


SO ORDERED




THOMAS J. CATLIOTA
U.S. BANKRUPTCY JUDGE

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

In Re:

**AMENDMENTS TO LOCAL
BANKRUPTCY RULES**

**ADMINISTRATIVE
ORDER NO. 20-17**

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**ORDER AMENDING LOCAL
BANKRUPTCY RULES**

WHEREAS, the Court has determined that it is necessary to amend its Local Bankruptcy Rules on December 1, 2020; and

WHEREAS, the proposed amended Local Bankruptcy Rules were published by the Clerk of Court for public comment on November 19, 2020, and no comments were received by the Court relative to its adoption of these amendments.

NOW, THEREFORE, **IT IS ORDERED** that:

Pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure and Rule 9029 of the Federal Rules of Bankruptcy Procedure, the attached amendments are adopted by the Judges of this Court to be effective December 1, 2020. The amendments shall be effective as to all proceedings pending in this Court on that date insofar as is just and practicable, and shall govern all proceedings in bankruptcy cases thereafter commenced in this Court. A summary of the amendments to the Local Bankruptcy Rules as well as a redlined version of the amended Local Bankruptcy Rules are appended hereto.

End of Order



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
OFFICE OF THE CLERK**

MARK A. NEAL
Clerk of Court

THOMAS C. KEARNS
Chief Deputy Clerk

www.mdb.uscourts.gov

December 1, 2020

**SUMMARY OF AMENDMENTS TO THE
LOCAL RULES FOR THE U.S. BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
EFFECTIVE DECEMBER 1, 2020**

The Court has approved amendments to its Local Rules effective December 1, 2020. These amendments are made after prior publication of the amendments for public comment on November 19, 2020. The Court received no comments on the proposed amendments.

A brief explanation of the amendments follows. This summary was prepared by the Clerk's Office as an overview of the changes and should not serve as a substitute for reading the full text of the proposed amendments. Additionally, this summary is neither intended to serve as legal advice nor as a commentary on the changes to the Local Rules, and nothing herein should be cited as legal authority. This summary does not include minor, non-substantive stylistic changes that were incorporated into the Local Rules as part of this amendment process.

- **Local Rule 2002-1(g)** is amended to apply to Chapter 12 and 13 cases, in addition to Chapter 7 cases, in accordance with the December 1, 2020 amendments to Federal Bankruptcy Rule 2002.
- **Local Rule 3003-1** is amended to clarify the deadline for timely filing proofs of claim by governmental entities in Small Business Reorganization Act (SBRA) cases

Copies of the amended and new Local Rules are available on the Court's website at www.mdb.uscourts.gov. This version of the Rules supersedes all prior versions (prior versions of the Rules are available through the Court's CM/ECF system under Miscellaneous Proceeding 16-90000).

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RULE 2002-1 NOTICE TO CREDITORS AND OTHER INTERESTED PARTIES

(a) Noticing Period. A debtor, creditor, official committee, and any other party in interest sending a notice of proposed action to other parties in interest must give recipients no less than twenty-one (21) days from the date of completion of service to file an objection to the action described in the notice, unless the Federal Bankruptcy Rules specifically require a different time or unless otherwise ordered by the court or these Rules.

(b) Content. In addition to the information required by specific notices, notices must contain sufficient information to enable a party in interest to make a reasonably well-informed decision whether to object to the action proposed in the notice. The notice must state: (1) the date by when objections must be filed; (2) the person upon whom objections must be served; (3) that the proposed action may be authorized without further order or notice if no timely objection is filed; (4) that the court, in its discretion, may conduct a hearing or determine the matter without a hearing regardless of whether an objection is filed; (5) that an objection must state the facts and legal grounds on which the objection is based; and (6) the name of the party giving notice or its attorney, together with the address, telephone number and email address of the party to be contacted if parties in interest have questions regarding the subject of the notice. A notice may not state that an objecting party must attend a court hearing in support of any objection made.

(c) Certificate of Service. A party must file a certificate of service of a notice given under these Rules or the Federal Bankruptcy Rules within seven (7) days after completion of service.

(d) Content of Objections. An objecting party must state the authority for the objection either in its filed objection or in an accompanying memorandum of fact and law. An objecting

party must certify that copies of the objection and of any supporting memorandum have been sent to the opposing party or parties and their counsel.

(e) Sales Notices. See Local Bankruptcy Rule 6004-1.

(f) Technical Requirements for Notices. A party sending a notice must show the date of completion of service conspicuously on the face of the notice.

(g) Limitation of Notice - Chapter 7, Chapter 12 and Chapter 13. A party required to give notice pursuant to Federal Bankruptcy Rule 2002(a) may limit notice as provided under Federal Bankruptcy Rule 2002(h) to (1) the debtor; (2) the trustee; (13) creditors that hold claims for which proofs of claim have been filed; and (24) such other creditors who may file timely claims.

(h) Limitation of Notice - Chapter 11. In Chapter 11 cases, where official committees are appointed and the number of creditors exceeds thirty (30), notices of the actions described below can be limited to the debtor, the United States Trustee, the members of all official committees or committee counsel, if appointed, and to those creditors and equity security holders who file and serve on counsel for the debtor a written request for notices of:

(1) the proposed use, sale or lease of property of the estate other than in the ordinary course of business;

(2) the hearing on the approval of a compromise or settlement of a controversy other than the approval of an agreement pursuant to Federal Bankruptcy Rule 4001(d);

(3) a hearing on an application for compensation or reimbursement of expenses;
and

(4) such other notices as the court orders.

(i) Voluntary Dismissal - Chapter 7 and 11. Notices of a motion by a debtor to dismiss a voluntary case under Chapter 7 or 11 must be sent to all parties in interest.

(j) Continued Meetings and Hearings. If a hearing or meeting of creditors is continued or rescheduled at the request of a party, or for reason of the failure of a party to appear or comply with applicable law or rules, that party must send notice of the continued or rescheduled hearing or meeting by the fastest means to avoid inconvenience to other parties entitled to notice. The party must file a certificate of service of that notice.

(k) Notice When Motion Not Required. Whenever notice and a hearing are required under the Bankruptcy Code, Federal Bankruptcy Rules or these Local Bankruptcy Rules but a motion is not mandatory, the entity proposing to act shall provide notice to all parties entitled to notice under Federal Bankruptcy Rule 2002 and Local Bankruptcy Rule 2002-1.

RULE 3003-1 TIME FOR FILING PROOFS OF CLAIM IN CHAPTER 11 CASES

Except as provided in 11 U.S.C. § 502(b)(9), in a Chapter 11 case, other than a case under Subchapter V, a proof of claim is timely filed if it is filed not later than ninety (90) days after the first date set for the meeting of creditors under 11 U.S.C. § 341(a), unless a different date is fixed by the court. Except as provided in 11 U.S.C. § 502(b)(9), in a case under Subchapter V, a proof of claim is timely filed if it is filed not later than seventy (70) days after order for relief, unless a different date is fixed by the court.