



# **2. FILING REQUIREMENTS AND PROCEDURES**

## **2-1. Case Commencement (Bankruptcy Petition) Documents**

- (a) **General Requirements [LBR 1002-1].** The following requirements must be met in order to file a voluntary petition with the court, either electronically or non-electronically, with the exception of Chapter 9 and 15 (refer to section 2-1(c) regarding Chapter 9 and section 2-1(g) regarding Chapter 15). These are the **minimum** requirements for filing a Chapter 7, 11, 12 or 13 Bankruptcy Case. A complete list of papers required to complete the filing and their corresponding deadlines are detailed in sections 2-1(a) through 2-1(g).
- (1) **Incomplete Petitions.** A voluntary petition filed without the complete schedules, statements and other documents required by the FRBP **must** include at least the following:
    - (A) Petition (Official Form 1);
    - (B) List of Creditors Holding 20 Largest Unsecured Claims (Official Form 4)(chapter 11 cases only);
    - (C) Master Mailing List (List of Creditors) in format required by LBR 1007-1(a);
    - (D) Statement of Social Security Number(s) (Official Form 21) (required if the debtor is an individual); and
  - (2) **Deadline to File Required Documents.** Unless extended by court order, the balance of the papers required by the FRBP must be filed within 15 days of the petition date, except the Statement of Intention in a Chapter 7 case, which must be filed not later than 30 days after the filing of the petition.
  - (3) **Debtor's Address.** If a petition is filed under 11 U.S.C. §§ 301, 302, 303, or 1504, the debtor's actual street address must be disclosed in addition to any post office box address.
  - (4) **Attorney Information:**
    - (A) **General.** A voluntary petition filed pursuant to 11 U.S.C. §§ 301 and 302 by an attorney on behalf of any party must contain the attorney's state bar identification number, telephone number, fax number, and e-mail address in the attorney name block.
    - (B) **Signature of Counsel.** The name of the attorney signing a petition must be typed clearly below the signature line.

- (5) Divisions - Place of Filing [LBR 1071-1].
- (A) Filing of Petition. Unless otherwise ordered by the court, a petition must be filed in the “applicable division. The applicable division is determined by the location of the debtor’s residence, principal offices, officers, and books and records, or where the majority of the debtor’s assets are located based on a book value determination as set forth on the debtor’s most current balance sheet. (Refer to *Appendix B* for the applicable division.)
- (B) Filing of Papers Other Than a Petition. Papers other than a petition must be filed only in the divisional office of the clerk to which the relevant cases or proceeding has been assigned. However, the clerk may, by special waiver or upon order of the court, accept papers in any office of the clerk irrespective of the division.
- (6) Petition Forms. Complete petition packages with instructions are available at no charge from the court’s website, <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> *Forms/Rules/General Orders*> *Petition Forms* section.
- (7) Number of Copies [LBR 5005-2].
- (A) Documents Not Electronically Filed:
- (i) **Chapter 7, 12, and 13.** An original and 1 copy marked as “*Judge’s Copy.*”
- (ii) **Chapter 9 and 11.** An original and 2 copies, 1 copy marked as “*Judge’s Copy.*”
- (iii) **Chapter 15.** Refer to section 2-1(g).
- (B) Documents Filed Electronically. A paper copy of any document filed electronically must be immediately served on the judge in accordance with LBR 5005-2 and section 3-5(b) of this Manual.
- (C) Assembly of papers. All papers must be assembled in complete sets. The first set must be the signed original.
- (D) Conformed Copy of Documents Not Electronically Filed. If you file a document in person at the intake window, please bring an extra set if you wish to take a conformed copy back with you. If you wish to have a conformed copy mailed to you, include a self-addressed stamped envelope with sufficient postage to cover the cost of mailing the conformed copy.

**(b) Chapter 7 Case Commencement (Bankruptcy Petition) Documents.**

- (1) Documents Required to File a Voluntary Chapter 7 Case. The following documents are required, in the order indicated below:
- (A)\* Statement of Social Security-Number(s) (or Other Individual Taxpayer-Identification Number (ITIN)) (required for individual debtors only, not corporations or partnerships) (If filing electronically, see section 3-6(b) of this Manual)
  - (B)\* Voluntary Petition (first three pages)
  - (C)\* Electronic Filing Declaration (only for electronically filed petitions)
  - (D) Exhibit "C" to Voluntary Petition (if Exhibit "C" "yes" box is checked on page two of the Voluntary Petition)
  - (E) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (**counseling usually MUST be obtained BEFORE filing, even if certificate is filed later**)
  - (F) Corporate Resolution Authorizing Filing of the Petition (if debtor is a corporation)
  - (G) Corporate ownership statement as specified by LBR 1007-4 (required for partnerships, corporations, or limited liability companies that are not a governmental unit)
  - (H) Statement of Related Cases [required by LBR 1015-2(b)(2)]
  - (I) Notice of Available Chapters [required for individuals whose debts are primarily consumer debts (11 U.S.C. § 342(b))]
  - (J) Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (Official Form B6)
  - (K) Schedules A through J (for corporations, A, B, and D through H only)
  - (L) Declaration Concerning Debtor's Schedules
  - (M) Statement of Financial Affairs (Official Form 7)
  - (N) Chapter 7 Individual Debtor's Statement of Intention (11 U.S.C. § 521(a)(2)(A)) [must be filed within 30 days from filing Petition (not required for corporations)]
  - (O) Statement Regarding Assistance of Non-Attorney with Respect to the Filing of Bankruptcy Case (for persons not represented by an attorney)

- (P) Disclosure of Compensation of Bankruptcy Petition Preparer (for persons not represented by an attorney and where a bankruptcy petition preparer prepared the paperwork)
- (Q) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer, if applicable (Official Form 19, page 1)
- (R) Notice to Debtor by Non-Attorney “Bankruptcy Petition Preparer”, if applicable (Official Form 19, page 2)
- (S) Disclosure of Compensation of Attorney for Debtor (for petitions of persons who are represented by legal counsel or where an attorney has prepared the paperwork)
- (T) Declaration Re: Limited Scope of Appearance Pursuant to LBR 2090-1(a) (if applicable)
- (U) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition. If the debtor(s) was self-employed or unemployed during the 60 days prior to the filing of the petition, the debtor(s) should certify this fact and use the optional form *Debtor’s Certification of Employment Income Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv)* to do so. This form can also be used to attach payment advices (pay stubs)
- (V) Statement of Current Monthly Income and Means Test Calculation (Official Form B22A)
- (W) Verification of Creditor Mailing List [LBR 1007-2(d)]
- (X)\* Master Mailing List (in format required by section 2-3 of this manual)
- (2) To be Filed along with the Petition, but as Separate Documents:
  - (A) Certificate of Credit Counseling or a motion for determination by the court of any election made to Exhibit D to the petition
  - (B) Debt Repayment Plan, if one is prepared by credit counselor (required if the debtor is an individual)
  - (C) Computer Readable CD-ROM of Master Mailing List (required for petition with over 100 creditors) [LBR 1007-2(a)]
- (3) Required Documents Must Be Filed. Even if certain of the schedules or statements of Official Forms 6 and 7 do not apply to a debtor’s particular situation, the schedules or statements must be filed with either the notation “None” marked thereon or the applicable box checked indicating that there is nothing to report for that particular schedule or statement.

**\*Required at the time of filing**

(c) Chapter 9.

**UNDER CONSTRUCTION**

**(d) Chapter 11 Case Commencement (Bankruptcy Petition) Documents.**

- (1) Documents Required to File a Voluntary Chapter 11 Case. The following documents are required, either electronically or non-electronically, in the order indicated below:
- (A)\* Statement of Social Security-Number(s) (or Other Individual Taxpayer-Identification Number (ITIN)) (required for individual debtors only, not corporations or partnerships) (If filing electronically, see section 3-6(b) of this Manual)
  - (B)\* Voluntary Petition (first three pages)
  - (C) Electronic Filing Declaration (electronically filed petitions only)
  - (D) Exhibit "A" to Petition (if debtor is a corporation)
  - (E) Exhibit "C" to Voluntary Petition (if Exhibit "C" "yes" box is checked on page two of the Voluntary Petition)
  - (F) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (**counseling usually MUST be obtained BEFORE filing, even if certificate is filed later**)
  - (G) Corporate Resolution Authorizing Filing of the Petition (if debtor is a corporation)
  - (H) Corporate ownership statement as specified in FRBP 1007(a)(1) [required for corporations that are not a governmental unit]
  - (I)\* List of Creditors Holding 20 Largest Unsecured Claims
  - (J) List of Equity Security Holders (for corporations or partnerships), if not included on Master Mailing List. Must follow the same format as Master Mailing List
  - (K) Venue Disclosure Form for Corporations Filing Chapter 11 (Official Form VEN-C) (if debtor is a corporation) or Venue Disclosure Form for Partnerships Filing Chapter 11 (Official Form VEN-P) (if debtor is a partnership)
  - (L) Statement of Related Cases [required by LBR 1015-2(b)]
  - (M) Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (Official Form B6)
  - (N) Schedules A through J (for corporations, A, B, D through H only)
  - (O) Declaration Concerning Debtor's Schedules (included with schedules)
  - (P) Statement of Financial Affairs (Official Form 7)

- (Q) Disclosure of Compensation of Attorney for Debtor (for petitions of persons who are represented by legal counsel or where an attorney has prepared the paperwork)
  - (R) Statement Regarding Assistance of Non-Attorney with Respect to the Filing of Bankruptcy Case (for persons not represented by counsel)
  - (S) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer, if applicable (Official Form 19, page 1)
  - (T) Notice to Debtor by Non-Attorney “Bankruptcy Petition Preparer,” if applicable (Official Form 19, page 2)
  - (U) Disclosure of Compensation of Bankruptcy Petition Preparer (for persons not represented by counsel and where a bankruptcy petition preparer prepared the paperwork)
  - (V) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition. If the debtor(s) was self-employed or unemployed during the 60 days prior to the filing of the petition, the debtor(s) should certify this fact and use the optional form *Debtor’s Certification of Employment Income Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv)* to do so. This form can also be used to attach payment advices (pay stubs)
  - (W) Statement of Current Monthly Income (Official Form B22B) (required if the debtor is an individual)
  - (X) Verification of Creditor Mailing List [LBR 1007-2(d)]
  - (Y)\* Master Mailing List (in format required by LBR 1007-2)
- (2) To be Filed along with the Petition, but as Separate Documents.
- (A) Certificate of Credit Counseling or a motion for determination by the court of any election made to Exhibit D to the petition
  - (B) Debt Repayment Plan, if one is prepared by credit counselor (required if the debtor is an individual)
  - (C) Computer Readable CD-ROM of Master Mailing List (required for petition with over 100 creditors) [LBR 1007-2(a)]
- (3) Required Documents must be Filed. Even if certain of the schedules or statements of Official Forms 6 and 7 do not apply to a debtor’s particular situation, the schedules or statements must be filed with either the notation “None” marked thereon or the applicable box checked indicating that there is nothing to report for that particular schedule or statement.

**\*Required at the time of filing**

(e) **Chapter 12 Case Commencement (Bankruptcy Petition) Documents.**

- (1) Documents Required to File a Voluntary Chapter 12 Case. The following documents are required, either electronically or non-electronically, in the order indicated below:
- (A)\* Statement of Social Security-Number(s) (or Other Individual Taxpayer-Identification Number (ITIN)) (required for individual debtors only, not corporations or partnerships)
  - (B)\* Voluntary Petition (first three pages)
  - (C) Electronic Filing Declaration (electronically filed petitions only)
  - (D) Exhibit "C" to Voluntary Petition (if Exhibit "C" "yes" box is checked on page two of the Voluntary Petition)
  - (E) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (**counseling usually MUST be obtained BEFORE filing, even if certificate is filed later**)
  - (F) Statement of Related Cases [required by LBR 1015-2(b)]
  - (G) Notice of Available Chapters [required for individuals whose debts are primarily consumer debts (11 U.S.C. § 342(b))]
  - (H) Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (Official Form B6)
  - (I) Schedules A through J
  - (J) Declaration Concerning Debtor's Schedules
  - (K) Statement of Financial Affairs (Official Form 7)
  - (L) Disclosure of Compensation of Attorney for Debtor (for petitions of persons who are represented by legal counsel or where an attorney has prepared the paperwork)
  - (M) Statement Regarding Assistance of Non-Attorney with Respect to the Filing of Bankruptcy Case (for persons not represented by counsel)
  - (N) Disclosure of Compensation of Bankruptcy Petition Preparer (for persons not represented by counsel and where a bankruptcy petition preparer prepared the paperwork)
  - (O) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer, if applicable (Official Form 19, page 1)

- (P) Notice to Debtor by Non-Attorney “Bankruptcy Petition Preparer”, if applicable (Official Form 19, page 2)
  - (Q) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition. If the debtor(s) was self-employed or unemployed during the 60 days prior to the filing of the petition, the debtor(s) should certify this fact and use the optional form *Debtor’s Certification of Employment Income Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv)* to do so. This form can also be used to attach payment advices (pay stubs)
  - (R) Verification of Creditor Mailing List [LBR 1007-2(d)]
  - (S)\* Master Mailing List (in format required by LBR 1007-2)
- (2) To be Filed along with the Petition, but as Separate Documents.
- (A) Chapter 12 Plan (11 U.S.C. § 1221). **Must be filed within 90 days from the petition date.**
  - (B) Certificate of Credit Counseling or a motion for determination by the court of any election made to Exhibit D to the petition
  - (C) Debt Repayment Plan, if one is prepared by credit counselor (required if the debtor is an individual)
  - (D) Computer Readable CD-ROM of Master Mailing List (required for petition with over 100 creditors) [LBR 1007-2(a)]
- (3) Required Documents must be Filed. Even if certain of the schedules or statements of Official Forms 6 and 7 do not apply to a debtor’s particular situation, the schedules or statements must be filed with either the notation “None” marked thereon or the applicable box checked indicating that there is nothing to report for that particular schedule or statement.

**\*Required at the time of filing**

**(f) Chapter 13 Case Commencement (Bankruptcy Petition) Documents.**

- (1) Documents Required to File a Voluntary Chapter 13 Case. The following documents are required, either electronically or non-electronically, in the order indicated below:
- (A)\* Statement of Social Security-Number(s) (or Other Individual Taxpayer-Identification Number (ITIN)) (required for individual debtors only, not corporations or partnerships)
  - (B)\* Voluntary Petition (first three pages)
  - (C) Electronic Filing Declaration (electronically filed petitions only)
  - (D) Exhibit "C" to Voluntary Petition (if Exhibit "C" "yes" box is checked on page two of the Voluntary Petition)
  - (E) Exhibit D - Individual Debtor's Statement of Compliance with Credit Counseling Requirement (**counseling usually MUST be obtained BEFORE filing, even if certificate is filed later**)
  - (F) Statement of Related Cases [required by LBR 1015-2(b)(2)]
  - (G) Notice of Available Chapters [required for individuals whose debts are primarily consumer debts (11 U.S.C. § 342(b))]
  - (H) Summary of Schedules and Statistical Summary of Certain Liabilities and Related Data (28 U.S.C. § 159) (Official Form B6)
  - (I) Schedules A through J
  - (J) Declaration Concerning Debtor's Schedules
  - (K) Statement of Financial Affairs (Official Form 7)
  - (L) Disclosure of Compensation of Attorney for Debtor (for petitions of persons who are represented by legal counsel or where an attorney has prepared the paperwork)
  - (M) Statement Regarding Assistance of Non-Attorney with Respect to the Filing of Bankruptcy Case (for persons not represented by counsel)
  - (N) Disclosure of Compensation of Bankruptcy Petition Preparer (for persons not represented by counsel and where a bankruptcy petition preparer prepared the paperwork)
  - (O) Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer, if applicable (Official Form 19, page 1)

- (P) Notice to Debtor by Non-Attorney “Bankruptcy Petition Preparer”, if applicable (Official Form 19, page 2)
  - (Q) Copies of all payment advices (pay stubs) or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition. If the debtor(s) was self-employed or unemployed during the 60 days prior to the filing of the petition, the debtor(s) should certify this fact and use the optional form *Debtor’s Certification of Employment Income Pursuant to 11 U.S.C. § 521(a)(1)(B)(iv)* to do so. This form can also be used to attach payment advices (pay stubs)
  - (R) Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income (Official Form B22C)
  - (S) Verification of Creditor Mailing List [LBR 1007-2(d)]
  - (T)\* Master Mailing List (in format required by LBR 1007-2)
- (2) To be Filed along with the Petition, but as Separate Documents.
- (A) Chapter 13 Plan (LBR Form F 3015-1.1)
  - (B) Addendum to Chapter 13 Plan Concerning Debtors Who are Repaying Debt Secured by a Mortgage on Real Property or a Lien on Personal Property the Debtor Occupies as the Debtor’s Principal Residence (optional LBR Form F 3015-1.1A)
  - (C) Certificate of Credit Counseling or a motion for determination by the court of any election made to Exhibit D to the petition
  - (D) Debt Repayment Plan, if one is prepared by credit counselor (required if the debtor is an individual)
  - (E) Computer Readable CD-ROM of Master Mailing List (required for petition with over 100 creditors) [LBR 1007-2(a)]
- (3) Required Documents must be Filed. Even if certain of the schedules or statements of Official Forms 6 and 7 do not apply to a debtor’s particular situation, the schedules or statements must be filed with either the notation “None” marked thereon or the applicable box checked indicating that there is nothing to report for that particular schedule or statement.

**\*Required at the time of filing**

(g) Chapter 15.

**UNDER CONSTRUCTION**

## 2-2. Incomplete Case Commencement Filings

- (a) **Deficient Pleadings.** Pleadings are considered deficient if the document:
- (1) Does not comply with either the *FRBP* or the *LBRs*.
  - (2) Is submitted with insufficient funds or paid in a method not accepted by the court. (See *Fee Acceptance Policy*, section 2-4(b).)
- (b) **Emergency Filings.**
- (1) Emergency filings, before and after regular business hours, are handled by Clerk's Office staff on a case-by-case basis. Some examples of what the Clerk's Office considers to be legitimate requests for emergency filings include:
    - (A) Petitioner is involved in a pending sale or foreclosure;
    - (B) Unlawful detainer order;
    - (C) Wage garnishment;
    - (D) Expedited hearings on shortened notice (e.g., Ex Parte Motion); and
    - (E) Unusually large volume of documents (e.g., mega case pleadings).
  - (2) Approval for an emergency filing must be coordinated with the Intake Supervisor or other court official. For more information, call:

Division	Telephone Number
Los Angeles	(213) 894-8401
Riverside	(951) 774-1102
Santa Ana	(714) 338-5332
Northern	(805) 884-4875
San Fernando Valley	(818) 587-2860

## 2-3. Master Mailing List Format and Technical Instructions **[LBR 1007-1]**

- (a) **A Master Mailing List must be Filed with the Petition.** The master mailing list must include the name, mailing address, and zip code for each creditor listed on Schedules D, E, and F. Refer to *Appendix D* of this Manual for federal and state government unit addresses that must be included in the Master Mailing List. Guidelines for filing the master mailing list are set forth below.

**(b) Filing a Printed Paper Petition at the Intake Section.**

- (1) If more than 100 creditors, please see *Exhibit 3*. If less than 100 creditors, the Master Mailing List for a printed paper petition must be formatted as follows.
  - (A) Typed on **blank**, unlined, standard white 8-1/2 x 11 inch bond paper using **uppercase** and **lowercase** letter quality characters no smaller than **10 point** nor greater than **14 point** in either Courier, Times New Roman, Helvetica, or Orator;
  - (B) Typed in a single column with no letters closer than 1-1/2 inches from any edge of the paper and left justified;
  - (C) Typed with no more than **8 name/address blocks per page**. Each block must consist of no more than **4 lines total for each** name/address with at least **2 blank lines** in between;
  - (D) Include a **FIRST PAGE** reserved only for: **Debtor, Joint Debtor, Attorney for Debtor(s), Office of the United States Trustee**. (See *Exhibit 1*.) All subsequent pages contain the remaining creditors from Schedules D, E, and F of the petition;
  - (E) Each line must be no more than 35 characters in length including spaces. The **attention line**, if any, must be included on the **second line** of the block. **DO NOT INCLUDE ACCOUNT NUMBERS**. The **city, state (2-letter abbreviation in capital letters only, e.g., CA), and zip code** must be on the last line. Nine-digit zip codes should be separated by a hyphen. (See *Exhibit 2*.);
  - (F) Contains **NO PUNCTUATION**, except for one comma between city and state (for example, Los Angeles, CA 90012);
  - (G) **Provide page number on the back of each page**;
  - (H) If a separate Equity Holders List is filed, it must comply with the above format requirements; and
  - (I) For petitions **not** electronically filed with **more than 100 creditors**, the printed Master Mailing List and, if applicable, the printed Equity Holders List must be submitted along with a **computer-readable CD-ROM** of all entities. Technical requirements for the CD-ROM are listed in *Exhibit 3*.

*Exhibit 1*

**Example of First Page of Master Mailing List**

Debtor Name  
Mailing Address  
City, State (2-letter abbreviation) Zip Code

Spouse of Debtor (if appropriate)  
Mailing Address  
City, CA Zip Code

Attorney of Debtor  
Mailing Address  
Suite Number  
City, State Zip Code

United States Trustee  
Address\*  
City, State Zip Code

\*See *Appendix C* or U. S. Trustee addresses required by LBR 2002-2.

*Exhibit 2*

**Format for List of Creditors**

Acme Auto Repair  
1234 S Street  
Los Angeles, CA 90005

Acme Hair Repair  
Attn Herman  
1234 S Ave  
Los Angeles, CA 90005-0001

Internal Revenue Service  
Address\*  
City, State Zip Code

Acme Talent Agency  
421 N Copper Canyon Way  
Burbank, CA 91505-0002

Loans By Acme  
7485 Chromium Circle  
Beverly Hills, CA 90210

Acme And Sons Insurance  
Attn D Acme  
13363 Hierro Street Suite 25  
Van Nuys, CA 91401

Acme Bar and Grill  
114 Aluminum Alley  
Chatsworth, CA 91313

\*See *Appendix D* for Internal Revenue Service addresses required by LBR 2002-2(c).

*Exhibit 3***Technical Requirements for Compact Disc (CD-ROM)  
(100 or more creditors)**

For cases with more than 100 creditors that are not electronically filed, the printed creditor matrix must be submitted along with a non-returnable computer-compatible data storage media containing the names and addresses of all entities shown in Schedules D, E, and F of the petition. The media must meet the following requirements:

1. PC-compatible virus-free data storage media such as a CD-ROM.
2. Labeled with case name and number.
3. Text in ASCII-readable format. File name must be "Creditor.TXT."
4. No page breaks, miscellaneous characters, or other computer instructions are to be included in text.
5. Names and addresses of Debtor, Joint Debtor, Attorney for Debtor(s), and the Office of the United States Trustee are **specifically to be excluded from CD-ROM contents but must still be submitted on the printed copy.**

## 2-4. Filing Fees

- (a) **Fee Schedule.** For a list of current filing fees, refer to the *Quick Guide to the Court* in section 1-1.
- (b) **Fee Acceptance Policy.** 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, Diner's Club, 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.

## 2-5. Subsequent Filings [LBRs 5005-2; 9004-1]

- (a) **Copies Required.** The following requirements are for papers filed with the court, either electronically or non-electronically:
  - (1) **Documents Not Electronically Filed.** For all pleadings filed subsequent to a petition, file only the original. One copy should be marked as "*Judge's Copy*" and must comply with sections 2-5 and 3-5(b), and be served according to sections 3-5(b) and Appendix F. If you wish to have a conformed copy mailed to you, you must include an additional copy and a self-addressed stamped envelope with sufficient postage to cover the cost of mailing the conformed copy.
  - (2) **Documents Filed Electronically.** For subsequent pleadings filed by electronic means refer to *Judge's Copies*, section 3-5(b).
- (b) **Form and Format of Papers.**
  - (1) **General.** Unless otherwise expressly provided by the LBRs or section 3-5 of this Manual, a paper filed or lodged with the court and any exhibit hereto must comply with the following form and format requirements:
    - (A) **Legibility.** A paper submitted for filing must be typewritten, legibly printed if prepared by hand, computer generated, or prepared by a photocopying or other duplicating process that will produce clear and permanent copies equally legible to printing, in black or dark blue ink.
    - (B) **Paper.** The original of a paper must be submitted on white, letter size (8 ½ x 11 inches), opaque, unglazed paper of medium weight not less than 20-pound weight capable of producing a good quality image when scanned using the court's equipment and software. Coated paper, glossy paper, oversized paper (larger than 8 ½ x 11 inches), lightweight paper (less than 20-pound weight), bond paper, card stock, and onion skin may cause paper jams when scanned and must not be used. The paper must be numbered on the left margin with not more than 28 lines per page. The lines on each page must be numbered consecutively.

- (C) Typeface. With the exception of bankruptcy forms, the typeface must not be smaller than 12 point. As an example, this is 12-point type. Required typefaces are Arial, Courier, Times New Roman, Helvetica, Geneva or Letter Gothic. Font sizes smaller than 12 point may not be legible after imaging and must not be used. Line 1 must begin at least 1 inch below the top edge of the paper. All pages of each paper (including exhibits) must be printed on 1 side of the paper only.
- (D) Pagination. All papers must be numbered consecutively at the bottom of each page, including any attached exhibits. A reference to an exhibit in a paper must include the consecutive page numbers of the exhibit.
- (E) Originals, Copies, Telecopies, and E-mails. The original of a paper filed in paper format must be labeled as the original and, except for exhibits, must consist entirely of the original pages, except that a telecopy or e-mail of all or part of a paper (or copy of such telecopy or e-mail) may be filed and served instead of the original of the paper, provided that the telecopy or e-mail meets the legibility requirement set forth in subsection (b)(1) of this rule. The original of any document that is filed, including the original signature of the attorney, party, or declarant, must be maintained by the filing party until the conclusion of the case, including any applicable appeal period, subject to being produced upon reasonable notice. All copies must be marked "COPY."
- (F) Interlineation. No interlineation is allowed on a paper unless the interlineations are noted by the clerk or the judge by marginal initials at the time of the filing.
- (G) Assembly of Papers Not Electronically Filed. Original papers and a Judge's copy must be assembled in compliance with the following guidelines:
- (i) Original multi-page documents must not be hole punched or bound by staples, prong fasteners or standard metal or plastic paper clips that puncture the paper. Original multi-page documents must be bound at the top left corner with binder clips or clamps. A paper presented for filing must be flat and unfolded to facilitate scanning.
  - (ii) As a general rule, the clerk's office will conform and return one copy of a document to the filing party. If more than one copy of the document is needed, the copies must be fastened together with a binder clip. The copies must not be attached to the original documents.
  - (iii) A Judge's copy of multi-page documents must be fastened with a single staple in the upper lefthand corner or otherwise bound.
  - (iv) Documents must not be "blue-backed" or otherwise bound. A transcript must be unbound and fastened with a binder clip prior to filing.

- (H) Spacing. Except as provided herein, the typing or printing on papers must be double-spaced, including citations. Footnotes may be single-spaced but the font must not be less than 12 point. Real property descriptions may be single-spaced. Quotations from cited cases or other authorities must be clearly indented not less than 5 spaces or more than 20 spaces and may be single-spaced if the quotation is 50 or more words.
- (I) Exhibits and Other Attached Papers.
  - (i) Original Document. Each declaration, exhibit, or other attachment to an original of a paper must be separated by a separator sheet printed on white, letter size (8½ x 11 inches), unglazed, opaque, paper of medium weight.
  - (ii) Judge’s Copy. Each declaration, exhibit or other attachment to a Judge’s copy must be tabbed.

**(c) Caption and Format of Title Page**

- (1) Adversary Proceedings. A complaint or other paper filed in an adversary proceeding must bear a “double caption” in substantially the following format:

In re ABC,	)	Case No. _____	
	)		
Debtor.	)	Chapter _____	
_____	)		
	)		
XYZ Co.,	)	Adv. No. _____	
Plaintiff,	)		
	)		
	)	COMPLAINT TO DETERMINE	
	)	NONDISCHARGEABILITY OF DEBT	
vs.	)		
	)		
ABC,	)		
Defendant.	)	(Hearing date to be set by summons)	

- (2) Small Business Cases. A pleading or other paper filed in a case that has been designated a small business case under FRBP 1020 must bear a legend stating that the case is subject to FRBP 1020. The legend must appear to the right of the caption immediately below the case number in substantially the following format:

In re ABC,	)	Case No. _____
	)	
Debtor.	)	Chapter _____
	)	
_____	)	SMALL BUSINESS CASE UNDER
	)	FRBP 1020
	)	

- (3) The First Page of a Paper to be Filed or Lodged Must Include:

- (A) Attorney. The name, state bar identification number, address, telephone number, fax number, and e-mail address, if any, of the attorney presenting the paper for filing must be displayed commencing with line 1 at the left margin. If the party is not represented by counsel, the name, address, telephone number, fax number, and e-mail address, if any, of the party presenting the paper for filing must be displayed commencing with line 1 at the left margin. The actual street address must be disclosed in addition to any post office box address. Immediately beneath, the party on whose behalf the paper is presented must be identified. This information must be single-spaced.
- (B) Clerk's Space. The space between lines 1 and 7 to the right of the center of the page must be left blank for use by the clerk.
- (C) Title of Court. The title of the court, including the division, must be centered on or below line 8.
- (D) Names of Parties. The names of the parties must be placed below the title of the court and to the left of center and single-spaced. If the parties are too numerous, the names may be continued on the second or successive pages in the same space. In all papers after the initial pleadings, only the names of the first-named party on each side need appear; and, if lengthy, those names may be abbreviated.

- (E) Bankruptcy Case Number. The bankruptcy case number must be placed to the right of the center of the page immediately opposite the names of the parties on the first page. Case numbers must be consistent with the following example: 1:05-12345-MT, with the first number being the location of the division in which the case was filed (e.g., San Fernando Valley: 1, Los Angeles: 2, Riverside: 6, Santa Ana: 8, Santa Barbara: 9), the two numbers after the semicolon representing the last two digits of the year in which the case was filed, and the third set of numbers following the first dash representing the 5-digit case number followed by the initials of the bankruptcy judge assigned to the case.
- (F) Chapter Number. The chapter number of the case must appear immediately below the case number.
- (G) Adversary Number. The adversary number, if any, must appear immediately below the case number and chapter number.
- (H) Title. On the first page immediately below the adversary or chapter number or the caption, there must be a concise title of the document (e.g., Notice of Motion for Summary Judgment, Complaint To Determine Dischargeability of Debt). When a document contains multiple pleadings (for example, an answer to a complaint and a counterclaim or cross claim), all pleadings contained in the document must be listed in the caption. Where possible, the proponent's name should be included in the title of the document (e.g., Creditor ABC's Motion to Dismiss).
- (I) Hearing. The time, date, and place of the hearing on the matter to which the paper is addressed must appear immediately below the title or, if appropriate, a statement that no hearing is required or that a hearing will be scheduled by the court. All information required in subsections (c)(5) through (9) of this rule must always appear on the first page of the paper.

**(d) Exhibits to Papers.**

- (1) Exhibits Attached to Papers. Unless the physical nature of the exhibit makes it impracticable, an exhibit must be securely bound to the paper to which it relates with a binder clip or clamp.
- (2) Numbering. An exhibit must be identified at the bottom of each page consecutively to the principal paper. For example, if the pleading contains 5 pages and 3 exhibits of 5 pages each are attached, the pages would be numbered 1 through 20 consecutively. The exhibit identification must be placed immediately above or below the page number on each page of the exhibit.
- (3) Identifying Exhibits.
  - (A) Original to be Filed. Exhibits must be placed in sequential order and separated by separator sheets marked with the exhibit letter or number. Whenever feasible, exhibits of plaintiffs or movants must be marked with numbers, and exhibits of defendants or respondents must be marked with letters.

- (B) Judge's Copy. Exhibits must be placed in sequential order and tabbed with the exhibit letter or number. Whenever feasible, exhibits of plaintiffs or movants must be marked with numbers, and exhibits of defendants or respondents must be marked with letters.
- (4) Size of Paper. An exhibit must be on standard letter size (8½ x 11 inches) opaque, unglazed paper. The filing party is responsible for reducing larger size documents to the standard letter size and for copying smaller size documents on standard letter size paper. Two-sided exhibits must be photocopied and filed with text printed only on one side of each page.

## 2-6. Proofs of Claim

- (a) Filing a Proof of Claim. In the event that a distribution of assets in a bankruptcy case is likely, the court will mail to all creditors a *Proof of Claim* form with the § 341(a) Meeting of Creditors notice.
- (1) Proof of Claim Forms are also Available:
- (A) At no cost, in all divisions of the court;
- (B) In fillable format on the court's web site at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> *Forms/Rules/General Orders* -> *Court Forms*;
- (C) By mail. Send your request in writing to the Intake Section in the appropriate divisional office. The court will mail you a *Proof of Claim* form; and
- (D) By phone. Contact the Intake Section in the appropriate divisional office. The court will mail you a *Proof of Claim* form.
- (2) Instructions/Definitions. Instructions for completing a *Proof of Claim* and related definitions are located on the back of the *Proof of Claim* form. To receive a "filed" stamped copy of the *Proof of Claim*, provide a copy of the claim at the time of filing along with a self-addressed, stamped envelope.
- (3) Where to File. The *Proof of Claim* should be filed at the division where the bankruptcy case is pending. A completed *Proof of Claim* can be electronically filed through CM/ECF by registered users, mailed to the division (see *Quick Guide to the Court*, section 1-1, or *Appendix A* for division addresses), or filed at the Intake window during Court hours.
- (4) Fee. There is no fee to file a *Proof of Claim* form.

## 2-7. Multiple Objections to Claims Calendar [LBR 3007-1]

(a) **General Procedure for Filing More than 20 Objections to Claims.**

- (1) Pursuant to LBR 3007-1(a)(5), if more than 20 objections to claims are noticed for hearing on a single calendar, the objector must submit a Multiple Objections to Claim Calendar.
- (2) A Portable Document Format (.pdf) version of the calendar listing (see Exhibit 4 for a list of the requirements) including a cover page (see Exhibit 5) must be electronically filed via the CM/ECF system. The calendar listing (see Exhibit 6) should be organized by type of objection and should specify the following information for each claim in order of claim number or alphabetical order:
  - (A) The claims docket number;
  - (B) The claimant's name;
  - (C) The amount of the claim;
  - (D) The basis for the objection; and
  - (E) The portion of the claim subject to the objection (*if different from the total amount of the claim*).

- (b) **Exception to General Procedure.** Many judges have their own procedure. Please consult the judge's section of the court's website at <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)> *Information* for specific requirements (if any) and/or call the Courtroom Deputy for the particular judge. Telephone contacts are located in *Appendix A* of the court manual.

## *Exhibit 4*

### **Calendar Format**

The calendar must be submitted in the following format:

1. Typed on a 8-1/2" x 11" page using uppercase and lowercase letter quality characters using Courier 10-point font.
2. The document must contain a header on the first page only as follows:

<u>Claim Number</u>	<u>Claimant Name</u>	<u>Claim Amount</u>	<u>Basis for Objection</u>	<i>(If applicable)</i> <u>Portion of Claim Subject to Objection*</u>
-------------------------	----------------------	---------------------	--------------------------------	---

3. The claimant information must be typed with no more than 10 claims blocks per page. In cases where the claimant name is longer than the allowed 20 characters, the name should be continued on the next line.
4. Each line of the text must contain no more than 75 characters maximum and should not extend within one-half inch of any edge of the page.
5. Each block must consist of no more than 4 lines with at least 1 blank line between each.
6. The document must contain the original amount of the claim and, if different from the total amount of the claim, the portion of the claim subject to the objection.
7. The document must have a cover page containing the Case Name, Case Number, Title of Pleading, Hearing Date, Hearing Time, and Judge. Please see examples in *Exhibits 5* and *6*.

\*If different from the total amount of the claim.

*Exhibit 5*

**Sample Cover Page for Multiple Objections to Claim**

Advent Development Corp.

LA 98-10000-BB

Hrg RE:                   Trustee's Motion to Disallow Claim of Andrews Adjustment Service for  
Insufficient Documentation

Hearing Date: September 30, 2002

Hearing Time: 2:00 PM

Judge: Hon. Sheri Bluebond

*Exhibit 6***Sample Calendar Listing For Multiple Objections to Claims**

Claim Number	Claimant Name	Claim Amount	Basis of Objection	(If applicable) Portion of Claim Subject to Objection
<b><u>PRIORITY</u></b>				
101	Dept. of Treasury- IRS	\$62,000.00	Duplicate Claim	
124	Jones & Smith, a Legal Corp.	\$45,987.00	Late Claim	
149	State of Calif.- Franchise Tax Board	\$3,200.00	Duplicate Claim	
<b><u>SECURED</u></b>				
102	Security Western National Bank, Inc.	\$8,885.00	Duplicate Claim	
129	Reliable Credit Services	\$6,895.00	Disputed Amt.	\$5,000.00
<b><u>UNSECURED</u></b>				
135	America Online	\$389.00	Late Claim	
170	Pacific Bell	\$1,034.00	Duplicate Claim	
178	Gordon Industries	\$5,900.00	Disputed Amt.	\$1,200.00
181	American Express Financial Serv.	\$14,000.00	Duplicate Claim	
202	Sears	\$6,123.00	Late Claim	
284	FMAC	\$548,000.00	Disputed Amt.	\$8,000.00

## 2-8. Miscellaneous

- (a) **Privacy Policy [LBR 1002-1(e)]**. The Judicial Conference of the United States approved amendments to the FRBP, which implement the judiciary's privacy policy, effective December 1, 2003. It is the responsibility of the filing party, **not the Clerk's Office**, to ensure compliance with this policy.
- (1) Filers should redact "personal identifiers" from documents filed with the court, including attachments. "Personal identifiers" are considered to be the following:
    - (A) Social Security Numbers. If an individual's Social Security number (SSN), or Individual Tax Payer Identification Numbers (ITIN) must be included in the document, only the last four digits of that number should be used. However, the debtor is required to submit a *Statement of Social Security Number(s)* containing their full nine-digit SSN or ITIN at the time his/her petition is filed. This form is not part of the public case file. On all other forms and documents, only the last four digits of the SSN or ITIN should be used;
    - (B) Financial Account Numbers. If financial account numbers are relevant, only the last four digits of these numbers should be used;
    - (C) Dates of Birth. If an individual's date of birth must be included in the document, only the year should be used; and
    - (D) Names of Minor Children. If the name of a minor child must be mentioned, only the initials of that child should be used.
  - (2) The privacy policy applies to all documents filed with the court, whether submitted by electronic means or submitted non-electronically. The policy is not retroactive.
  - (3) A full copy of the policy can be found on the Judiciary Privacy Policy Page at <[www.privacy.uscourts.gov](http://www.privacy.uscourts.gov)> under "Judiciary Privacy Policy."
- (b) **Reopening a Bankruptcy Case [LBR 5010-1]**. The following table outlines the court's policy for reopening a bankruptcy case. This table may be used to determine if a case must be reopened and whether or not a fee is required. If it is required that a case be reopened, a motion and order must be submitted to the court. The order reopening the case must be entered before the subsequent filing can be filed.

<b>Adversary Proceedings Filed in a Closed Case</b>		<b>Reopen Main Case</b>	<b>Collect Fee to Reopen Main Case?</b>
1.	§ 523 adversary proceeding	Yes	No [FRBP 4007(b)]
2.	§ 727(d) adversary proceeding	Yes	No [28 U.S.C. § 1930]
3.	File an adversary proceeding or motion to remedy an alleged violation of the discharge	Yes	No [28 U.S.C. § 1930]
4.	Other adversary proceedings	Yes	Yes (unless related to discharge)

<b>Motions/Other Documents Filed in a Closed Case</b>		<b>Reopen Main Case</b>	<b>Collect Fee to Reopen Main Case?</b>
1.	File a § 522(f) Motion to Avoid Lien	Yes	Yes
2.	File a § 362(d) Motion to Annul Stay	Yes	Yes
3.	Motion to Reopen Case to seek additional assets or to reappoint a trustee to investigate or administer previously unadministered assets	Yes	Fee deferred pending discovery of assets
4.	Modify a plan in chapter 11 or chapter 13 case	Yes	Yes
5.	Motion for release of unclaimed funds	No	No
6.	§ 110 motions	Yes	*
7.	Amend Schedule to add or delete assets	Yes	Yes
8.	Amend Schedule to add or delete creditors	Yes	Yes
9.	Amend Schedules to amend claims of exemption	Yes	Yes
10.	Reaffirmation Agreements	Yes	Yes
11.	Motions to vacate dismissals or other orders and motions for reconsideration of judicial rulings	No	No
12.	Any effort to enforce a judgment in an adversary proceeding (e.g., Writs of Execution, Judgment Debtor Examinations, etc.)	No	No
13.	Amendments to Petition (name, Social Security number, etc.)	Yes	Yes
14.	Other pleadings filed in a case	Yes	Yes
15.	Motion to Reopen a case and for extension to file debtor's certification of completion of post-petition instructional course	Yes	Yes

\*No fee payable if filed by the U. S. Trustee (Fee Compendium Section L). If filed by others, fee can be waived without referring to the judge if a General Order is issued.

**(c) Mega Case Procedures Checklist [LBR 5075-1].**

- (1) The *Mega Case Procedures Checklist* was developed by the Clerk’s Office to streamline the approval process for administrative orders in large bankruptcy cases. LBR 5075-1 requires that all motions for administrative orders approving employment of persons or entities to perform certain duties of the Clerk’s Office include the *Mega Case Procedures Checklist* form (along with completed LBR form F 5075-1.1, *Declaration to be Filed with Motion Establishing Administrative Procedures RE 28 U.S.C. § 156(c)*). These duties include:
  - (A) Processing proofs of claim and maintaining the claims register;
  - (B) Serving notices;
  - (C) Scanning documents; and
  - (D) Providing photocopies of documents filed in the case.
- (2) A judge’s copy of the motion, including the declaration and *Mega Case Procedures Checklist*, is to be provided to the Clerk’s Office at the time the motion is filed. Movant’s counsel must consult with the Clerk’s Office in order to complete the checklist to the satisfaction of the Clerk’s Office. The most recent version of the *Mega Case Procedures Checklist* is available on the court’s web site, <[www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)>, *Forms/Rules/General Orders -> Court Forms*. (Also see section 6, *Forms*.)

**(d) Bill of Costs [LBR 7054-1].**

A bill of costs filed electronically or non-electronically must comply with LBR 7054-1. The prevailing party who is awarded costs must file and serve a bill of costs not later than 30 days after entry of judgment. Each item claimed must be set forth separately in the bill of costs.

**(e) Items Taxable as Costs.** Pursuant to LBR 7054-1, the following items are taxable as costs:

- (1) Filing Fees. The clerk’s filing fees;
- (2) Fees for Service of Process. Fees for service of process (whether served by the United States Marshal or in any other manner authorized by FRBP 7004);
- (3) United States Marshal’s Fees. Fees of the United States Marshal collected and taxed as costs pursuant to 28 U.S.C. § 1921;
- (4) Clerk’s Fees. Fees for certification of documents necessary for preparation for a hearing or trial; and
- (5) Transcripts and Digital Recordings. The cost of the original and one copy of all or any part of a trial transcript, daily transcript, or a transcript of matters occurring before or after trial, if requested by the court or prepared pursuant to stipulation.

The cost of a digital recording, if requested by the court or obtained pursuant to stipulation.

- (6) Depositions. Costs incurred in connection with taking depositions, including:
  - (A) The cost of the original and one copy of each deposition taken for any purpose in connection with the case;
  - (B) The reasonable fees of the deposition reporter, the notary, and any other person required to report, record, or transcribe the deposition;
  - (C) Reasonable witness fees paid to a deponent, including fees actually paid to an expert witness deponent pursuant to F.R.Civ.P. 26(b)(4)(c);
  - (D) Reasonable fees paid to an interpreter when necessary to the taking of the deposition; and
  - (E) The cost of reproducing exhibits used at the deposition and made a part of the deposition transcript.
- (7) Witness Fees. Fees paid to witnesses, including:
  - (A) Per diem, mileage, subsistence, and attendance fees as provided in 28 U.S.C. § 1821 paid to witnesses subpoenaed or actually attending the proceeding;
  - (B) Witness fees for a party if required to attend by opposing party; and
  - (C) Witness fees for officers and employees of a corporation if they are not parties in their individual capacities.
- (8) Interpreter's and Translator's Fees. Fees paid to interpreters and translators, including:
  - (A) The salaries, fees, expenses and costs of an interpreter as provided by 28 U.S.C. §§ 1827 and 1828; and
  - (B) Fees for translation of documents received in evidence, used as part of the proceeding, or when otherwise reasonably necessary to the preparation of the case.
- (9) Docket Fees. Docket fees as provided by 28 U.S.C. § 1923.
- (10) Certification, Exemplification, and Reproduction of Documents. Document preparation costs, including:
  - (A) The cost of copies of an exhibit attached to a document necessarily filed and served;
  - (B) The cost of copies of a document admitted into evidence when the original is not available or the copy is substituted for the original at the request of an opposing party;

- (C) Fees for an official certification of proof respecting the non-existence of a document or record;
  - (D) Patent Office charges for the patent file wrappers and prior art patents necessary to the prosecution or defense of a proceeding involving a patent;
  - (E) Notary fees incurred in notarizing a document when the cost of the document is taxable; and
  - (F) Fees for necessary certification or exemplification of any document.
- (11) Premium on Undertakings and Bonds. Premiums paid on undertakings, bonds, security stipulations, or substitutes therefor where required by law or court order, or where necessary to enable a party to secure a right granted in the proceeding.
- (12) Other Costs. Upon order of the court, additional items, including the following, may be taxed as costs:
- (A) Summaries, computations, polls, surveys, statistical comparisons, maps, charts, diagrams, and other visual aids reasonably necessary to assist the court or jury in understanding the issues at the trial;
  - (B) Photographs, if admitted in evidence or attached to documents necessarily filed and served upon the opposing party; and
  - (C) The cost of models if ordered by the court in advance of or during trial.
- (13) Removed Cases. Costs incurred in state court prior to removal that are recoverable under state statutes are recoverable by the prevailing party in this court.
- (14) Costs on Appeal.
- (A) The taxation of costs on a bankruptcy appeal to the bankruptcy appellate panel are governed by FRBP 8014 and Bankruptcy Appellate Panel Rule 8014-1.
  - (B) The taxation of costs on a bankruptcy appeal to the district court are governed by FRBP 8014 and Local Civil Rules 54-5 and 54-6 of the district court.