories, & instructs for preparation of F 9021-1.1. <p>--- I. Served by Court via NEF: List email addresses only, not street addresses.</p> <p>--- II. Served by Court by U.S. Mail: List street addresses ONLY of debtor, debtor’s counsel, & person/entity & attorney who filed a paper in connection with the motion being ruled upon AND are not in the NEF category.</p> <p>--- III. To be served by Lodging Party After Order Entered: List proper method that will be used to serve the entered order. There is no limit to who may be listed here. An F 9013-3.1 Proof of Service of Document must be filed after the party serves copies of the entered order.</p>
37	9021-1(b)(1)(D) 9013-1(o)(3) 2014-1(b)(4)(B) 3015-1(w)(2)	<p><u>Severely Limited Addresses on F 9021-1.1, Category II.</u></p> <ul style="list-style-type: none"> * Category II of F 9021-1.1 Notice of Entered Order and Service List is for service of an entered order by the court via U.S. Mail. * Category II can only contain street addresses for debtor, debtor’s attorney (if not a CM/ECF User), movant and movant’s attorney (if not a CM/ECF User), and any other person or entity who filed a paper in connection to the matter being ruled upon in the order. * Do not list street addresses for: (1) persons who requested special notice; (2) multiple attorneys for the same party; (3) multiple addresses for the same attorney; (4) co-borrowers or other lien holders who did not file an opposition to the motion; (5) etc. * Exception, 2014-1(b)(4)(B): The court will serve orders authorizing employment on any committee appointed in the case (and attorney) even if the committee did not oppose the employment application.
Entered Orders: Envelopes Rarely Needed		
38	9021-1(b)(1)(D)	<p><u>Self-Addressed, Stamped Envelopes for Orders are Rarely Needed to Be Delivered to Court</u></p> <ul style="list-style-type: none"> * The vast majority of orders are mailed via the Bankruptcy Noticing Center (BNC). * The Court Manual contains a chart of 81 orders mailed via the BNC (BNC Chart). * The BNC prepares envelopes for U.S. Mail to the debtor, debtor’s attorney, & others. * If an attorney lodges a proposed order via LOU, or the court prepares an electronic order, ONLY list in Category II of F 9021-1.1 the debtor, debtor’s counsel, and others who filed a paper in connection with the motion and are not CM/ECF Users. * Follow this procedure so that envelopes are never needed for orders listed on BNC Chart

Item #	LBR #	New Requirements/Procedures
Entered Orders: Unhappy with Ruling		
39	9013-4	<p><u>New Trial or New Hearing on Contested Matter</u> Only one change – If grounds cited in the request for new trial or hearing are based upon “newly discovered evidence,” the prior version of 9013-4 required a declaration with personal knowledge of facts showing why the newly discovered evidence could not have been produced at trial and what attempts were made to discover and present the evidence at trial. The new version substitutes “at trial” with “at trial or the original hearing on a motion.”</p>
40	8000-1 8009-1 8001-1 8011-4 8001-3 8014-1 8003-1 8004-1	<p><u>Appeal Rules Basically Unchanged.</u> * LBR renumbered. * Provisions spread throughout “8000” series of LBR. * No longer a provision that treats an untimely Notice of Appeal as a Motion for Leave to Appeal</p>

End of Document.