

2023 AND 2024 RULE AMENDMENTS

Presented to the Bankruptcy Bar Association
for the District of Maryland
on October 30, 2024

Mark Neal, Clerk of Court
The Honorable Michelle M. Harner
The Honorable Maria Ellena Chavez-Ruark
Gerard R. Vetter, Acting U.S. Trustee



Introduction

**THERE ARE
CERTAIN RULES
THAT MUST
BE FOLLOWED**

**DO NOT
BREAK THEM**





Local Bankruptcy Rules

Amendments Effective 12/1/23



Md. L. Bankr. R. 1001-1(d) – New

RULE 1001-1 SHORT TITLE; APPLICABILITY

(d) Sanctions. The Court, on its own initiative or on the motion of any party in interest, may impose sanctions for failure to comply with the Local Bankruptcy Rules, including the striking of papers filed with the Court, dismissal of matters or proceedings, dismissal or conversion of cases, or as may otherwise be appropriate under the circumstances.

* * * *

NOTE: This Rule was amended to confirm the Court's authority to impose sanctions for failure to comply with the Rules.

Md. L. Bankr. R. 1007-1(a) – Revised

RULE 1007-1 MAILING LIST OR MATRIX

(a) Matrix Contents. A debtor must file with the voluntary petition a master mailing matrix containing the names and addresses of the debtor and all ~~creditors~~. In known parties in interest. In addition, in a case under Chapter 11, the debtor must include in the matrix the Internal Revenue Service, the income taxing authority for each state in which the debtor has resided or filed (or was required to file) an income tax return during the three (3) years prior to commencement of the case, and the taxing authority for each county in which the debtor holds an ownership interest in real ~~estate~~property.

* * * *

NOTE: Md. L. Bankr. R. 9001-1(k) defines “Party in Interest” as “a party having an interest in the bankruptcy case, including the debtor, the trustee, a creditors’ committee, an equity security holders’ committee, a creditor, an equity security holder, an indenture trustee, a party to a contract or lease with the debtor, a co-debtor, and a co-owner of property of the estate.”

Md. L. Bankr. R. 2015-1(a) – Deleted

RULE 2015-1 COMPENSATION BY DEBTOR IN CHAPTER 11

~~(a) The rate of compensation paid by the debtor in possession to its officers, directors, members, or partners shall not exceed the rate of compensation paid to those persons ninety (90) days prior to the filing of the petition, unless otherwise ordered by the Court.~~

NOTE: This Rule was modified to eliminate the prohibition regarding the rate of postpetition compensation paid to a debtor's officers, directors, members, and partners and to allow the Court and parties in interest to review such compensation on a case-by-case basis.

Md. L. Bankr. R. 2072-1 – New

RULE 2072-1 ACCESS TO INFORMATION IN CHAPTER 11 CASES

Unless otherwise ordered by the Court, a committee appointed under 11 U.S.C. § 1102 or a trustee appointed in a Subchapter V case is not required to provide access to information to the extent that such information has been reasonably designated by the party providing such information as non-public, proprietary, privileged, work product, or otherwise confidential.

NOTE: This new Rule provides clarity regarding the protection of a Chapter 11 debtor's non-public, proprietary, privileged, or confidential information.

Md. L. Bankr. R. 3002-1(a) – **New**

RULE 3002-1 TIME FOR FILING CERTAIN PROOFS OF CLAIM

(a) Rejected Executory Contracts and Leases. Unless otherwise ordered by the Court, any proof of claim arising pursuant to 11 U.S.C. § 502(g), from the rejection of an executory contract or unexpired lease, must be filed on or before the latest of:

(1) the time for filing a proof of claim pursuant to Federal Bankruptcy Rule 3002(c);

(2) thirty (30) days after the entry of the order compelling or approving the rejection of the contract or lease; and

(3) thirty (30) days after the effective date of the rejection of the contract or lease.

NOTE: This new Rule sets forth the deadline for the filing of proofs of claim arising from the rejection of an executory contract or unexpired lease.

Md. L. Bankr. R. 3002-1(b) – **New**

RULE 3002-1 TIME FOR FILING CERTAIN PROOFS OF CLAIM

(b) Claims Following Foreclosure, Repossession, or Surrender of Collateral. Unless otherwise ordered by the Court or provided in a confirmed plan, an amended proof of claim asserting an unsecured deficiency claim for real property must be filed within 180 days after entry of the order granting relief from the automatic stay or surrender of the property by the debtor or trustee, whichever occurs earlier; and an amended proof of claim asserting an unsecured deficiency claim for personal property must be filed within 60 days after entry of the order granting relief from the automatic stay or surrender of the property by the debtor or trustee, whichever occurs earlier. Absent compliance with this Rule, any unsecured deficiency claim arising under this paragraph will be deemed disallowed unless the Court orders otherwise.

NOTE: This new Rule sets forth the deadline for the filing of proofs of claim arising from the foreclosure, repossession, or surrender of collateral.

Md. L. Bankr. R. 3011-2(b)(2) – New

RULE 3011-2 UNCLAIMED AND UNDISTRIBUTED FUNDS IN LIQUIDATING CHAPTER 11 CASES

(b)(2) If a Chapter 11 liquidating plan does not provide for the disposition of undistributable funds and there are any such funds at the time of final distribution under the plan, the disbursing agent must file a motion, upon notice and hearing, proposing disposition of such funds, including as proposed in this Rule or otherwise.

NOTE: This Rule was amended to ensure that all funds are distributed in a liquidating Chapter 11 case as authorized by the Court.

Md. L. Bankr. R. 3016-1 – New

RULE 3016-1 SERVICE OF CHAPTER 11 PLAN AND/OR DISCLOSURE STATEMENT

Unless otherwise ordered by the Court, a plan proponent must serve the Chapter 11 plan and/or disclosure statement on a party in interest who filed a proof of claim in the manner required by Federal Bankruptcy Rule 3007(a)(2).

NOTE: This new Rule is intended to ensure a creditor's designated notice party receives a Chapter 11 debtor's plan and disclosure statement.

Md. L. Bankr. R. 3016-2 – **New**

RULE 3016-2 AMENDED CHAPTER 11 PLAN AND/OR DISCLOSURE STATEMENT

Unless otherwise ordered by the Court, a party filing an amended Chapter 11 plan and/or disclosure statement must file and serve: (a) a clean copy of the amended plan and/or disclosure statement; and (b) a copy of the amended plan and/or disclosure statement in which stricken material has been lined through or enclosed in brackets and new material has been underlined or set forth in bold face type.

NOTE: This new Rule is intended to describe the existing practice of the Court with respect to amended Chapter 11 plans and disclosure statements.

Md. L. Bankr. R. 3016-3 – New

RULE 3016-3 CHAPTER 11 - SUBCHAPTER V CONFIRMATION ORDER

Any proposed order confirming a Chapter 11, Subchapter V plan must state in the title and in the body of the order whether the plan was confirmed consensually under 11 U.S.C. § 1191(a) or non-consensually under 11 U.S.C. § 1191(b). The confirmation order may also include a post-confirmation reporting requirement.

NOTE: This new Rule is intended to provide clarity on when a plan is confirmed consensually versus non-consensually so as to eliminate any misunderstandings about the effect of confirmation.

Md. L. Bankr. R. 3022-1 – Revised

RULE 3022-1 ADMINISTRATION OF CONFIRMED CHAPTER 11 PLANS

NOTE: This Rule was revised to clarify the post-confirmation reporting requirements (notice of substantial consummation in Sub V case, notice of effective date in non-Sub V case, and post-confirmation progress reports in all Chapter 11 cases), entry of a discharge order, and entry of a final decree in Chapter 11 cases. The Rule addresses Sub V cases in paragraph (a) and other, non-Sub V Chapter 11 cases in paragraph (b).

Md. L. Bankr. R. 4001-1(b)(3) – New

RULE 4001-1 AUTOMATIC STAY – RELIEF FROM

(b)(3) Procedures for Continuing Hearing. The movant may continue the hearing on a motion for relief from stay without Court order by filing and serving an amended notice of hearing with a new hearing date and time within two (2) business days before the hearing, with service on the debtor that provides actual notice.

NOTE: This Rule was modified to set forth the procedures for continuing a hearing on a motion for relief from stay and to update it to comport with the current process for the self-scheduling of hearings in CM/ECF.

Md. L. Bankr. R. 4001-2 – Revised

RULE 4001-2 AUTOMATIC STAY - POST-FILING ARREARS

Where an issue presented by a motion for relief from stay is the debtor's failure to make payments that became due after the filing of the bankruptcy case, the moving party ~~shall file and serve a history of payments received post-petition upon the debtor at least seven (7) days before the date set for hearing~~ must attach to the motion a history of payments received postpetition or state in the motion that no such payments have been received. If the movant fails to comply with this Rule, the Court may exclude from evidence any documents or testimony in support of the movant's argument that it is not adequately protected.

NOTE: This Rule was modified to clarify that, if the movant fails to provide a sufficient history of post-petition payments or a lack thereof, the Court may exclude from evidence any documents or testimony in support of the movant's position that it is not adequately protected.

Md. L. Bankr. R. 4001-4(a)(3) – **New**

RULE 4001-4 OBTAINING CREDIT~~+~~, REFINANCING, AND LOAN MODIFICATIONS

(a)(3) The movant must serve a copy of the motion under this Rule on the respondent and any non-debtor co-obligor in the manner required by Federal Bankruptcy Rule 9014, 7004, and 3007.

NOTE: This Rule was modified to confirm that a lift stay movant must serve the motion on any non-debtor co-obligor.

Md. L. Bankr. R. 4001-7 – New

RULE 4001-7 POSTPETITION APPLICATIONS TO MODIFY LOAN

A debtor may submit an application for a loan modification to a creditor postpetition, and a creditor may consider such application postpetition without first obtaining relief from the automatic stay. The documents, correspondence, and other communication between the debtor and the creditor regarding a postpetition application for a loan modification are subject to Local Bankruptcy Rule 4001-6.

NOTE: This new Rule confirms that an application for a postpetition loan modification does not require a lender to first obtain relief from the automatic stay.

Md. L. Bankr. R. 5011-1 – Deleted

~~RULE 5011-1 – ABSTENTION~~

~~(a) Adversary Proceeding. In an adversary proceeding, a motion for abstention pursuant to 28 U.S.C. § 1334(c) must be filed within the time prescribed for filing a response under Federal Bankruptcy Rule 7012(a).~~

~~(b) Contested Matter. In a contested matter, a motion for abstention pursuant to 28 U.S.C. § 1334(c) must be filed within thirty (30) days from the date indicated on the certificate of service on the pleading initiating the contested matter.~~

NOTE: This Rule was deleted to eliminate the deadline for filing a motion for abstention and leaves the timeliness of a motion for abstention as a factor for the Court to consider.

Md. L. Bankr. R. 6004-1, 6004-2,
6004-3, and 6004-4 – Revised

- RULE 6004-1 SALE OF UNENCUMBERED ESTATE PROPERTY**
RULE 6004-2 SALE OF ENCUMBERED ESTATE PROPERTY –
CHAPTERS 7, 12, AND 13 ONLY
RULE 6004-3 SALE OF ENCUMBERED ESTATE PROPERTY –
CHAPTER 11 ONLY
RULE 6004-4 APPROVAL OF SALE PROCEDURES – CHAPTER
11 ONLY

NOTE: Former Rule 6004-1 was separated into four Rules to address the different exigencies provided by the sale of unencumbered versus encumbered estate property and by Chapter 11 cases. The amendment is intended further to clarify what is required under each specific circumstance. The prior version of the Rule was long and unwieldy, and the amendment is intended to promote clarity and ease of use of the Rules.

Md. L. Bankr. R. 6004-5 – **New**

RULE 6004-5 REPORT OF SALE

Unless the Court orders otherwise, the seller of property of the estate must file a report of sale under Federal Bankruptcy Rule 6004(f) within seven (7) days after consummation of the sale.

NOTE: This new Rule requires the filing of a report of sale whenever estate assets or property are sold. The Rule is intended to ensure that all parties in interest are aware of the closing date for any such sale and, where applicable, have an ability to timely file a proof of claim or an amended proof of claim.

Md. L. Bankr. R. 7004-1 – New

RULE 7004-1 SERVICE OF COMPLAINT AND SUMMONS

Unless service is waived, proof of service on all defendants must be filed promptly and in any event within the time during which the person served must respond to the process.

NOTE: This new Rule requires that the plaintiff file proof of service no later than the deadline to respond to the complaint.

Md. L. Bankr. R. 7012-1 – Revised

RULE 7012-1 FINAL ORDERS AND JUDGMENTS

~~(a) Prior to trial, any party may move for a ruling as to whether the Court may enter final orders or judgments in an adversary proceeding. The Court will ordinarily allow adverse parties fourteen (14) days from service of the motion to file a response. Such a motion does not postpone any time periods unless ordered by the Court.~~

~~(b) In addition to the provisions of~~ As required by Federal Bankruptcy Rules 7008 and 7012(b), all parties in ~~an~~ adversary proceedings must ~~shall~~ include in their initial filing a statement as to whether the party consents to entry of final orders and/or judgments by the bankruptcy judge. If a party fails to include the required statement in their initial filing or by some other deadline as set by the Court, such party is deemed to have consented to entry of final orders or judgments by the bankruptcy judge.

NOTE: Under the amended Rule, failure to file a statement as to whether the party consents to entry of final orders will result in that party being deemed to have consented.

Md. L. Bankr. R. 7016-1(c) – **New**

RULE 7016-1 PRETRIAL PROCEDURES

(c) Required Pre-Filing of Exhibits. Unless otherwise ordered by the Court, each party must pre-file all exhibits which that party intends to introduce into evidence during any adversary proceeding, except for exhibits to be offered solely for rebuttal or impeachment. The Court may establish additional procedures governing the pre-filing of exhibits in any adversary proceeding or post such procedures on the Court's website or describe such procedures in a scheduling order.

NOTE: The amended Rule extends the requirement to pre-file exhibits from adversary proceedings and the lift stay motions only to all contested matters. It also requires that parties comply with the presiding judge's procedures on the Court's website, which may be amended as courtroom technology evolves without necessitating further amendment to this Rule.

Md. L. Bankr. R. 9006-1 – New

RULE 9006-1 TIME FOR SERVICE AND FILING OF MOTIONS AND RESPONSIVE PAPERS

(a) In General. Except as otherwise ordered by the Court or required by the Federal Bankruptcy Rules or Local Bankruptcy Rules, all motions must be served at least fourteen (14) days before the hearing date. The movant may establish any response deadline that is no earlier than fourteen (14) days after the date of service and no later than seven (7) days before the hearing date. Any response deadline may be extended by agreement of the parties.

* * *

(c) Service via CM/ECF and Mail. When a party is served via CM/ECF and mail, Federal Bankruptcy Rule 9006(f) (providing an additional three (3) days to respond) does not apply to that party.

NOTE: This new Rule clarifies service and response requirements consistent with existing practice.

Md. L. Bankr. R. 9006-2 – New

RULE 9006-2 BRIDGE ORDERS NOT REQUIRED IN CERTAIN CIRCUMSTANCES

Unless otherwise provided Bankruptcy Code or in the Federal Bankruptcy Rules, if a motion to extend the time to take any action is filed before the expiration of the period prescribed by the Bankruptcy Code, the Federal Bankruptcy Rules, the Local Bankruptcy Rules, or Court order, the time is automatically extended until the Court acts on the motion, without the necessity for the entry of a bridge order.

NOTE: This new Rule clarifies that, if a motion to extend the time to take an action is filed before the expiration of the period prescribed in the Bankruptcy Code, the time is automatically extended until the Court acts on the motion.

Md. L. Bankr. R. 9013-1 – Revised

RULE 9013-1 MOTIONS PRACTICE

NOTE: This Rule was amended to provide more general requirements for all motions versus the more motion-type specific provisions of the prior version. It adds a reference to Appendix H, which provides the procedures for electronic case filing. It also adds three subsections related to resolution of motions on the papers: (1) generally (“the Court may decide a motion on the papers filed”), (2) prior to the response deadline (“in its discretion, the Court may grant or deny a motion prior to the response deadline if the Court determines responses would not aid in the decisional process and the circumstances of the case warrant expedient consideration of the motion”), and (3) when unopposed (“If no party in interest files a timely response to a motion, the Court may rule on the motion as unopposed without further notice or a hearing.”).

Md. L. Bankr. R. 9013-3 – Revised

RULE 9013-3 ORDERS – PROPOSED

NOTE: The Rule requires that the body of the order specify the relief granted (“the body of the order must specify the relief granted”) and that the movant use the Court’s form order if one exists (“If the Court maintains a form order for the particular kind of relief requested by a party, that party must use the Court’s form order. All forms are available on the Court’s website.”). In general, if the Court finds it necessary to create a form order, specific relief and/or requirements are contained therein that the Court finds essential.

Md. L. Bankr. R. 9013-4 – Revised

RULE 9013-4 CERTIFICATE OF SERVICE

NOTE: This Rule was modified to expand the applicability of the previous version of Local Bankruptcy Rule 9013-4 to types of papers filed with the Court not previously covered (*i.e.*, the Rule previously stated that it applies to “motions and contested matters” and now states that it applies to “every motion, objection, notice, or other pleading or paper filed with the Court.”). The Rule was further modified to bring clarity to how persons served and the method of service should be identified on the certificate of service (*i.e.*, the certificate must state the names of all persons served via CM/ECF and the name, title, address, and method of service for all others).

Md. L. Bankr. R. 9014-2 – Revised

RULE 9014-2 APPLICATION OF PRETRIAL, DISCOVERY, AND DEFAULT RULES TO CONTESTED MATTERS

~~The~~ Local Bankruptcy Rules 7016-1, 7026-1, 7026-2, and 7055-1 apply to contested matters. However, the initial disclosures required by Federal Bankruptcy Rule 7026(a) ~~are~~ do not ~~applicable~~ apply to contested matters, unless the ~~court~~ Court directs otherwise.

NOTE: Former Rule 9014-2 (Default and Dismissal for Non-Prosecution) was deleted to eliminate as redundant the application of Federal Bankruptcy Rule 7055 as set forth in Federal Bankruptcy Rule 9014(c). It was replaced with this Rule to confirm the applicability of the pretrial, discovery, and default Rules to contested matters (litigation to resolve “an actual dispute before the Court” per new Md. L. Bankr. R. 9014-1).

Md. L. Bankr. R. 9016-1 – **New**

RULE 9016-1 ISSUANCE OF SUBPOENAS TO SELF-REPRESENTED LITIGANTS

The Clerk must not issue any subpoena under Federal Bankruptcy Rule 9016 at the request of a self-represented litigant unless the litigant first obtains an order from the Court authorizing the issuance of the subpoena. Before entering any such order, the Court may require the self-represented litigant to state the reasons why the subpoena should be issued. The Court may deny issuance of the subpoena if it imposes an undue burden or expense on the person subject to the subpoena or upon the United States Marshal Service or other Court officer who would be required to serve it under 28 U.S.C. § 1915 or if issuance of the requested subpoena is otherwise inconsistent with the requirements of the Federal Bankruptcy Rules.

NOTE: This Rule was added to prevent any possibility of abuse of process by self-represented litigants.

Md. L. Bankr. R. 9019-1(b) – **New**

RULE 9019-1 SETTLEMENTS AND AGREED ORDERS

(b) Motion Required. Notwithstanding Federal Bankruptcy Rule 7041, if parties to an adversary proceeding resolve the issues presented therein, one or more of the parties must file a motion for Court approval under Federal Bankruptcy Rule 9019 if the settlement involves a transfer of cash or other property to or from the bankruptcy estate.

NOTE: This new Rule requires a motion to approve a settlement under Federal Bankruptcy Rule 9019 if the settlement involves a transfer of cash or other property to or from the bankruptcy estate.

Amendments to Appendices

Appendix G (Bankruptcy Dispute Resolution Program): This Appendix is modified to streamline the BDRP Rules and to allow the Resolution Advocate to control the process.

Appendix H (Electronic Case Filing Procedures for Electronic User Access): This Appendix is modified to streamline CM/ECF procedures and to provide the Court flexibility as CM/ECF and technology evolve.





Local Bankruptcy Rules

Amendments Effective 12/1/24



Md. L. Bankr. R. 7007.1-1 – Revised

RULE ~~7003-2~~7007.1-1 DISCLOSURE OF CORPORATE AFFILIATES

Any statement filed pursuant to Federal Bankruptcy Rule 7007.1 must provide an address for each entity listed. ~~Each non-governmental corporate party to an adversary proceeding or contested matter must file a statement identifying all its parent corporations and listing every publicly held company that owns 10% or more of the party's stock. The statement must provide an address for each entity listed. A party must file the statement with its initial pleading filed in the Court and must supplement the statement within a reasonable time of any change in the information.~~

NOTE: This Rule is renumbered from Rule 7003-2 and simplified to require that any corporate affiliate disclosure statement filed pursuant to Federal Bankruptcy Rule 7007.1 provide an address for each entity listed.

Md. L. Bankr. R. 9010-4(b)(2) – Revised

RULE 9010-4 WITHDRAWAL OF APPEARANCE OF AN ATTORNEY

(b) When Clients Are Other Than Individuals. If the client is other than an individual, including a corporation, partnership, unincorporated association, and government entity, appearance of an attorney may be withdrawn only with leave of Court and if ... the withdrawing attorney certifies (A) the name and last known address of both the client and resident agent or other responsible person or persons for that client; and (B) [that written notice was provided to the client].

NOTE: This Rule is amended to provide that attorneys requesting to withdraw their appearance on behalf of a non-individual client must, in addition to other requirements, certify the name and last known address of both the client and resident agent or other responsible person or persons for that client.

Md. L. Bankr. R. 9011-2(c) – New

RULE 9011-2 SIGNING OF ELECTRONICALLY TRANSMITTED PLEADINGS; REPRESENTATIONS TO THE COURT

(c) Verification of Signatures.

(1) The requirement that all petitions, lists, schedules, statements, and amendments thereto must be “verified” in Federal Bankruptcy Rule 1008 is met, and the documents may be electronically filed, if the debtor’s attorney either:

(A) obtains the original, physical signature prior to the filing; or

(B) files the document electronically without possession of the original signature, provided that such electronic filing constitutes a certification by the attorney that the debtor has signed it and that, at the time of filing the filing attorney is in possession of an image format ... Any document filed electronically without the original signature in the filing attorney’s possession shall be filed by placing “/s/ Debtor’s Name” where the signature occurs, thereby constituting the attorney’s representation that before the filing the attorney transmitted the entire document to the debtor for review and signature, communicated with the debtor regarding the substance and purpose of the document, received the signature page back from the debtor electronically, and received express authorization to file the document.

Note: This Rule is amended to incorporate Administrative Order 20-05.

Md. L. Bankr. R. 9019-1(b) – Revised

RULE 9019-1 SETTLEMENTS AND AGREED ORDERS

(b) Motion Required. Notwithstanding Federal Bankruptcy Rule 7041, if parties to an adversary proceeding resolve the issues presented therein, one or more of the parties must file a motion for Court approval under Federal Bankruptcy Rule 9019 if the settlement involves a transfer of cash or other property to or from the bankruptcy estate. If a motion is not required under Federal Bankruptcy Rule 9019, then the parties must state in their notice of voluntary dismissal that the settlement does not involve a transfer of cash or other property to or from the bankruptcy estate.

NOTE: This Rule is intended to assist the Court and parties in interest in determining whether a settlement involves a transfer of cash or other property to or from the bankruptcy estate (and therefore whether a motion is required).



Local Bankruptcy Forms




Current Forms

Local Bankruptcy Forms (on Court's website)

- LBF-A Notice of Filing of Case in Bankruptcy Court
- LBF-B Notice of Motion for Relief from Stay and Hearing Thereon
- LBF-C Notice of Debtor(s)' Motion to Avoid Lien Pursuant to 11 U.S.C. § 522(f)
- LBF-E Application for Supplemental Allowance of Attorney's Fees
- LBF-E1 Notice of Application for Supplemental Allowance Of Attorney's Fees
- LBF-E2 Supplemental Disclosure of Compensation Of Attorney for Debtor
- LBF-F Motion for Admission Pro Hac Vice
- LBF-G Notice of Debtor(s)' Motion to Avoid Lien Pursuant to 11 U.S.C. § 506
- LBF-H Order Granting Motion to Avoid Lien
- LBF-J1 Order Assigning Matter to the BDRP and Appointing Mediator
- LBF-J2 Certificate Re: BDRP Conference
- LBF-J3 Report of BDRP Conference
- LBF-K Notice of Debtor(s)' Motion to Value Collateral and to Avoid Security Interest Pursuant to 11USC § 506 and Hearing Thereon
- LBF-L Order Granting Motion to Value Collateral and to Avoid Security Interest
- LBF-M Chapter 13 Plan
- LBF-M Chapter 13 Plan for Cases filed before December 1, 2017
- LBF-M1 Certificate Of Service Of Chapter 13 Plan
- LBF-M2 Notice of Motion To Modify Plan
- LBF-N1 Chapter 11 Final Report and Motion for Final Decree
- LBF-N2 Chapter 11 Final Report and Motion for Final Decree for Individuals
- LBF-O Pre-Confirmation Certificate
- LBF-P Affidavit Requesting Discharge
- LBF-Q Statement under Penalty of Perjury Concerning Payment Advices Due
- LBF-R Declaration Regarding Electronic Filing (Self-Represented Individual)

Suggested Local Forms (also on Court's website)

- Certificate of Service (Example for Unrepresented Parties Serving by Mail)
- Certificate of Service (Example for Attorneys and Other Authorized CM/ECF Users)
- Certificate of Service (Complaint and Summons)
- Creditor Matrix Instructions
- Verification of Creditor Matrix
- Amended Verification of Creditor Matrix
- Sample Pleading Captions
- Self-Represented (Pro Se) Answer and Instructions
- Adversary Cover Sheet
- Change of Address
- Tally of Ballots
- Secured Loan Modification Request
- Debtor's Motion for Pre-Confirmation Wage Order
- Chapter 13 Plan Supplemental Form - 506 Lien Value or Avoid
- Chapter 13 Supplemental Form - Judicial Lien
- Motion to Shorten Time
- Order on Motion to Shorten Time
- Debtor's Chapter 11, Subchapter V Plan Report
- Debtor's Chapter 11, Subchapter V Plan
- Application for Compensation in a Case Under Subchapter V of Chapter 11
- Notice of Application of Complex Chapter 11 Case Procedures



Federal Rules of Bankruptcy Procedure

Amendments Effective 12/1/24



Fed. R. Bankr. P. 7001(a) – Revised

Rule 7001. Types of Adversary Proceedings

An adversary proceeding is governed by the rules in this Part VII. The following are adversary proceedings:

(a) a proceeding to recover money or property—except a proceeding to compel the debtor to deliver property to the trustee, a proceeding by an individual debtor to recover tangible personal property under § 542(a), or a proceeding under § 554(b), § 725, Rule 2017, or Rule 6002[.]

Fed. R. Bankr. P. 8023.1(a) – New

Rule 8023.1. Substitution of Parties

(a) Death of a Party.

- (1) *After a Notice of Appeal Is Filed.* If a party dies after a notice of appeal has been filed or while a proceeding is pending on appeal in the district court or BAP, the decedent's personal representative may be substituted as a party on motion filed with that court's clerk by the representative or by any party. A party's motion must be served on the representative in accordance with Rule 8011. If the decedent has no representative, any party may suggest the death on the record, and the appellate court may then direct appropriate proceedings.
- (2) *Before a Notice of Appeal Is Filed—Potential Appellant.* If a party entitled to appeal dies before filing a notice of appeal, the decedent's personal representative—or, if there is no personal representative, the decedent's attorney of record—may file a notice of appeal within the time prescribed by these rules. After the notice of appeal is filed, substitution must be in accordance with (1).
- (3) *Before a Notice of Appeal Is Filed—Potential Appellee.* If a party against whom an appeal may be taken dies after entry of a judgment or order in the bankruptcy court, but before a notice of appeal is filed, an appellant may proceed as if the death had not occurred. After the notice of appeal is filed, substitution must be in accordance with (1).



Q&A

THANK YOU
FOR
LISTENING!

