

Judicial Variance Statement for Judge Sandra R. Klein Regarding LBRs, Court Manual, and Forms

Bankruptcy Judge Klein enforces the Local Bankruptcy Rules, Court Manual, and use of mandatory Court forms. However, here are a few clarifications and exceptions:

A. Local Bankruptcy Rules (LBRs):

- 1. 3015(e)(3) and (m)(6) - Evidence of Payment:** Judge Klein does not require Debtors to file the declaration regarding post-petition payments on LBR Form 3015-1.4.DEC.PRECONF.PAYMTS.
- 2. 7016-1(b)(1) and (b)(3) - Pre-trial Stipulations:** Judge Klein requires that a pre-trial stipulation be filed, but not separately lodged, in LOU.

B. Court Manual: All Court Manual provisions are enforced in Judge Klein's cases.

C. Mandatory LBR Forms: All LBR forms marked "mandatory" in the footer of the form are also mandatory in Judge Klein's cases.

- 1. LBR 2081-2 - Chapter 11 Debtors Who are Individuals:** All of the LBR forms created for use when a chapter 11 debtor is an individual are mandatory in Judge Klein's cases. For complete a list of forms that are mandatory when a chapter 11 debtor is an individual, see "Judge Klein Requires Individual Chapter 11 Debtors to Use Local Bankruptcy Rules Forms" document found on the "Instructions/Procedures" page of Judge Klein's section of the Court website.
- 2. Chapter 13 Cases - Avoiding Junior Lien on Principal Residence:** Judge Klein allows junior liens on principal residences to be avoided by filing a Motion. Debtors seeking to avoid a junior lien on a principal residence must use LBR Form 4003-2.4.JR.LIEN.MOTION.

D. Other forms required to be used by Judge Klein:

- 1. Chapter 11 Disclosure Statement and Plan:** When a chapter 11 debtor is NOT an individual, it is mandatory that the debtor use Judge Klein's Disclosure Statement and Plan of Reorganization. It is found on the "Forms" page of her section of the Court website. A reading guide is also provided.