2 Filing Requirements and Procedures

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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 and other case commencement documents with the court, either electronically or non-electronically, with the exception of chapter 9 and 15. **Minimum** requirements for filing a chapter 7, 11, 12 or 13 bankruptcy case, and a complete list of documents required to complete the filing and their corresponding deadlines, are detailed in sections 2.1(b) through 2.1(h).

(1) Deadline to File Required Documents. Unless extended by court order, the balance of the documents required by the FRBP must be filed within 14 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.

(2) 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.

(3) 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 printed clearly below the signature line.

(4) Divisions - Place of Filing [LBR 1071-1].

(A) Filing of Petition. Unless otherwise ordered by the court, a petition commencing a case under the Bankruptcy Code 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 Documents Other Than Petition Case Commencement Documents. Documents 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 documents in any office of the clerk irrespective of the division.

(5) Petition Forms. Complete petition packages with instructions are available at no charge from the court's website, *<www.cacb.uscourts.gov> ->Forms -> Petition Forms.*

(A) Case Commencement Documents Filed Electronically. A paper copy of any case commencement document filed electronically is not required to be served on the judge or provided to the court.

(b) **Chapter 7 Individual (Bankruptcy Petition) Documents**.

(1) At a minimum, documents (A, B, and C), *MUST BE FILED*, when applicable, or the bankruptcy filing will not be accepted.

(A) Statement About Your Social Security Numbers **-- If filing electronically, this document *must* be filed separately from the other documents in this package**. See *Court Manual*, section 3.6(b).

(B) Voluntary Petition for Individuals Filing for Bankruptcy (Official Form 101) -- this completed form must be signed by the debtor(s) after the debtor(s) has read the Notice Required by 11 U.S.C. § 342(b) for Individuals Filing Bankruptcy (Form 2010) that is available on the court's website.

(C) Master Mailing List of Creditors -- this is not a form; it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-29.

(D) Initial Statement About an Eviction Judgment Against You (Official Form 101A) – **this form must be filed with your voluntary petition IF you marked "Yes" to both questions in #11 on the Voluntary Petition for Individuals Filing for Bankruptcy (Official Form 101).** As required by LBR 4001-1, the filer must attach to this Official Form 101A: 1) a check in the form of a certified cashier's check or money order payable to the lessor or landlord in the amount of any rent that would become due during the 30-day period after filing of the bankruptcy petition; and 2) a copy of the judgment for possession (LBR 4001-1).

The Following Documents Must be Filed with the Voluntary Petition or within 14 Days After Filing the Voluntary Petition

The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.

(E) Debt Repayment Plan – if the credit counseling agency provided the debtor with a debt repayment plan, the debt repayment plan must be filed.

(F) Statement of Related Cases (LBR Form F1015-2.1.STMT.RELATED.CASES).

(G) Summary of Your Assets and Liabilities and Certain Statistical Information (Official Form 106Sum).

(H) Schedules A/B through J-2 -- If any of the applicable schedules do not apply, the debtor **MUST** print "NONE" on the form and file it with the other documents.

Schedule A/B: Property (Official Form 106A/B)

Schedule C: The Property You Claim as Exempt (Official Form 106C)

Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D)

Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 106E/F)

Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G)

Schedule H: Your Codebtors (Official Form 106H)

Schedule I: Your Income (Official Form 106I)

Schedule J: Your Expenses (Official Form 106J)

Schedule J-2: Expenses for Separate Household of Debtor 2 (Official Form 106J-2). You must file Official Form 106J-2 if you answered "yes" to both questions on Official Form 106J, Part 1.

(I) Declaration About an Individual Debtor's Schedules (Official Form 106Dec).

(J) Statement of Financial Affairs for Individuals Filing For Bankruptcy (Official Form 107).

(K) Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form 2800) -- this form must be filed if the debtor

paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy filing documents [11 U.S.C. § 110].

(L) Bankruptcy Petition Preparer's Notice, Declaration and Signature (Official Form 119) -- this form must be filed if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy filing documents [11 U.S.C. § 110].

(M) Disclosure of Compensation of Attorney for Debtor (Official Form 2030) -- this form is required when an attorney represents the debtor and/or prepared the bankruptcy filing documents. This form is not required if LBR form F 2090-1.CH7.ATTY.COMP.DISCLSR is filed.

(N) Attorney's Disclosure of Compensation Arrangement in Individual Chapter 7 Case (LBR form F 2090-1.CH7.ATTY.COMP.DISCLSR) -- this form is filed if the debtor agreed to pay an attorney a specific amount for limited services.

(O) Declaration by Debtor(s) as to Whether Income was Received From an Employer within 60 Days of the Petition Date [11 U.S.C.§ 521(a)(1)(B)(iv)] (LBR form F 1002-1.EMP.INCOME.DEC). **If filing electronically, this document *must* be filed separately from the other documents in this package.**

(P) Chapter 7 Statement of Your Current Monthly Income (Official Form 122A-1).

(Q) Statement of Exemption from Presumption of Abuse Under § 707(b)(2) (Official Form 122A-1SUPP).

(R) Chapter 7 Means Calculation (Official Form 122A-2).

(S) Verification of Master Mailing List of Creditors [LBR 1007-1(a)] (LBR form F 1007-1.MASTER.MAILING.VERIFICATION).

(T) Certificate of Credit Counseling - a certificate of credit counseling is issued by the credit counseling agency after the debtor has completed a credit counseling course. **This document *must* be filed separately from the other documents in this package.**

The Following Document Must be Filed with the Voluntary Petition or within 30 Days After Filing the Voluntary Petition

(U) Statement of Intention for Individuals Filing Under Chapter 7 (Official Form 108) -- this form must be filed within 30 days from filing of the bankruptcy case or by the date set for the meeting of creditors [11 U.S.C. § 521(a)(2)(A)].

(V) Statement About Payment of an Eviction Judgment Against You (Official Form 101B) – if you filed Official Form 101A (see E) - this form must be filed within 30 days after the filing of the Voluntary Petition if the Debtor(s) wishes to stay in their residence for more than 30 days after filing the Voluntary Petition.

Optional Form with No Deadline for Filing

(W) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.DeBN.ACTIVATE) -- this is an *optional* form for individual debtors to request orders and court-generated notices by email (at no cost) through the DeBN program, instead of by U.S. mail. **If filing electronically, this document *must* be filed separately from the other documents in this package.**

(c) Chapter 7 Non-Individual (Bankruptcy Petition) Documents.

(1) At a minimum, documents (A and B), MUST BE FILED, when applicable, or the bankruptcy filing will not be accepted.

(A) Voluntary Petition for Non-Individuals Filing for Bankruptcy (Official Form 201) -- this completed form must be signed by the authorized representative of the Debtor(s).

(B) Master Mailing List of Creditors – this is not a form; it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-29.

The Following Documents Must be Filed with the Voluntary Petition or within 14 days After Filing the Voluntary Petition

The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, you will lose whatever filing fee you paid, and your creditors will be able to resume collection activities against you.

(C) Corporate Resolution Authorizing Filing of the Petition – this is not a form and is required only if the debtor is a corporation.

(D) Corporate Ownership Statement (LBR form F 1007-4.CORP.OWNERSHIP.STMT) – this is required only if the debtor is a corporation (other than a government unit) [LBR 1007-4].

(E) Statement of Related Cases (LBR form F 1015-2.1.STMT.RELATED.CASES).

(F) Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum).

(G) Schedules A/B, D through H -- If any of the applicable schedules do not apply, the debtor MUST print "NONE" on the form and file it with the other documents).

Schedule A/B: Assets – Real and Personal Property (Official Form 206A/B)

Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)

Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)

Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)

Schedule H: Your Codebtors (Official Form 106H)

(H) Declaration Under Penalty of Perjury for Non-Individual Debtors (Official Form 202).

(I) Statement of Financial Affairs for Non-Individuals Filing For Bankruptcy (Official Form 207).

(J) Disclosure of Compensation of Attorney for Debtor (Official Form 2030) -- this form is required when an attorney represents the debtor and/or prepared the bankruptcy filing documents.

(K) Verification of Master Mailing List of Creditors [LBR 1007-1(a)] (LBR form F 1007-1.MAILING.LIST.VERIFICATION).

Optional Form with No Deadline for Filing

(L) Debtor's Request to Activate Electronic Noticing (DeBN) - local form F 9036-1.1.DeBN.ACTIVATE) – this is an *optional* form for the debtor's authorized representative to request orders and court-generated notices by email (at no cost), instead of by U.S. mail. **If filing electronically, this document *must* be filed separately from the other documents in this package.**

(d) <u>Chapter 11 Individual (Bankruptcy Petition) Documents</u>.

(1) At a minimum, documents (A, B, C, and D), *<u>MUST BE FILED</u>*, when applicable, or the bankruptcy filing will not be accepted.

(A) <u>Statement About Your Social Security Numbers</u> (Official Form 121) **-- If filing electronically, this document *must* be filed separately from the other documents in this package**. See *Court Manual,* section 3.6(b).

(B) <u>Voluntary Petition for Individuals Filing for Bankruptcy</u> (Official Form 101) -- this completed form must be signed by the debtor(s) after the debtor(s) has read the Notice Required by 11 U.S.C §3421(b) for Individuals Filing Bankruptcy (Form 2010) that is available.

(C) <u>For Individual Chapter 11 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims Against You and Are Not Insiders</u> (Official Form 104).

(D) <u>Master Mailing List of Creditors</u> -- this is not a form, it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-29.

(E) <u>Initial Statement About an Eviction Judgment Against You</u> (Official Form 101A **-- this form must be filed *with* your voluntary petition *IF* you marked "Yes" to both questions in #11 on the Voluntary Petition for Individuals Filing for Bankruptcy (Official Form 101)**. As required by LBR 4001-1, the filer must attach to this Official Form 101A: 1) a check in the form of a certified cashier's check or money order payable to the lessor or landlord in the amount of any rent that would become due during the 30-day period after filing of the bankruptcy petition; and 2) a copy of the judgment for possession (LBR 4001-1).

<u>The Following Documents Must be Filed with the Voluntary Petition or within 14 Days After Filing the Voluntary Petition</u>

The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If

that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.

(F) Debt Repayment Plan – if the credit counseling agency provided the debtor with a debt repayment plan, the debt repayment plan must be filed.

(G) Statement of Related Cases (LBR form F 1015-2 1.STMT.RELATED.CASES).

(H) Summary of Your Assets and Liabilities and Certain Statistical Information (Official Form 106Sum).

(I) Schedules A/B through J-2. If any of the applicable schedules do not apply, the debtor **MUST** note "NONE" on the form and file it with the other documents.

Schedule A/B: Property (Official Form 106A/B)

Schedule C: The Property You Claim as Exempt (Official Form 106C)

Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D)

Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 106E/F)

Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G)

Schedule H: Your Codebtors (Official Form 106H)

Schedule I: Your Income (Official Form 106I)

Schedule J: Your Expenses (Official Form 106J)

Schedule J-2: Expenses for Separate Household of Debtor 2 (Official Form 106J-2) - You must file Official Form 106J-2 if you answered "yes" to both questions on Official Form 106J, Part 1.

(J) Declaration About an Individual Debtor's Schedules (Official Form 106Dec).

(K) Statement of Financial Affairs for Individuals Filing For Bankruptcy (Official Form 107).

(L) Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form 2800) – this form must be filed if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the documents listed in this Petition Package [11 U.S.C. § 110].

(M) Bankruptcy Petition Preparer's Notice, Declaration and Signature (Official Form 119) -- this form must be filed if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy case filing documents [11 U.S.C. § 110].

(N) Disclosure of Compensation of Attorney for Debtor (Official Form 2030) -- this form is required when an attorney represents the debtor and/or prepared the bankruptcy filing documents.

(O) Declaration by Debtor(s) as to Whether Income was Received From an Employer within 60 Days of the Petition Date) [11 U.S.C. § 521(a)(1)(B)(iv)] (LBR form F 1002-1.EMP.INCOME.DEC). **If filing electronically, this document *must* be filed separately from the other documents in this package.**

(P) Chapter 11 Statement of Your Current Monthly Income (Official Form 122B). Required unless the case is filed under subchapter V.

(Q) Verification of Master Mailing List of Creditors [LBR 1007-1(a)] (LBR form F 1007-1.1.MASTER.MAILING.VERIFICATION).

(R) Certificate of Credit Counseling -- a certificate of credit counseling is issued by the credit counseling agency after the debtor(s) has completed a credit counseling course. **This document *must* be filed separately from the other documents in this package.**

The Following Document Must be Filed with the Voluntary Petition or within 30 Days After Filing the Voluntary Petition

(S) Statement About Payment of an Eviction Judgment Against You (Official Form 101B) – if you filed Official Form 101A (see F) -- this form must be filed within 30 days after the filing

of the Voluntary Petition if the Debtor(s) wishes to stay in their residence for more than 30 days after filing the Voluntary Petition.

Optional Form with No Deadline for Filing

(T) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.1.DeBN.ACTIVATE -- this is an *optional* form for individual debtors to request orders and court-generated notices by email (at no cost) through the DeBN program, instead of by U.S. mail. **If filing electronically, this document *must* be filed separately from the other documents in this package.**

(e) <u>Chapter 11 Non-Individual (Bankruptcy Petition) Documents</u>.

(1) At a minimum, documents (A, B, C, and D), *<u>MUST BE FILED</u>*, when applicable, or the bankruptcy filing will not be accepted.

(A) <u>Voluntary Petition for Non-Individuals Filing for Bankruptcy</u> (Official Form 201) – this completed form must be signed by the authorized signer for the Debtor.

(B) <u>Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders</u> (Official Form 204).

(C) <u>Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy Under Chapter 11</u> (Official Form 201A) – this form is filed only by debtors who are required to file periodic reports with the Securities and Exchange Commission (e.g., Forms 10K and 10Q).

(D) <u>Master Mailing List of Creditors</u> – this is not a form, it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-29.

<u>The Following Documents Must be Filed with the Voluntary Petition or within 14 days After Filing the Voluntary Petition</u>

The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.

(E) <u>Corporate Resolution Authorizing Filing of the Petition</u> – this is not a form and is required only if the debtor is a corporation.

(F) <u>Corporate Ownership Statement</u> (LBR form F 1007-4.CORP.OWNERSHIP.STMT) – this is an optional form for the statement that is required under LBR 1007-4 if the debtor is a corporation (other than a government unit).

(G) <u>List of Equity Security Holders</u> – required for corporations or partnerships if not included on the Master Mailing List of

Creditors. The List of Equity Security Holders must be in the same format as specified in the *Requirements for Master Mailing List of Creditors* on page 2-29.

(H) Statement of Related Cases (LBR form F 1015-2.1.STMT.RELATED.CASES).

(I) Summary of Assets and Liabilities for Non-Individuals Schedules (Official Form 206Sum).

(J) Schedules A/B, D through H. (Official Forms 206A/B, 206D, 206E/F, 206G, 206H). If any of the applicable schedules do not apply, the debtor **MUST** print "NONE" on the form and file it with the other documents.

Schedule A/B: Assets – Real and Personal Property (Official Form 206A/B)

Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)

Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)

Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)

Schedules H: Your Codebtors (Official Form 206H)

(K) Declaration Under Penalty of Perjury for Non-Individual Debtors (Official Form 202).

(L) Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy (Official Form 207).

(M) Disclosure of Compensation of Attorney for Debtor (Official Form 2030) – this form is required when an attorney represents the debtor or prepared the bankruptcy filing documents.

(N) Verification of Master Mailing List of Creditors [LBR 1007-1(a)] (LBR form F 1007-1.1.MAILING.LIST.VERIFICATION).

Optional Form with No Deadline for Filing

(O) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.1.DeBN.ACTIVATE – this is an *optional* form for the debtor's authorized representative to request orders and court-generated notices by email (at no cost), instead of by U.S. mail**. If filing electronically, this document *must* be filed separately from the other documents in this package.**

(f) <u>Chapter 12 Individual (Bankruptcy Petition) Documents</u>.

(1) At a minimum, documents (A, B, and C) *<u>MUST BE FILED</u>*, when applicable, or the bankruptcy filing will not be accepted.

(A) <u>Statement About Your Social Security Numbers</u> (*or Other Individual Taxpayer- Identification Number (ITIN(s)))* (Official Form 121). -- **If filing electronically**, **this document *must* be filed separately from the other documents in this package**. See *Court Manual*, section 3.6(b).

(B) <u>Voluntary Petition</u> (Official Form 101) -- this completed form must be signed by the debtor(s) after the debtor(s) has read the Notice Required by 11 U.S.C. § 341(b) for Individuals Filing Bankruptcy (Form 2010) that is available.

(C) <u>Master Mailing List of Creditors</u> -- this is not a form; it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-29.

<u>The Following Documents Must be Filed with the Voluntary Petition or within 14 Days After Filing the Voluntary Petition</u>

The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.

(D) <u>Debt Repayment Plan</u> -- if the credit counseling agency provided the debtor with a debt repayment plan, the debt repayment plan must be filed.

(E) <u>Statement of Related Cases</u> (LBR form F 1015-2.1.STMT.RELATED.CASES).

(F) <u>Summary of Your Assets and Liabilities and Certain Statistical Information</u> (Official Form 106Sum).

(G) <u>Schedules A/B through J-2</u> -- If any of the schedules do not apply, the debtor **MUST** print "NONE" on the form and file it with the other documents.

Schedule A/B: Property (Official Form 106A/B)

Schedule C: The Property You Claim as Exempt (Official Form 106C)

Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D)

Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 106E/F)

Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G)

Schedule H: Your Codebtors (Official Form 106H)

Schedule I: Your Income (Official Form 106I)

Schedule J: Your Expenses (Official Form 106J)

Schedule J-2: Expenses for Separate Household of Debtor 2 (Official Form 106J-2). You must file Official Form 106J-2 if you answered “yes” to both questions on Official Form 106J, Part 1.

(H) Declaration About an Individual Debtor's Schedules (Official Form 106Dec).

(I) Statement of Financial Affairs for Individuals Filing for Bankruptcy (Official Form 107).

(J) Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form 2800) – this form must be filed if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the documents listed in this Petition Package [11 U.S.C. § 110].

(K) Bankruptcy Petition Preparer’s Notice, Declaration and Signature (Official Form 119) -- this form must be filed only if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the bankruptcy filing documents. [11 U.S.C. § 110].

(L) Disclosure of Compensation of Attorney for Debtor (Official Form 2030) -- this form is required only when an attorney represents the debtor and/or prepared the bankruptcy filing documents.

(M) Declaration by Debtor(s) as to Whether Income was Received From an Employer within 60 Days of the Petition Date) [11 U.S.C. § 521(a)(1)(B)(iv)] (LBR form F 1002-1.EMP.INCOME.DEC). **If filing electronically, this document *must* be filed separately from the other documents in this package.**

(N) Verification of Master Mailing List of Creditors [LBR 1007-1(a)] (LBR form F1007-1.MASTER.MAILING.VERIFICATION).

Certificate of Credit Counseling – a certificate of credit counseling is issued by the credit counseling agency after the debtor(s) has completed a credit counseling course. **This document *must* be filed separately from the other documents in this package.**

(O) Chapter 12 Plan -- **Must be filed within 90 days from the date the bankruptcy petition is filed.** [11 U.S.C. § 1222].

Optional Form with No Deadline for Filing

(P) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.1.DeBN.ACTIVATE) – this is an *optional* form for individual debtors to request orders and court-generated notices by email (at no cost) instead of by U.S. mail. **If filing electronically, this document *must* be filed separately from the other documents in this package.**

(g) <u>Chapter 12 Non-Individual (Bankruptcy Petition) Documents</u>.

(1) At a minimum, documents (A and B) *<u>MUST BE FILED</u>*, when applicable, or the bankruptcy filing will not be accepted.

(A) <u>Voluntary Petition for Non Individuals Filing for Bankruptcy</u> (Official Form 201) -- this completed form must be signed by the authorized signer for the Debtor.

(B) <u>Master Mailing List of Creditors</u> -- this is not a form; it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-29.

<u>The Following Documents Must be Filed with the Voluntary Petition or within 14 Days After Filing the Voluntary Petition</u>

The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.

(C) <u>Corporate Resolution Authorizing Filing of the Petition</u> – this is not a form and is required only if the debtor is a corporation.

(D) <u>Corporate Ownership Statement</u> (LBR form F 1007-4.CORP.OWNERSHIP.STMT) – this is an optional form for the statement that is required under LBR 1007-4 if the debtor is a corporation (other than a governmental unit).

(E) <u>List of Equity Security Holders</u> – required for corporations or partnerships if not included on the Master Mailing List of Creditors. The list of Equity Security Holders must be in the same format as specified in the Requirements for Master Mailing List of Creditors on 2-29.

(F) <u>Statement of Related Cases</u> (LBR form F 1015-2.1.STMT.RELATED.CASES).

(G) <u>Summary of Assets and Liabilities for Non-Individuals Schedules</u> Official Form 206Sum).

(H) <u>Schedules A/B, D through H</u>.

Schedule A/B: Assets - Real and Personal Property (Official Form 2016A/B)

Schedule D: Creditors Who Have Claims Secured by Property (Official Form 206D)

Schedule E/F: Creditors Who Have Unsecured Claims (Official Form 206E/F)

Schedule G: Executory Contracts and Unexpired Leases (Official Form 206G)

Schedules H: Your Codebtors (Official Form 206H)

(I) Declaration Under Penalty of Perjury for Non-Individuals Filing for Bankruptcy (Official Form 202).

(J) Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy (Official Form 207).

(K) Disclosure of Compensation of Attorney for Debtor (Official Form 2030) -- this form is required when an attorney represents the debtor and/or prepared the bankruptcy filing documents.

(L) Verification of Master Mailing List of Creditors [LBR 1007-1(a)] (LBR form F 1007-1.1.MASTER.MAILING.VERIFICATION.

(M) Chapter 12 Plan -- **Must be filed within 90 days from the date the bankruptcy petition is filed.** [11 U.S.C. § 1222].

Optional Form with No Deadline for Filing

(N) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.1.DeBN.ACTIVATE) – this is an *optional* form for the debtors authorized representative to request orders and court-generated notices by email (at no cost) instead of by U.S. mail. **If filing electronically, this document *must* be filed separately from the other documents in this package**.

(h) <u>Chapter 13 (Bankruptcy Petition) Documents</u>.

(1) **At a minimum, documents (A, B and C) MUST BE FILED, when applicable, or the bankruptcy filing will not be accepted**

(A) <u>Statement About Your Social Security Numbers</u> (Official Form 121). -- **If filing electronically, this document *must* be filed separately from the other documents in this package**. See *Court Manual*, section 3.6(b).

(B) <u>Voluntary Petition for Individuals Filings for Bankruptcy</u> (Official Form 101) -- this completed form must be signed by the debtor(s).

(C) <u>Master Mailing List of Creditors</u> -- this is not a form; it is a list of creditors' names and addresses. Please see the *Requirements for Master Mailing List of Creditors* on page 2-29.

(D) <u>Initial Statement About an Eviction Judgment Against You</u> (Official Form 101A) – this form must be filed with your voluntary petition IF you marked "Yes" to both questions in #11 on the Voluntary Petition for Individuals Filing for Bankruptcy (Official Form 101). The Court requires that filers of this statement also provide a copy of the eviction judgment and a check made payable to the landlord.

<u>The Following Documents Must be Filed with the Voluntary Petition or within 14 Days After Filing the Voluntary Petition</u>

The following documents, if applicable, MUST also be filed at the bankruptcy court with the Voluntary Petition, or within 14 days after the filing of the Voluntary Petition. If the following documents are not filed within 14 days after the filing of the Voluntary Petition, the bankruptcy case may be dismissed. If that happens, the debtor will lose whatever filing fees were paid, and the debtor's creditors will be able to resume collection activities.

(E) <u>Debt Repayment Plan</u> -- if the credit counseling agency provided the debtor with a debt repayment plan, the debt repayment plan must be filed.

(F) <u>Statement of Related Cases</u> (LBR Form F 1015-2.1.STMT.RELATED.CASES).

(G) Summary of Your Assets and Liabilities and Certain Statistical Information (Official Form 106Sum).

(H) Schedules A/B through J-2 -- If any of the schedules do not apply, the debtor **MUST** print "NONE" on the form and file it with the other documents.

Schedule A/B: Property (Official Form 106A/B)

Schedule C: The Property You Claim as Exempt (Official Form 106C)

Schedule D: Creditors Who Have Claims Secured by Property (Official Form 106D)

Schedule E/F: Creditors Who Have unsecured (Official Form 106E/F)

Schedule G: Executory Contracts and Unexpired Leases (Official Form 106G)

Schedule H: Your Codebtors (Official Form 106H)

Schedule I: Your Income (Official Form 106I)

Schedule J: Your Expenses (Official Form 106J)

Schedules J-2: Expenses for Separate Household of Debtor 2 (Official Form 106J-2). You must file Official Form 106J-2 if you answered "yes" to both questions on Official Form 106J, Part 1.

(I) Declaration About an Individual Debtor's Schedules (Official Form 106Dec).

(J) Statement of Financial Affairs for Individuals Filing for Bankruptcy (Official Form 107).

(K) Disclosure of Compensation of Bankruptcy Petition Preparer (Official Form 2800) -- this form must be filed only if the debtor paid a non-attorney bankruptcy petition preparer to prepare any of the documents listed in this Petition Package [11 U.S.C. § 110].

(L) Bankruptcy Petition Preparer's Notice, Declaration and Signature (Official Form 119) -- this form must be filed only if the debtor paid a non-attorney bankruptcy petition preparer

to prepare any of the bankruptcy case filing documents [11 U.S.C. § 110].

(M) Disclosure of Compensation of Attorney for Debtor (Official Form 2030) -- this form is required only when an attorney represents the debtor and/or prepared the bankruptcy filing documents.

(N) Declaration by Debtor(s) as to Whether Income was Received From an Employer within 60 Days of the Petition Date [11 U.S.C. §521(a)(1)(B)(iv)] (F 1002-1.EMP.INCOME.DEC). **If filing electronically, this document *must* be filed separately from the other documents in this package.**

(O) Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (Official Form 122C-1).

(P) Chapter 13 Statement of Your Disposable Income (Official Form 122C-2).

(Q) Verification of Master Mailing List of Creditors [LBR 1007-1(a)] (LBR form F 1007-1.MASTER.MAILING.VERIFICATION).

(R) Certificate of Credit Counseling – a certificate of credit counseling is issued by the credit counseling agency after the debtor has completed a credit counseling course. If filing electronically, this document *must* be filed separately from the other documents in this package.

(S) Chapter 13 Plan (LBR form F 3015-1.01.CHAPTER13.PLAN) **If filing electronically, this document must be filed separately from the other documents in this package.**

The Following Documents Must be Filed with the Voluntary Petition or within 30 Days After Filing the Voluntary Petition

(T) Statement About Payment of an Eviction Judgment Against You (Official Form 101B) – if you filed Official Form 101A (see D) - this form must be filed within 30 days after the filing of the Voluntary Petition if the debtor wishes to stay in their residence for more than 30 days after filing the Voluntary Petition.

Optional Form with No Deadline for Filing

(U) Debtor's Request to Activate Electronic Noticing (DeBN) (local form F 9036-1.1.DeBN.ACTIVATE) – this is an optional form for individual debtors to request orders and court-generated notices by email (at no cost) through the DeBN program, instead of by U.S. mail. If filing electronically, this document must be filed separately from the other documents in this package.

(i) Involuntary Bankruptcy Case [11 U.S.C. §303].

(1) Involuntary Petitions must be filed at the Intake window of the applicable division. Do not file electronically through CM/ECF.

(2) Document required to file an involuntary bankruptcy case:

(A) Involuntary Petition Against an Individual (Official Form 105) for individual debtors, or

(B) Involuntary Petition Against a Non-Individual (Official Form 205) for non-individual debtors.

2.2 Incomplete Case Commencement Filings

(a) Deficient Filings. Filing of a petition or other document is 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 case commencement or other 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:

1. Petitioner is involved in a pending sale or foreclosure;

2. Unlawful detainer order;

3. Wage garnishment;

4. Expedited hearings on shortened notice (e.g., Ex Parte Motion); and

5. Unusually large volume of documents (e.g., mega case documents).

(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) 894-6751
Riverside	(951) 774-1101
Santa Ana	(714) 338-5332
Northern	(805) 884-4885
San Fernando Valley	(818) 587-2833

2.3 Requirements for Master Mailing List of Creditors [LBR 1007-1]

A Master Mailing List of Creditors, with the names and addresses of the creditors, must be filed in all bankruptcy cases and must be submitted in the following format (see *Exhibit 1*, Example of Format for Master Mailing List of Creditors on the next page):

1. Typed on **blank**, unlined, standard white 8-1/2 x 11 inch medium weight paper using **uppercase** and **lowercase** letter quality fonts, no smaller than **10 point** nor greater than **14 point,** in either Arial, Calibri, Cambria, Courier, Times New Roman, Helvetica, Geneva, or Letter Gothic;

2. Typed in a single column with no letters closer than 1-1/2 inches from any edge of the paper and left justified;

3. Typed with no more than **8 name/address blocks per page**. Each block must consist of no more than **5 lines total for each** name/address with at least **2 blank lines** in between. The first line, or name, can be no more than **50 characters** in length including spaces, and the address lines can be no more than **40 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 1*.)

4. Master Mailing List pages must list the creditors from schedules D, and E/F of the bankruptcy case filing. Use as many pages as needed. ***Do not include*** the debtor, joint debtor, U.S. Trustee, Internal Revenue Service, or Franchise Tax Board on the Master Mailing List.

5. Do not use punctuation, except for one comma between city and state (for example Los Angeles, CA 90012).

6. If a separate Equity Holders List is filed, it must comply with the above format requirements.

7. If the Master Mailing List is electronically submitted, it must be: (1) filed in PDF format; and (2) uploaded as a plaintext (.txt) file.

Exhibit 1

Example of Format for Master Mailing 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

Acme Dental Clinic
745 Tungsten Boulevard
Hollywood, CA 90027

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

2.4 Filing Fees

(a) **Fee Schedule**. For a list of current filing fees, refer to the Quick Guide to the Court in section 1.2.

(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, 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. Do not send cash through the mail. Also refer to the Quick Guide to the Court, section 1.2.

2.5 Documents Filed After Case Commencement [LBR 5005-2; LBR 9004-1]

(a) **Copies Required**. The following copy requirements apply for documents filed after filing the petition and other case commencement documents.

(1) Documents Electronically Filed. The only copy that may be required is a judge's copy. Please refer to *Judge's Copies*, section 3.5(b) and *Appendix F* of this Court Manual. Appendix F contains a list of filed documents that are not required to be served upon the judge.

(2) Documents *Not* Electronically Filed.

(A) Judge's Copy. Refer to *Appendix F* to see if a Judge's copy is required. If a Judge's copy is required, one copy that contains a "Filed" stamp on page one of the document 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.

(B) Conformed Copy for You. 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. Or, 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.

(b) **Form and Format of Documents**. Unless otherwise expressly provided by the LBRs or section 3.5 of this Court Manual, a paper document filed or lodged with the court and any exhibit hereto must comply with the following form and format requirements:

(1) Legibility. A paper document 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.

(2) Paper.

(A) Size and Quality.

(i) Documents Filed Electronically. Individual pages of documents shall not exceed 8.5 X 11 inches. A CM/ECF User should check the page size prior to attempting to upload the PDF in the CM/ECF system. PDF files with pages exceeding the 8.5 X 11 inch limit must be modified before uploading. See section 3.5(d) of this Court Manual.

(ii) Documents Filed at Intake Window. The original paper document must be submitted on paper that is opaque, unglazed, 8.5 by 11 inches in size, not less than 20 pounds in weight, and capable of producing a good quality image when scanned using the court's equipment and software. Coated, glossy, bond, card stock, onion skin, lightweight or oversized paper can cause paper jams and may not be used.

(B) Numbered Margins.

(i) Required. Numbered margins are required for documents generated by a party, such as a motion, response, reply, declaration, stipulation, adversary complaint, etc. 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.

(ii) Not Required. Numbered margins are not required on court- approved forms. They are also not required on exhibits filed in support of a motion, response, reply, declaration, etc.

(C) Typeface. The typeface must not be smaller than 12 point

unless it is in a petition package or other court-approved form. 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.

(D) Interlineation. No interlineation is allowed on a document unless the interlineations are noted by the clerk or the judge by marginal initials at the time of the filing.

(E) Print on One Side Only. All pages of each document (including exhibits) must be printed on only one side of the paper. Two sided exhibits must be copied and filled with text print on one side of each page. Any document larger or smaller than an 8.5 X 11 inch size must be reduced or enlarge to be 8.5 X 11 inch.

(F) Spacing. Except as provided herein, the typing or printing on documents 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.

(G) Page Numbering at Bottom of Pages. All documents must be numbered consecutively at the bottom of each page, including any attached exhibits. A reference to an exhibit in a document must include the consecutive page numbers of the exhibit.

(H) Identifying and Separating Exhibits and Other Attached Documents.

(i) Identification.

I. Declarations. It should be clear from the label or tab who is the declarant.

II. Exhibits. Exhibits must be placed in sequential order. Whenever feasible, exhibits of plaintiffs or movants must be marked with numbers, and exhibits of defendants or respondent must be marked with letters.

(ii) Separation.

I. Original Document to be Filed.

(aa) Documents Electronically Filed. The version of each declaration, exhibit or other attachment that is filed electronically via CM/ECF must be separated by a separator sheet that contains a label identifying the declaration, exhibit or other attachment.

(bb) Documents Not Electronically Filed. Each declaration, exhibit, or other attachment to an original of a document must be separated by a separator sheet printed on white, letter size (8½ x 11 inches), unglazed, opaque, paper of medium weight. Unless the physical nature of the exhibit makes it impracticable, an exhibit, declaration or other attachment must be securely bound with a binder clip or clamp to the document to which it relates.

II. Judge's Copy. Each declaration, exhibit or other attachment to a Judge's copy must be tabbed and bound to the main document.

(3) Originals, Copies, Telecopies, and E-mails.

(A) Documents Electronically Filed. The original of any document that is filed electronically via CM/ECF, including the original signature of the attorney, party, or declarant, must be maintained by the filing party for 5 years after the conclusion of the case, including any applicable appeal period, subject to being produced upon reasonable notice.

(B) Documents Filed at Intake Window. The original of a paper filed at the clerk's office intake window must be labeled as the original and, except for exhibits, must consist entirely of the original pages, except that a telecopy or email of all or part of a document (or copy of such telecopy or email) may be filed and served instead of the original of a document, provided that the telecopy or email meets the legibility requirement set forth in subsection (b)(1) of this rule.

(4) Assembly of Documents Not Electronically Filed. Original documents and a Judge's copy must be assembled in compliance with the following guidelines, to allow for scanning by court staff:

(A) Multi-Paged Originals. When a document is filed at the intake window, 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.

(B) Conformed Copies. As a general rule, the clerk's office will conform and return one copy of a document to the filing party. The copies must not be attached to the original documents.

(C) Judge's Copy. A Judge's copy of multi-page documents must be fastened with a single staple in the upper left-hand corner or otherwise bound.

(D) Binding. Documents must not be "blue-backed" or otherwise bound. A transcript must be unbound and fastened with a binder clip prior to filing.

(c) Caption and Format of Title Page.

(1) Adversary Proceedings. A complaint, transcript or other document 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 document 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. _____
	)	
	)	Chapter _____
Debtor.	)	
	)	SMALL BUSINESS CASE UNDER
	)	FRBP 1020
_____	)	

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

(A) Attorney. The name, state bar identification number, law firm name, address, telephone number, fax number, and e-mail address, if any, of the attorney presenting the document 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 document 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 document 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 an adversary proceeding, for all documents filed after the complaint or other document that names a new party, 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-bk-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 colon representing the last two digits of the year in which the case was filed, a two-character case type (bk for bankruptcy case, ap for adversary case) 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 (e.g., 2:05-ap-02345-AA).

(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).

(l) Hearing. The time, date, and place of the hearing on the matter to which the document 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 document.

(d) **Commencing an Adversary Proceeding.** On September 23, 2013, the court implemented an automated process for issuing a completed Summons (or Alias Summons) and Notice of Status Conference (Summons) in an adversary proceeding. Therefore, notwithstanding LBR 7004-1(a), under this new automated process, plaintiffs do not need to lodge a proposed form of Summons in order to have a Summons or an Alias Summons issued in an adversary proceeding. The court will prepare the required Summons or Alias Summons. Plaintiffs who are registered CM/ECF users will receive an issued Summons or Alias Summons electronically (by Notice of Electronic Filing – NEF). Plaintiffs who are not registered CM/ECF users will receive a hard copy of the issued Summons or Alias Summons by U.S. Mail. LBR 7004-1(a) will be revised in the future to accommodate these changes.

(e) **Summons for Involuntary Petitions, Cross-Claims, Counter-Claims and Third-party Claims.** The plaintiff is responsible for preparing the summons to be signed and issued by the clerk.

2.6 Proof of Claim

Parties may file a ***Proof of Claim*** **(Official Form 410)** either online, in person, or by mail. There is no fee for filing a *Proof of Claim*.

(a) Electronic Proof of Claim (ePOC). Creditors can use the court's Electronic Proof of Claim (ePOC) system to complete and file a Proof of Claim. Visit the court's website at www.cacb.uscourts.gov/epoc-electronic-proof-claim to access or learn more about ePOC.

(b) CM/ECF. Attorneys registered to use CM/ECF may electronically file *Proofs of Claims* through CM/ECF.

(c) Proof of Claim Delivered by Mail or in Person to Division Where Case Is Pendng:

(1) Obtain a free *Proof of Claim* form (and *Instructions for Proof of Claim*) from either the court's website at www.cacb.uscourts.gov or any bankruptcy court. You may mail your request for a blank printed *Proof of Claim* form to the division where the bankruptcy case is pending (see *Quick Guide to the Court*, section 1.1, or *Appendix A* for division addresses):

(2) File the completed *Proof of Claim* form by either mailing or delivering it to the division where the case is pending (see *Quick Guide to the Court*, section 1.1, or *Appendix A* for division addresses). To receive a "filed" stamped copy of a *Proof of Claim* that is delivered or mailed to the Court, provide a copy of the claim at the time of filing (along with a self-addressed, stamped envelope if the *Proof of Claim* is mailed to the Court).

(d) Additional Forms that may be filed with a *Proof of Claim Form* Involving Mortgage Payments. Three forms related to proofs of claims involving a mortgage may be attached to the *Proof of Claim*. The forms and instructions for these forms are available on the court's website at www.cacb.uscourts.gov:

(1) *Mortgage Proof of Claim Attachment form (*Official Form 410A). If you file a claim secured by a security interest in the debtor's principal residence, you **must** use this form as an attachment to your *Proof of Claim* form.

(2) *Notice of Mortgage Payment Change form* (Official Form 410S-1). If you file a claim secured by a security interest in the debtor's principal residence provided for under the debtor's plan pursuant to § 1322(b)(5), you **must** use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your *Proof of Claim* form **at least 21 days before** the new payment amount is due (see FRBP 3002.1).

(3) *Notice of Postpetition Mortgage Fees, Expenses, and Charges form* (Official Form 410S-2). If you hold a claim secured by a security interest in the debtor's principal residence, you **must** use this form to give notice of any postpetition fees, expenses, and charges that you assert are recoverable against the debtor or against the debtor's principal residence. File this form as a supplement to your *Proof of Claim* form (see FRBP 3002.1).

2.7 Multiple Objections to Claims Calendar

(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*> -> *Judges* for specific requirements (if any) and/or call the courtroom deputy for the particular judge. Telephone contacts are located in *Appendix A* of this Court Manual.

EXHIBIT 2

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:

Claim Number	Claimant Name	Claim Amount	Basis for Objection	(*if applicable*) Portion of Claim Subject to Objection*

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 3

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 4

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
PRIORITY				
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	
SECURED				
102	Security Western National Bank, Inc.	$8,885.00	Duplicate Claim	
129	Reliable Credit Services	$6,895.00	Disputed Amt.	5,000.00
UNSECURED				
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 About Your 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*> under "Judiciary Privacy Policy."

(b) **Filing Documents Under Seal [LBR 5003-2(c)].** No documents may be presented to the court for filing under seal unless and until the court has granted a motion authorizing the filing of such documents under seal. All motions for authority to file documents under seal must be filed electronically, if the filer is an attorney.

(1) The motion should include as exhibits, or in a separate appendix also filed electronically, the documents that the movant seeks to file under seal **with the confidential portions redacted**; provided, however, that, if the documents are voluminous, the motion may be accompanied by a declaration under penalty of perjury to this effect and a schedule of the documents that movant seeks to file under seal.

(2) The motion must describe the nature of the information that the party asserts is confidential (without disclosing the confidential information itself) and explain why the information should not be publicly disclosed.

(3) If and when the court grants the motion for authority to file documents under seal, unredacted versions of the documents, together with an entered copy of the order authorizing the sealed filing, should be presented for filing under seal in the manner directed by the court in its order authorizing the filing under seal. Additional information regarding the process of filing a document under seal is available by calling Case Initiation, as listed in Court Manual Appendix A, at the division where the case is pending.

(c) **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 documents can be filed.

Adversary Proceedings Filed in a Closed Case		Reopen Main Case	Collect Fee to Reopen Main Case?
1.	§ 523 adversary proceeding	No	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	No	No [28 U.S.C. § 1930]
4.	Other adversary proceedings	Yes	Yes (unless related to discharge)

Motions/Other Documents Filed in a Closed Case		Reopen Main Case	Collect Fee to Reopen Main Case?
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
16.	Motion (for Protective Order to Restrict Access Pers.ID (LBR Form F9037-1.1) (Fee)(motion)	No	No

*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.

(d) <u>Mega Case Procedures Checklist [LBR 5075-1].</u>

(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*> -> *Forms* -> *Other Forms*. (Also see section 6, *Forms*.)

(e) **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 14 days after entry of judgment. Each item claimed must be set forth separately in the bill of costs.

(f) **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.

2.9 Guidelines for Allowance of Attorneys' Fees in Chapter 13 Cases

These guidelines govern the allowance of attorneys' fees and costs in chapter 13 cases in this district.

(a) **Fees for Services Described in Bold Face Type in Rights and Responsibilities Agreement Between Chapter 13 Debtors and Their Attorneys ("RARA")**. An attorney may receive an order approving fees up to a maximum amount of $6,000 in a case where the debtor is engaged in a business; or $5,000 in all other cases without filing a detailed fee application if:

(1) The attorney has filed with the court and served on the chapter 13 trustee the statement required pursuant to Rule 2016 of the Federal Rules of Bankruptcy Procedure and a fully executed copy of the RARA," copies of which are available in the clerk's office and in the chapter 13 trustees' offices; and

(2) No objection to the requested fees has been raised.

(b) **Fees for Additional Services Without Filing a Detailed Fee Application.** An attorney may also receive an order approving fees for the following identified additional services in an amount not to exceed the maximum amount identified for each service without filing a detailed application:

LEGAL SERVICE	NO LOOK FEE MAXIMUM
MOTION TO EXTEND/IMPOSE STAY (NO OPPOSITION)	**$750.00**

LEGAL SERVICE	NO LOOK FEE MAXIMUM
APPLICATION FOR ORDER SHORTENING TIME (NO OPPOSITION)	$350.00
MOTION TO AVOID LIEN (506(a)) (NO OPPOSITION)	$1,250.00
MOTION TO AVOID LIEN (506(a)); STIPULATION AND ORDER TO AVOID LIEN (506(a)) (NO OPPOSITION)	$1,500.00
MOTION TO AVOID LIEN (522(f)) (NO OPPOSITION)	$750.00
MOTION TO DISALLOW CLAIM (NO OPPOSITION)	$950.00
OPPOSITION TO TRUSTEE'S MOTION TO DISMISS/CONVERT CASE	$350.00
MOTION TO MODIFY PLAN (NO OPPOSITION)	$750.00
MOTION TO REFINANCE/SELL REAL PROPERTY (NO OPPOSITION)	$750.00
MOTION TO INCUR DEBT (NO OPPOSITION)	$750.00
APPLICATION FOR ORDER CONFIRMING THAT LOAN MODIFICATION DISCUSSION WILL NOT VIOLATE STAY	$300.00
COMPLAINT TO AVOID LIEN	$2,000.00

(1) Attorneys must file an application to receive the no look fees but are not required to provide detailed billing statements with the application.

(2) The foregoing fees do not include court appearances, but do include normal costs incurred in connection with the legal service. If the attorney seeks reimbursement of extraordinary costs, an application detailing the costs will be required.

(3) Some judges may not allow "no look fees" for every service provided in the foregoing schedule. Attorneys should check the judge's page on the court's website for instances where the judge will not approve the no look fee.

(c) **Fees to Be Paid Other Than Pursuant to These Guidelines**. If an attorney seeks additional fees or elects to be paid other than pursuant to these Guidelines, the attorney shall file and serve an application for fees in accordance with 11 U.S.C. §§ 330 and 331, Rules 2016 and 2002 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules 2016-1 and 3015-1, as well as the "Guide To Applications For Professional Compensation" issued by the United States Trustee for the Central District of California.

(d) In any event, on its own motion or the motion of any party in interest, the court may order a hearing to review any attorney's fee agreement or payment, in accordance with 11 U.S.C. § 329 and Rule 2017 of the Federal Rules of Bankruptcy Procedure.