

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF MARYLAND

In Re:

\* ADMINISTRATIVE

\* ORDER NO. 05-04

Implementation of Bankruptcy Abuse  
Prevention and Consumer  
Protection Act of 2005

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*\* As Amended September 27, 2006*

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***ADMINISTRATIVE ORDER ON CHANGES TO LOCAL  
BANKRUPTCY RULES AND PROCEDURE***

***WHEREAS*** the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, makes many changes to the bankruptcy code effective October 17, 2005, requiring subsequent amendments to the local bankruptcy rules of this court.

Accordingly, it is

***ORDERED***, that for all cases filed on or after October 17, 2005, the following amendments to the local rules and procedures will apply:

A. LBR 1002-1 (a)(2) the party filing the petition neither pays the prescribed filing fee with the petition nor files with the petition an application to pay the required fee in installments, nor files an application requesting waiver of the filing fee if eligible to do so.

LBR 1002-1(a)(8) In cases for individuals, the Credit Counseling Statement or request for waiver pursuant to 11 U.S.C. §109(h)(4) and debtor has not checked the block on *Exhibit D* to the petition stating that debtor received approved budget and

credit counseling during the 180-day period preceding the filing of the petition.

**B. LBR 1007-4 Payment Advices** - copies of all payment advices or other evidence of payment received within 60 days before the date of the filing of the petition by the debtor from any employer of the debtor, (1) shall not be filed with the court unless otherwise ordered, and (2) shall be provided to the trustee, and any creditor who timely requests copies of the payment advices or other evidence of payment, at least seven days before the time of the meeting of creditors conducted pursuant to 11 U. S. C. §341. To be considered timely, a creditor's request must be received at least 15 days before the first date set for the meeting of creditors.

If the debtor cannot provide copies of the required payment advices, debtor is required to file a Statement Under Perjury in the form set forth in Local Bankruptcy Form Q. Upon the filing of a notice that the debtor has not provided a copy of all payment advices or other evidence of payment, or a Statement Under Perjury, as required herein above, an order of dismissal may be entered after fifteen (15) days' notice to the debtor, counsel to the debtor, and the United States Trustee and an opportunity for hearing.

**C. LBR 1007-5 Compliance with Filing Requirements** - The Clerk will docket a Certificate of Compliance for each case meeting all filing

requirements under 11 U.S.C. § 521(a)(1), except payment advices under Section 521(a)(1)(B)(iv), or a Certificate of non-compliance, as appropriate.


E. Local Bankruptcy Rules 3016-1, 3016-2, and 3017-1 are abrogated.

**F. LBR 3019-1 Modifications to Chapter 11 Confirmed Plan of**

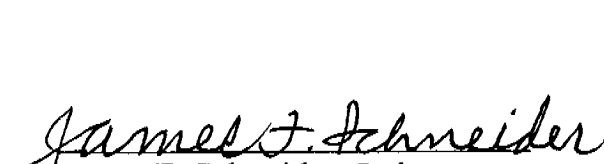
**Individual** The proponent of modifications to a confirmed Chapter 11 plan in the case of an individual must serve all creditors with the proposed modification and twenty (20) days notice of the opportunity to object. The proponent shall also serve on all creditors any notice of hearing on the proposed modification.

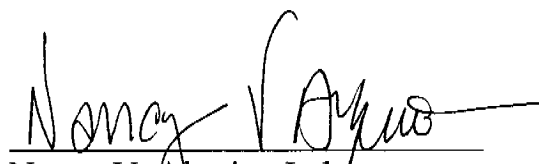
G. LBR 3022-1(a)(2) For an individual Chapter 11 debtor, upon the completion of all plan payments (Amended) (a)(3) at another time specifically defined by the plan.

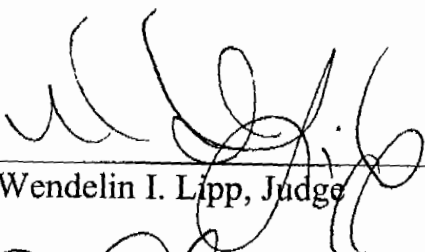
H. LBR 4001-5 **Imposition of Stay** Rule 65 of the F.R.C.P. applies to motions to impose the stay pursuant to 11 U.S.C. §362(c)(4)(B).

  
Duncan W. Keir, Chief Judge

  
Paul Mannes, Judge

  
James F. Schneider, Judge

  
Nancy V. Alquist, Judge

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Wendelin I. Lipp, Judge

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Thomas J. Catliota, Judge

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Robert A. Gordon, Judge