

1. GENERAL COURT INFORMATION

1.1. Quick Guide to the Court

<p style="text-align: center;">LOCATIONS</p> <p><u>OFFICE OF THE CLERK</u></p> <p>Edward R. Roybal Federal Building and United States Courthouse 255 East Temple Street Los Angeles, CA 90012</p> <p><u>LOS ANGELES DIVISION</u></p> <p>Edward R. Roybal Federal Building and United States Courthouse 255 E. Temple Street, Suite 940 Los Angeles, CA 90012</p> <p><u>RIVERSIDE DIVISION</u></p> <p>3420 Twelfth Street Riverside, CA 92501</p> <p><u>SANTA ANA DIVISION</u></p> <p>Ronald Reagan Federal Building and United States Courthouse 411 West Fourth Street Santa Ana, CA 92701</p> <p><u>NORTHERN DIVISION</u></p> <p>1415 State Street Santa Barbara, CA 93101</p> <p><u>SAN FERNANDO VALLEY DIVISION</u></p> <p>21041 Burbank Boulevard Woodland Hills, CA 91367-6603</p>	<p style="text-align: center;">WEBSITE</p> <p style="text-align: center;"><www.cacb.uscourts.gov></p>	<p style="text-align: center;">CM/ECF Help Desk</p> <p style="text-align: center;">(213) 894-2365 ECF_support@cacb.uscourts.gov Mon. through Fri., 9:00 A.M. - 4:00 P.M.</p>																																																																								
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<p>FEE ACCEPTANCE POLICY</p> <p>The Bankruptcy Court will accept cash, U.S. Postal Service money orders, cashier's checks from an acceptable financial institution, attorney or law firm checks (payable to the U. S. Bankruptcy Court) and American Express, Discover, MasterCard, and VISA for payment of fees. Credit card transactions must be made in person by the cardholder; however, this does not apply to electronically filed documents. The court does not accept personal checks or credit cards from debtors to pay fees. All attorney/law firm checks must include a current pre-printed name, street address, telephone number and California attorney bar number.</p>	<p style="text-align: center;">ABBREVIATED FEE SCHEDULE (EFFECTIVE 11/1/2011)</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="border-bottom: 1px solid black;">New Petition:</td> <td style="border-bottom: 1px solid black;">Chapter 7</td> <td style="border-bottom: 1px solid black; text-align: right;">\$ 306.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Chapter 9</td> <td style="border-bottom: 1px solid black; text-align: right;">\$ 1,046.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Chapter 11</td> <td style="border-bottom: 1px solid black; text-align: right;">\$ 1,046.00</td> </tr> <tr> <td style="border-bottom: 1px solid black;"></td> <td style="border-bottom: 1px solid black;">Chapter 12 (Family Farmer)</td> <td style="border-bottom: 1px solid black; 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(See <i>Reopening a Bankruptcy Case</i>, section 2.8(b))</p>		New Petition:	Chapter 7	\$ 306.00		Chapter 9	\$ 1,046.00		Chapter 11	\$ 1,046.00		Chapter 12 (Family Farmer)	\$ 246.00		Chapter 13	\$ 281.00		Chapter 15 (replaces Ancillary (Sec.304))	\$ 1,046.00	Case Reopening:*	Chapter 7	\$ 260.00		Chapter 9	\$ 1,000.00		Chapter 11	\$ 1,000.00		Chapter 12	\$ 200.00		Chapter 13	\$ 235.00		Chapter 15	\$ 1000.00	Case Conversions:	Chapter 7 to 13	No Fee		Chapter 7 to 11	\$ 755.00		Chapter 11 to 7	\$ 15.00		Chapter 12 to 7	\$ 60.00		Chapter 13 to 11	\$ 765.00		Chapter 13 to 7	\$ 25.00	Amendments:	Schedules "D," "E," or "F"	\$ 30.00		Master Mailing List	\$ 30.00	Motions:	Motion to Terminate, Annul, Modify, or Condition the Automatic Stay	\$ 176.00		Motion to Compel Abandonment of Property	\$ 176.00		Motion to Withdraw Reference	\$ 176.00	Complaint ² (Adversary Proceeding)		\$ 293.00
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¹ If a trustee or debtor in possession is the appellant, the fee should be payable only from the estate and to the extent that any estate is realized. This exception applies to the \$250.00 appellate filing fee required by the fee schedule and not to the \$5.00 notice of appeal fee authorized under 28 U.S.C. § 1930(c). Parties filing a joint notice of appeal should pay only one fee. Upon notice from the court of appeals that a direct appeal or direct cross appeal has been authorized, an additional fee of \$157 must be collected.

² If a trustee or debtor in possession files the complaint, the fee should be payable only from the estate and to the extent that any estate is realized. The fee must not be charged if: (1) the debtor is the plaintiff; or (2) a child support creditor or representative files the complaint and submits the form required by § 304(g) of the Bankruptcy Reform Act of 1994.

1.2. Federal Holidays

The United States Bankruptcy Court is closed on the following holidays:

- (a) **New Year's Day**
- (b) **Dr. Martin Luther King Jr. Day**
- (c) **President's Day**
- (d) **Memorial Day**
- (e) **Independence Day**
- (f) **Labor Day**
- (g) **Columbus Day**
- (h) **Veteran's Day**
- (i) **Thanksgiving Day**
- (j) **Christmas Day**

1.3. Legal Publications

The following list of publications may be helpful for reference (most are available at law libraries or on the Internet. See *Appendix E* for law library locations):

- (a) ***Bankruptcy Code***
- (b) ***Federal Rules of Bankruptcy Procedure (FRBP)***
- (c) ***Federal Rules of Civil Procedure (F.R.Civ.P.)***
- (d) ***Local Bankruptcy Rules***
- (e) ***Federal Rules of Evidence***
- (f) ***California Commercial Code***

1.4. Local Bankruptcy Rules and Cross Reference Table

- (a) **The Court's *Local Bankruptcy Rules*.** The Local Bankruptcy Rules are promulgated under the authority of F.R.Civ.P. 83 and FRBP 9029. Suggestions for improving the *Local Bankruptcy Rules* may be directed to the Clerk of Court.
- (b) **Obtaining the *Local Bankruptcy Rules*.** The Local Bankruptcy Rules, which include the Local Bankruptcy Rules forms, may be downloaded free of charge from the court's website, <www.cacb.uscourts.gov>, or purchased from the Clerk's Office in the Los Angeles, Riverside, Santa Ana, San Fernando Valley and Northern divisions.

Cross-Reference Index: Local Bankruptcy Rule References to the Court Manual			
Rule Number	Title	Subsection Title	Court Manual Section
LBR 1002-1	Petition - General	(c) Number of Copies (d)(1) Incomplete Petitions (e) Redaction of Personal Identifiers	2.1(a); 3.5(b); 2.8; 3-6
LBR 1007-1	Lists, Schedules, and Statements	(a) Master Mailing List	2.3
LBR 1071-1	Divisions - Place of Filing	(a)(2) Filing of Petition	2.1(a)(5)
LBR 2002-2	Notice to and Service Upon the United States or Federal Agencies	(a)(3) United States Trustee; Exceptions to Electronic Notice and Service (a)(5) Place of Service for Non-electronic Notice or Service (c) Internal Revenue Service; General Notice Matters and Adversary Proceedings and Contested Matters	3.8(e); 4.2(b); Appendix C; Appendix D
LBR 3007-1	Objections to Claims	(a)(5) More than 20 Objections	2.7
LBR 3015-1	Procedures Regarding Chapter 13 Cases	(b)(1) Filing and Service of Petitions, and Other Case Commencement Documents	2.1(a) 2.1(f)
LBR 4001-1	Automatic Stay	(b)(2)(B) Form; Orders for Relief From the Automatic Stay as Settled by Stipulation	4.2

Cross-Reference Index: Local Bankruptcy Rule References to the Court Manual			
LBR 5005-2	Filing Papers - Number of Copies	(a) Number of Copies (d) Judge's Copy	2.1(a); 2.5(a); 3-5(b); Appendix F
LBR 5005-4	Electronic Filing	(a) Mandatory Electronic Filing (c) Exceptions to Mandatory Electronic Filing Requirement	3.1(b); 3.11
LBR 5010-1	Reopening a Bankruptcy Case	(a) Motion (d) Fee	2.8(b)
LBR 5075-1	Motions for Administrative Orders Pursuant to 28 U.S.C. § 156(c)	(b) Procedure	2.8(c)
LBR 7054-1	Taxation of Costs and Award of Attorneys' Fees	(d) Items Taxable as Costs	2.8(e)
LBR 9004-1	Form of Papers Filed or Lodged with Court	(a)(1) General	2.5
LBR 9013-1	Motion Practice and Contested Matters	(o)(3)(B) Motions and Matters Not Requiring a Hearing; No Response and Request for Hearing; Lodged Proposed Order	4.2
LBR 9021-1	Orders and Judgments	(a) General (b)(1) Preparation, Lodging and Signing of Orders	4.1; 4.2
LBR 9036-1	Notice and Service By Electronic Transmission	(a)(1) Service by Electronic Means	3.8
LBR 9075-1	Emergency Motions and Applications For Orders Shortening Time	(a)(2) Obtaining Hearing Date and Time	3.5(f) Appendix H

1.5. Case and Adversary Numbers

- (a) **Format.** A bankruptcy case number consists of a one-digit divisional office code, a two-digit year of filing, a two-character case type, five additional digits, and a two-character judge designation. For example, 2:05-bk-12345-AA is a case filed in the Los Angeles Division in 2005, followed by the two character case type, the five-digit case number; and it is assigned to Judge Alan Ahart. (Example of an Adversary Case, 2:05-ap-12345-AA.)

Division	One-Digit Code
Los Angeles	2
Riverside	6
Santa Ana	8
Northern	9
San Fernando Valley	1

Judge	Code
Alan M. Ahart	AA
Theodor C. Albert	TA
William Altenberger	WA
Neil W. Bason	NB
Catherine E. Bauer	CB
Sheri Bluebond	BB
Julia W. Brand	WB
Ellen Carroll	EC
Peter H. Carroll	PC
Scott C. Clarkson	SC
Thomas B. Donovan	TD
Wayne E. Johnson	WJ
Meredith A. Jury	MJ
Victoria S. Kaufman	VK

Judge	Code
Sandra R. Klein	SK
Robert Kwan	RK
Geraldine Mund	GM
Richard M. Neiter	RN
Robin L. Riblet	RR
Ernest M. Robles	ER
Barry Russell	BR
Deborah J. Saltzman	DS
Erithe A. Smith	ES
Kathleen Thompson	KT
Maureen A. Tighe	MT
Mark S. Wallace	MW
Vincent P. Zurzolo	VZ

- (b) **Finding a Case Number.** There are several ways to find the bankruptcy case number.
- (1) **VCIS.** See section 5.6 for access to this 24-hour free automated system.
 - (2) **Public Computers.** Located in each division, computers in the public areas are available at no charge to review court records for a case number and other related information.
 - (3) **General Information.** Call the General Information number listed in the *Quick Guide to the Court*, section 1.1, for the division where the case was filed.
 - (4) **PACER.** For a fee, registered PACER users can check court records for a case number and other related information. (See *PACER*, section 5.3.)
 - (5) **Mail.** Send a letter to the division's Intake Section. (See *Quick Guide to the Court*, section 1.1 for the address of each division.) Include a \$30.00 search fee for each name or item requested and the name of the parties in the case.

1.6. **Information about Assigned Trustee and U.S. Trustee**

If a case trustee has been assigned to a bankruptcy case, the trustee's name and contact information will be identified on page one of the case docket. For more information about case trustees and the United States trustee, please refer to Section 7, Appendix C of this Manual or visit the U.S. Trustee website at <http://www.usdoj.gov/ust/r16/>.

1.7. **Case Files**

Case files are available for public viewing at each division. PACER and computers in public areas can also be used to view and print electronic images of most case file documents. (See *Obtaining Copies of Court Records*, section 1.12.)

1.8. **Archived Files**

- (a) **National Archives and Records Administration.** The court transfers older closed paper case files to the National Archives and Records Administration (NARA), Office of Regional Records Services, in Perris, California, for storage. Each division has its own schedule for sending case files and dockets to the NARA.
- (b) **Determining if a File is Stored at the NARA.**
- (1) Call the General Information number for the division in which the case was filed. (See *Quick Guide to the Court*, section 1.1.)
 - (2) Go to the Intake Section of the division in which the case was filed.
 - (3) There is a \$30.00 search fee to obtain this information through the mail from the Clerk's Office.

- (4) The Clerk's Office staff will provide you with file location information and the information needed to retrieve case documents from the NARA (e.g., accession and box numbers).
- (c) **Clerk's Office File Retrieval.** For a \$53.00 fee, the Clerk's Office will retrieve the case file from the NARA for the requester. To have an Intake Clerk order the file for you, complete and submit to the Clerk's Office a *Request for Court to Retrieve Material from the National Archives and Records Administration*. (See *Forms*, section 6.) Payment must be made before the Clerk's Office will request a file from the NARA.
- (d) **Viewing Archived Files at the NARA.** Beginning October 1, 2011, archived files may no longer be reviewed at the NARA. The NARA will continue to provide public access to court records by mail, fax, telephone, or online.
- (1) Contact the General Information telephone number listed for the division where the case was originally filed to obtain the accession, box and NARA location number. (See *Quick Guide to the Court*, section 1.1.)
- (e) **Obtaining Copies from the NARA.** To obtain a copy of the case file.
- (1) **By Mail or Fax:** To obtain a copy of the case file by mail or fax directly from the NARA, complete a *Request by Mail or Fax* form:
- (A) The NARA will assess a separate charge for photocopies. (See *Forms*, section 6, for fees and forms.)
- (B) The NARA does not accept telephone requests and will not accept mail or facsimile requests without payment. If paying by credit card, requesters may fax requests to the NARA at (951) 956-2029.
- (2) **By Telephone:** The NARA does not accept telephone requests. For information, Call (951) 956-2000, Monday through Friday, 9:00 a.m. to 2:30 p.m.
- (3) **Online Requests:** Go to <https://eservices.archives.gov/orderonline>, click on "Order Reproductions," then "Court Records."
- (f) **NARA Mailing Address.** The mailing address for the NARA is:
- National Archives and Records Administration
Office of Regional Records Services -- Pacific Region (Riverside County)
23123 Cajalco Road
Perris, CA 92570-7298

1.9. Dockets and Claims Registers

- (a) **The Docket.** A docket contains a chronological summary of all court proceedings and filed documents in each bankruptcy case and adversary proceeding. A claims register (sometimes called a claims docket) is a summary of claims filed in a bankruptcy case.
- (b) **To View a Case Docket or Claims Register.**
- (1) **Public Area Computers.** You can view dockets and claims registers at computers located in the public areas of each division. There is no fee for this service.
 - (2) **PACER.** See *PACER*, section 5.3, to register for this Internet access to dockets, claims registers, case information, and images of many case file documents. There is a fee for this service.
 - (3) **Intake Area Public Counter.** If the docket or claims register is not accessible from the public area computer or PACER, check with the Intake staff at the public counter for assistance.
 - (4) **Obtaining Copies.** See *Obtaining Copies of Court Records*, section 1.12, for information about obtaining a copy of a docket or claims register by mail or fax.
 - (5) **Cases Filed in 1991 or Later.** Dockets and claims registers for cases filed on or after the following dates are available electronically through PACER or public area computers in each division.

Division	PACER Docket and Claims Register Availability for Cases Filed
Los Angeles	1995 or later
Riverside	On or after June 3, 1991
Santa Ana	On or after June 3, 1991
Northern	On or after June 1, 1992
San Fernando Valley	July 1996 or later

1.10. Hearing Information

- (a) **Obtaining a Hearing Date.** To set a hearing date, first determine if the judge uses self-scheduling for the type of matter that is being scheduled. If self-scheduling does not apply, contact the Courtroom Deputy for the judge who is to hear the matter to obtain a hearing date, time, and location. (See *Appendix A*.)

- (b) **Self-Calendaring.** The self-calendaring system is designed to enable counsel and parties to schedule hearing dates for matters heard on regular notice without having to contact the Courtroom Deputy to obtain a hearing date. All bankruptcy judges in all divisions of the court use self-calendaring to some degree. Self-calendaring instructions, types of matters that may be self-calendared, and hearing dates for each judge are posted on the court's website, <www.cacb.uscourts.gov> -> *Information* -> *Self-Calendaring*.

NOTE: Self-calendaring must be used for electronically filed Motions for Relief from Stay.

- (c) **Self-calendaring Information.** Self calendaring information can also be accessed at each division by using the following automated telephone systems.

Division	Telephone Number	Quick Access to Automated Telephone Self-Calendaring Information
Los Angeles	(213) 894-3118	Once connected, press 1 , then # , then 2 .
Riverside	(951) 774-1100	Once connected, choose the appropriate judge.
Santa Ana	(714) 338-5300	Once connected, press 3 , then 4 .
Northern	(805) 884-4800	Once connected, press 2 , then 4 .
San Fernando Valley	(818) 587-2900	Once connected, press 4 .

- (d) **Viewing the Court Calendar.**

- (1) The court calendar and tentative rulings (if issued by the judge) are available to the public on PACER and at computers in the public areas of each courthouse. (See *PACER*, section 5.3.)
- (2) Kiosks are available at the Los Angeles, Riverside, and San Fernando Valley divisions that display each judge's calendar and tentative rulings (when applicable).
- (3) Printed calendars for the current hearing date are posted outside of the judge's courtroom.

- (e) **Making Special Hearing Arrangements.**

- (1) Telephonic and video conferencing may be available for parties who are not able to appear in the courtroom. Advance approval by the judge hearing the matter is required. (See *Teleconferencing*, section 5.4, and *Videoconferencing*, section 5.5.)

- (2) For persons with partial hearing loss, courtrooms are equipped with special headphones that are connected to the courtroom sound system. Prior to the hearing, contact the Courtroom Deputy to determine the availability of the equipment. (See *Appendix A*.)
 - (3) Language or sign language interpreters may be provided by the court to assist parties in the courtroom. (See *Language and Sign Language Interpreters*, section 1.11.)
- (f) **Obtaining a Transcript or Audio Recording of a Hearing.** Upon conclusion of a hearing, the public may request a transcript or audio recording of the hearing for a fee. (See *Audio Recordings of Court Proceedings Ordering Information*, section 1.14, and *Transcript Ordering Instructions*, section 1.15.) (Order forms may be found in this manual under section 6, *Forms*.)

1.11. Language and Sign Language Interpreters

- (a) **Language Interpreters.** The United States government will pay for *language* interpreters in a court hearing only if the United States government initiates the hearing.
- (b) **Sign Language Interpreters.**
- (1) The United States will pay for *sign language* interpreters in a judicial proceeding whether or not the proceeding is initiated by the United States.
 - (2) To request approval for a sign language interpreter, at least one week in advance of the hearing, contact the Deputy-in-Charge at the division where the proceeding will be held. (See *Appendix A*.)
- (c) **Interpreters for § 341(a) Meeting of Creditors.** The United States Trustee provides a new telephone interpreter program available at § 341(a) meetings for virtually every language. Because the § 341(a) Meeting of Creditors is not a judicial proceeding, requests for a sign language interpreter at these meetings must be made directly to the trustee assigned to the case. All requests should be made at least two weeks prior to the scheduled meeting. (See *Appendix C*.)

1.12. Obtaining Copies of Court Records

- (a) **Public Intake Counter.** The Intake Section at each division will provide copies of case file documents for a fee. Only the Intake Section can provide certified copies of case file documents. To request a copy, complete a *Document Request Form* and present it at the public counter.
- (b) **PACER.** See *PACER*, section 5.3, to register for Internet access to dockets, claims registers, case information, and images of many case file documents. There is a fee for this service.

- (c) **By Mail.** To request copies or certified documents by mail from the Clerk's Office, send a self-addressed, stamped envelope to the Intake/Correspondence Section at the appropriate divisional office. Include the following information with the request:
- (1) Case number;
 - (2) Document title;
 - (3) Document number (if available);
 - (4) Your name, address, and telephone number; and
 - (5) Applicable fees.

1.13. Obtaining Central District Bankruptcy Forms

- (a) **Court's Website.** Many court forms, including complete petition packages with instructions, are available at no charge from the court's website at www.cacb.uscourts.gov -> *Forms/Rules/General Orders* section. Most forms are in fillable format and can be printed from any computer with Internet access and Adobe Portable Document Format (PDF) Reader software. (A link to the Adobe website is also available on the court's website.)
- (b) **Intake Section.** A number of forms are available at no charge in the Public Information and/or Intake Section at each division. See *Forms*, section 6, for a list of these forms.

1.14. Audio Recordings of Court Proceedings Ordering Information

- (a) **Digital Technology.** The Bankruptcy Court for the Central District of California has converted the method used to record court hearings from an analog tape system to digital technology. The court has selected the *FTR Gold*[™] digital recording product, as it offers superior sound reproduction capability compared to the former tape process. (Forms are available at www.cacb.uscourts.gov -> *Forms/Rules/General Orders* -> *Court Forms*.)
- (b) **Audio Recordings.** Audio recordings of court proceedings requested for hearings held after an office converted to the new digital system will be provided on a compact disc (CD). Audio recordings of hearings held before implementation of the new system will continue to be provided in a cassette tape format. The cost of either one compact disc (CD) or one cassette tape is \$30.00 each.
- (c) **Audio Requests.** Audio requests provided on compact discs may be ordered in one of three formats, *FTR Gold*, *Windows Audio*, or *Audio CD* (the most generic format).

- (1) FTR Gold. - This format must be played using *FTR Player Plus™* which is available at no charge on the *FTR Gold™* website at <www.ForTheRecord.com>. (Note the minimum system requirements as listed on the *FTR Gold™* website and the availability of separate downloads for various Windows products.) If audio is played using this software the user will be able to navigate through the recording by using the time references from the actual hearing. One day's hearings may be provided on one CD using this format.
 - (2) Windows Audio. - This format will play using the standard Windows Media Player software installed on most personal computers. One day's hearings may be provided on one compact disc (CD) using this format.
 - (3) Audio CD. - This generic format will play on most CD-R and CD-RW compatible players designed to play music and other audio programs. Select this option if the audio will be played in a vehicle or on a personal CD player. In addition, this is the only format which is compatible with Macintosh or Apple computers. *However, this format is not able to contain as much audio as the other two options. Compact discs formatted in this generic format will hold a maximum of 70 minutes of recordings.* For example, a 90-minute hearing provided in this format will be provided on two compact discs (CD) at a cost of \$60.00.
- (d) **Offices in the Central District converted to digital recording in 2004.** Should you have questions regarding digital recording, please contact one of the Clerk's Office numbers listed.

Division	Contact Numbers
San Fernando Valley	(818) 587-2833
Riverside	(951) 774-1085
Santa Ana	(714) 338-5361
Northern	(805) 884-4873
Los Angeles	(213) 894-3150

1.15. Transcript Ordering Instructions

- (a) **Transcript Requests.** A separate form must be completed for **each** hearing date requested. The court does not accept fax or telephonic requests. Forms are available at <www.cacb.uscourts.gov> *Forms/Rules/General Orders ->Court Forms*. Two types of transcript orders are:
 - (1) Ordinary Basis: 30 working days
 - (2) Expedited Basis: 7 working days

- (b) **Transcript Processing.** Once a request for a transcript has been received, the required deposit will be calculated; the ordering party will be notified as to this amount by telephone. After the deposit is received, the transcript order will be processed by a court clerk and forwarded to the transcription agency which will then mail the completed transcript directly to the ordering party. Transcripts may not be picked up at the court. Original transcripts will be sent to the ordering party within the number of working days designated above.
- (c) **Forms of Payment.** Transcription agencies accept cashier's checks, U.S. Postal Service money orders, and law firm checks all made payable to the transcription agency. Checks from attorneys must include a valid State of California Bar identification number. Personal checks are not accepted.
- (d) **Submission.** Requests for transcripts and payments should be submitted to:

DIVISION	ADDRESS
Los Angeles	United States Bankruptcy Court 255 E. Temple Street, Suite 940 Los Angeles, CA 90012 Attn: Transcript Orders (Appropriate Court Recorder's Name)
Northern	United States Bankruptcy Court 1415 State Street Santa Barbara, CA 93101 Attn: Transcript Orders (Appropriate Court Recorder's Name)
Riverside	United States Bankruptcy Court 3420 Twelfth Street Riverside, CA 92501 Attn: Transcript Orders (Appropriate Court Recorder's Name)
San Fernando Valley	United States Bankruptcy Court 21041 Burbank Boulevard Woodland Hills, CA 91367 Attn: Transcript Orders (Appropriate Court Recorder's Name)
Santa Ana	United States Bankruptcy Court Ronald Reagan Federal Building & US Courthouse 411 West Fourth Street Santa Ana, CA 92701 Attn: Transcript Orders (Appropriate Court Recorder's Name)

1.16. Mediation Program

- (a) **Coordination.** The court, in cooperation with local bar associations, coordinates a mediation program to enable parties in a case to settle their dispute without going to court. Through mediation, cases may be resolved more quickly, at a lower cost, and to the parties' mutual satisfaction, often without the stress and pressure of litigation. The program is governed by Second Amended General Order 95-01.
- (b) **Cases Eligible for Mediation Program.** Almost all controversies arising in an adversary proceeding, contested matter, or other dispute in a bankruptcy case are eligible for referral to the Mediation Program.
- (c) **How Cases are Assigned to the Mediation Program.** A judge assigns a case to mediation in one of three ways:
- (1) At the request of the parties, by filling out a *Request for Assignment to Mediation Program* form and a related *Proposed Order Assigning Matter to Mediation and Appointing Mediator and Alternate Mediator*.
 - (2) By order of the judge during the course of a court hearing.
 - (3) By order of the judge outside the course of a court hearing.
- (d) **Who May be Appointed as a Mediator.**
- (1) Both attorneys and non-attorneys may serve on the Panel of Mediators. Individuals who want to serve on the Panel apply to the Administrator of the Mediation Program in response to a court-established deadline. After receiving Court approval, mediators are appointed to the panel for a three-year term. Mediators must meet certain qualifications before they are appointed and must complete 30 hours of mediation training (unless excused by the court due to a sufficient amount of previous mediation training and experience).
 - (2) Except in certain limited circumstances, mediators serve without pay (*pro bono*). If payment is requested, the mediator's compensation shall be on such terms as are satisfactory to the mediator and the parties and is subject to the prior approval of the judge if the estate is to be charged with the expense.
- (e) **How Cases Proceed in the Mediation Program.**
- (1) When the judge assigns a matter to the Mediation Program, a mediator and an alternate mediator are appointed. The parties are normally given the opportunity to select a mediator and an alternate mediator from a list (Panel of Mediators) provided by the court. If the parties cannot agree on a mediator, the judge will assign one. However, the judge may select and appoint a mediator and an alternate mediator without the parties' consent.

- (2) After selection, the mediator will contact the parties and arrange a time and a place to meet for a mediation conference. The parties must prepare a Mediation Statement 7 days prior to the meeting. This statement is **confidential** and is not filed with the court. No statements made in the Mediation Statement may be used for any purpose outside of the mediation conference. Mediation conferences are informal; the rules of procedure that apply in court are not used.
- (3) At the conclusion of the mediation conference, the mediator files *Mediator's Certificate Regarding Conclusion of Mediation Conference* (Form 706) with the court advising the judge whether the matter settled. If the parties reach a settlement, a document, providing details of the settlement, is prepared and filed with the court. The court must approve all agreements. If the parties cannot reach an agreement, the judge will hear the case in court.

(f) **How to Learn More about the Mediation Program.** Mediation Program materials are available at no charge from the court's website, <www.cacb.uscourts.gov> -> *Forms/Rules/General Orders -> Mediation Forms*. They may also be purchased from the Intake Section at each division. (See *Obtaining Central District Bankruptcy Forms*, section 1.13, and section 6, *Forms*.) Materials available include:

Mediation Materials Available from the Court's Website
Bankruptcy Mediation Program Application
Bankruptcy Mediation Program Materials Addendum
Bankruptcy Mediation Program - Panel of Mediators - Biographical Information
Bankruptcy Mediation Program - Panel of Mediators - Contact Information
Bankruptcy Mediation Program - Panel of Mediators - Counties in Which Mediators are Authorized to Serve
Bankruptcy Mediation Program - Panel of Mediators - Foreign Languages Spoken
Bankruptcy Mediation Program - Panel of Mediators - Non-Attorney Professions
Bankruptcy Mediation Program - Procedures Manual

Mediation Form Number	Description of Mediation Form
Form 701	Request for Assignment to Mediation Program; Order Thereon
Form 702	Order Assigning Matter to Mediation Program and Appointing Mediator and Alternate Mediator [No Hearing Required]
Form 703	Notice of Mediator's or Alternate Mediator's Unavailability to Serve in Mediation Matter
Form 704	Notice of Request and Request for Appointment of Successor Mediator and/or Alternate Successor Mediator to Mediation Program
Form 705	Notice of Non-Compliance with Second Amended General Order No. 95-01 Governing Mediation Program
Form 706	Mediator's Certificate Regarding Conclusion of Mediation Conference
Form 708	Initial Mediation Confidentiality Agreement [Confidential - Not to be Filed with the Court]
Form 709	Mediator's Report of Mediation Conference [Confidential - Not to be Filed with the Court]
n/a	Notice of Entry of Order Assigning Matter to Mediation Program and Appointing Mediator and Alternate Mediator and Certificate of Mailing