

## SUMMARY OF CHANGES TO LOCAL RULES

*NOTE: The following rule summaries are intended solely to assist the local bankruptcy bar to identify and navigate significant changes in the Local Rules. The summaries are not intended to be used as binding authority. It is the user's responsibility to examine the full local rules.*

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### **Changes to procedures that are not specifically addressed in Local Rules:**

- Changes in time to resolve submissions errors: Attorney must resolve any submission error in 3 business days (*changed from 7 days*) or the item will be terminated.
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- **Rule 1002-1**
    - **Summary of Changes:**
      - Updated for procedural clarifications and consistency.
      - Added requirement of Local Form 1 “Declaration and Authorization Regarding Electronic Filing of Petition and Related Schedules & Statements” as a means of protecting attorneys and clients so that all parties are aware of pleadings and other documents being filed in cases [or on the docket].
    - **Notes for Attorneys:** If a Declaration is not filed, or is not filed properly, a Notice of Deficiency/Dismissal will be entered allowing 15 days to file the Declaration or the case will be dismissed without a hearing.
  - **Rule 1006-1**
    - **Summary of Changes:**
      - Updated for clarity as to where payments should be sent.
      - Incorporated language regarding handling of applications with fees owed in prior cases.
    - **Notes for Attorneys:** Applications to Pay in Installments will no longer be set for hearing, but will be handled by the Clerk’s Office. If filing fees remain due from any prior cases, and there was not an intervening discharge, the Application to Pay in Installments will be denied with 14 days to pay the fee in full or the case will be dismissed without a hearing.
  - **Rule 1007-1**
    - **Summary of Changes:** updated notice/service requirements when a schedule adding creditors is filed after the initial petition and after the Clerk issues the Notice of Bankruptcy Case.
    - **Notes for Attorneys:**

- For schedules not filed with the initial petition that add a creditor, debtors will need to file the schedule adding the creditor(s), file an amended list of creditors including the creditor(s), and serve the following on each new creditor: notice of the bankruptcy case, the schedule(s) adding creditor(s), a copy of the Chapter 13 plan (if applicable).
    - A Certificate of Service should be filed within 3 business days reflecting service of the above-listed items.
- **Rule 1007-5**
  - **Summary of Changes:** Requirement of Official Form B121 moved from 1002-1 to proposed 1007-5.
- **Rule 1009-1**
  - **Summary of Changes:** Added notice, cover sheet, and certificate of service requirements to ensure added/removed creditors are notified of amendments to schedules.
  - **Notes for Attorneys:** Amendments to schedules and lists of creditors will require a cover sheet describing specifics (adding/removing) and certificate of service must be filed within 3 days of the amendment.
- **Rule 1014-2**
  - **Summary of Changes:** New rule adding a requirement that debtors must initially file in the division in which they reside and clarified procedures for moving to transfer venue.
  - **Notes for Attorneys:**
    - All petitions should initially be filed in the correct division, and a party may then file a Motion to Change Venue.
    - Any case filed in the incorrect division will be set for show cause as to why the case should not be transferred to the correct division.
- **Rule 1016-1**
  - **Summary of Changes:** New rule creating a local form and rule for the consistent administration of cases dealing with a debtor's death or incompetency.
  - **Notes for Attorneys:**
    - New Local Form 2 must be used. This is a fillable form, and party filing should select if case will continue unabated, or select that a hearing is necessary to determine if further administration is necessary or if case should be dismissed.
    - The Local Form is currently available for use on the website, after the effective date of the new local rules, any suggestion of death filed without using the Local Form will receive a submission error.

- **Rule 1017-2**
  - **Summary of Changes:** Technical changes clarifying that BA and/or Trustees shall file a “Motion” not “Notice” when seeking a dismissal by negative notice.
  
- **Rule 2003-1**
  - **Summary of Changes:** Updated procedural requirements and processes by which parties should seek to continue or be excused from meetings of creditors. This change is based on requests from trustees in effort to make the process more efficient and still ensure proper notice.
  
- **Rule 2004-1**
  - **Summary of Changes:** Updated to incorporate procedures from Fed. R. Bankr. P. 2004 and Local Rules from ALSB. Changes are to provide guidance and clarity of expectations.
  
- **Rule 2016-1**
  - **Summary of Changes:** No substantive changes; made minor technical and grammatical changes.
  
- **Rule 2090-1**
  - **Summary of Changes:** Formerly Local Rule 1001-2. Updated to conform with local practice, expectations, and professional conduct requirements. Clarified procedures for dealing with suspensions and/or disbarments of attorneys.
  
- **Rule 3001-1**
  - **Summary of Changes:** Minor changes to conform with updated links, forms, and procedures. Moved ePOC language from Local Rule 3017 to 3001-1.
  
- **Rule 3007-1**
  - **Summary of Changes:** Updated procedures for dealing with negative notice claim objections. Created a list and a required local form to limit the grounds on which a party may object to claim by negative notice. Added requirement of a Declaration before entry of negative notice order so that burden of establishing proper notice of the objection is on objecting party.
  - **Notes for Attorneys:**
    - The negative notice grounds for objections to claims is limited from current practice.
    - Local Form 4 must be used for any objection to claim filed by negative notice. If the Local Form is not used, or is not filed properly, a submission error will be entered.
    - If a response is filed and a hearing is scheduled, any amendments to the Objection to Claim should NOT contain the negative notice language.

- If no hearing is scheduled on a pending negative notice claim objection, the Amended Objection to Claim should include the negative notice language and the deadline will be reset from the date of the amended filing.
  - If no response is filed, the objecting party will be prompted to submit a Declaration (Local Form 5) and an Order at the end of the response period.
    - A template order will be available on the Court’s website and should be used when submitting orders on Objections to Claims.
  - If a declarations and orders are not submitted timely or filed properly, the matter will be set for hearing.
  
- **Rule 3015-1**
  - **Summary of Changes:** Moved portion of current Local Rule 3015-1 to Local Rule 3015-2. No substantive changes.
  - **Notes for Attorneys:** The Local Plan was updated concurrently with these Local Rules, and that plan (Local Form 6) shall be used or the nonconforming plan will not be confirmed.
  
- **Rule 3015-2**
  - **Summary of Changes:** Updated notice and service requirements for amended Chapter 13 plans.
  - **Notes for Attorneys:** Amended plans and modified plans should bold and/or highlight any provision that has changed from the prior plan.
  
- **Rule 3015-3**
  - **Summary of Changes:** Minor technical and grammatical changes regarding dismissals at confirmation that was previously located in Local Rule 3015-2. Removed language regarding treatment of claims post-confirmation to conform with changes in Federal Rules and case law.
  
- **Rule 3016-2**
  - **Summary of Changes:** Newly numbered rule, minor changes from current Local Rule 3016-1.
  - **Notes for Attorneys:** Amendments to disclosure statements shall be numerically titled and shall highlight/bold the changes.
  
- **Rule 3018-1**
  - **Summary of Changes:** Updated balloting procedures based on input from local practitioners.
  - **Notes for Attorneys:**
    - Official Form 314 must be used for ballots

- Ballots should reflect that they are to be completed and returned directly to the Clerk or filed on CM/ECF; ballots should no longer be returned to attorneys for debtors.
- **Rule 3019-1**
  - **Summary of Changes:** Newly numbered rule; minor changes from current Local Rule 3016-1.
  - **Notes for Attorneys:** Amendments to Chapter 11 plans shall be numerically titled and shall highlight/bold the changes.
- **Rule 4001-1**
  - **Summary of Changes:** Updated to incorporate expectations of local practice and codify expectations previously set forth in chambers procedures. Included some provisions from ALSB and ALNB, such as the requirement of a Fact Summary Sheet.
  - **Notes for Attorneys:**
    - All Motions for Relief from the Automatic Stay should attach an Affidavit in order to be set telephonically. Otherwise, the Motion for Relief will be set for an evidentiary hearing in court. (*this does not apply to co-debtor relief only motions*)
    - A Fact Summary Sheet using Local Form 7 should be attached to the Motion for Relief from Automatic Stay. If not attached to the Motion, a “Fact Summary Sheet Due 7 days prior to the hearing” event will be used. Orders will not be issued or signed without a Fact Summary Sheet being filed.
- **Rule 4001-2**
  - **Summary of Changes:** Substantively revised to focus on conditional denial orders and set forth specific requirements for those orders. Incorporated language from ALSB with minor changes.
  - **Notes for Attorneys:**
    - This rule codifies Chambers Procedures that have been in place for some time requiring 24-month terms on all conditional denial orders, among other things. Attorneys submitting these orders should review to make sure all requirements are included.
- **Rule 4001-3**
  - **Summary of Changes:** Updated to conform with naming conventions as well as local practice and court expectations. Imposed time parameter to curb necessity of emergency hearing requests and scheduling logistics.
  - **Notes for Attorneys:** Motions to Extend Stay must be filed within 7 days of the petition.
- **Rule 4002-1**

- **Summary of Changes:** Minor updates to include other requirements and expectations of debtors (domestic support obligations and tax information).
- **Rule 4004-1**
  - **Summary of Changes:** Minor technical and grammatical changes to update procedures and incorporate appropriate forms.
  - **Notes for Attorneys:**
    - Renumbered Local Forms
    - Motions for hardship discharge must be filed using Local Form 8b and must have an affidavit attached to the motion.
- **Rule 4070-1**
  - **Summary of Changes:** New rule added at request of local practitioners to streamline process and minimize fees for requesting/providing proof of insurance on vehicles serving as collateral.
  - **Notes for Attorneys:**
    - Local Form 9 must be used to file a Notice demanding proof of insurance within 14 days.
    - Debtors have 7 days from the filing of the Notice to object and set forth “in detail” why an order is not warranted, and the objection will be set for hearing.
- **Rule 5001-2**
  - **Summary of Changes:** Updated numbering and language to conform with naming conventions and to incorporate information from court website on location and filing information.
- **Rule 5005-4**
  - **Summary of Changes:** Moved from 5005-1 with minor technical edits. Made updates regarding pro se procedures and CM/ECF accounts.
  - **Notes for Attorneys:**
    - Registration as an Electronic Filing User constitutes (1) waiver of the right to receive notice by first-class mail and the right to service by first-class mail or personal service and (2) consent to receive notice electronically and consent to electronic service, except with regard to service under FED. R. BANKR. P. 7004. Waiver of service and notice by first-class mail applies to notice of the entry of an order or judgment under FED. R. BANKR. P. 9022.
    - Supporting documents should be filed as attachments to the filing under the same docket entry number, and each attachment should be named in a way as to easily identify the nature and content of the document.
- **Rule 5071-1**

- **Summary of Changes:** Updated to incorporate Administrative Order 2020-16 and current Local Rule 9006-1.
- **Notes for Attorneys:**
  - Motions to Continue shall state whether or not the opposing parties consent to continue. If consent is not obtained, the Motion will be set for hearing
  - Parties should email the Court about agreed continuances to [settlements4C@almb.uscourts.gov](mailto:settlements4C@almb.uscourts.gov) or [settlements4D@almb.uscourts.gov](mailto:settlements4D@almb.uscourts.gov) by 12:00PM the business day prior to the hearing. Otherwise, it must be announced on the record.
    - The email should copy opposing counsel, the trustee, and the Bankruptcy Administrator
- **Rule 5073-3**
  - **Summary of Changes:** Renamed and relocated rule in accordance with uniform naming conventions—formerly Local Rule 1001-3.
- **Rule 7004-2**
  - **Summary of Changes:** Minor updates to incorporate form changes from current Local Rule 7003-1.
  - **Notes for Attorneys:**
    - Parties should use the local version of B2500A for Summons.
    - To show service of a complaint, a plaintiff must file a certificate of service as set forth in Local Rule 9013-3 and the summons cover sheet, Form B2500A, issued by the Court with the Clerk’s digital signature within three (3) business days of the filing.
- **Rule 7016-1**
  - **Summary of Changes:** Minor technical and grammatical changes.
- **Rule 9007-1**
  - **Summary of Changes:** Extensive changes to negative notice lists and procedures. At the request of local practitioners, moved list of negative notice motions to separate link so it can be updated as needed with changes in the law and local practice without revising local rules.
  - **Notes for Attorneys:**
    - The lists of items allowed by negative notice will be at a separate link so it can be updated as needed.
    - If a response is filed and a hearing is scheduled, any amendments to the filing should NOT contain the negative notice language.
    - If no hearing is scheduled on a pending negative notice filing, the amended filing should include the negative notice language and the deadline will be reset from the date of the amended filing.

- For all matters filed under 9007-1(f), if no response is filed, the moving party will be prompted to submit a Declaration (Local Form 5) and an Order at the end of the response period.
        - If a declarations and orders are not submitted timely or filed properly, the matter will be set for hearing.
        - If a form or template order is available on the Court’s website, that form should be used when submitting an order.
      - For all matters under 9007-1(g), if no response is filed, the Court will either enter the order or set the matter for hearing.
- **Rule 9011-2**
  - **Summary of Changes:** Updated in accordance with naming conventions, and to clarify procedures for unrepresented parties.
- **Rule 9013-1**
  - **Summary of Changes:** New rule incorporating language regarding emergency and expedited hearings from current Local Rule 4001-3.
  - **Notes for Attorneys:**
    - If there is an emergency and an expedited hearing is necessary, the moving party must prominently state that is an emergency in the title.
    - The document should describe the basis of the emergency. If the need for an expedited hearing is not described in the Motion, or if the Court determines an expedited hearing is not practicable, the Motion will be set on a regularly scheduled docket.
    - The moving party must contact the courtroom deputy via email upon filing the emergency motion.
- **Rule 9013-3**
  - **Summary of Changes:** New rule setting forth requirements for certificates of service. Incorporated language requiring that the method of delivery be provided from ALNB.
  - **Notes for Attorneys:**
    - A certificate of service must be filed within 3 business days of the related filing.
    - The certificate of service must state the method by which each party is served, and if different parties are served by different methods (i.e., mail rather than CM/ECF), the certificate shall clearly designate the addresses or email addresses used for those methods.
- **Rule 9019-1**



- **Summary of Changes:** New rule regarding communicating settlements to the Court; language incorporates requirements set forth in Administrative Order 2020-16 into local rules.
- **Notes for Attorneys:**
  - Parties should email the Court about agreed continuances to [settlements4C@almb.uscourts.gov](mailto:settlements4C@almb.uscourts.gov) or [settlements4D@almb.uscourts.gov](mailto:settlements4D@almb.uscourts.gov) by 12:00PM the business day prior to the hearing. Otherwise, it must be announced on the record.
  - The email should copy opposing counsel, the trustee, and the Bankruptcy Administrator
- **Rule 9027-1**
  - **Summary of Changes:** Updated rule on removal so that language is consistent with Bankruptcy Code's requirements.
  - **Notes for Attorneys:** Within 14 days of filing the notice of removal, the removing party must file proof that is filed a copy of the notice of removal with the clerk of the court from which the claim or cause of action was removed.
- **Rule 9037-1**
  - **Summary of Changes:** Minimized duplicative language already set forth in Bankruptcy Rule 9037(h).
  - **Notes for Attorneys:** Be diligent in reviewing all documents for personal identifiers and removing any personal identifiers prior to filing; the Clerk is not required to review pleadings for compliance with FED. R. BANKR. P. 9037.
- **Rule 9070-1**
  - **Summary of Changes:** New rule incorporating procedures for the use and submission of electronic evidence in hearings as set forth in Administrative Orders 2020-13 and 2020-14.
  - **Notes for Attorneys:**
    - Local Form 11 should be used for the Exhibit List.
    - All exhibits should be marked and combined into one PDF portfolio.
    - The exhibit list and exhibits should be send to the designated email for the appropriate Chambers: [ALMB\\_exhibits4C@almb.uscourts.gov](mailto:ALMB_exhibits4C@almb.uscourts.gov) or [ALMB\\_exhibits4D@almb.uscourts.gov](mailto:ALMB_exhibits4D@almb.uscourts.gov).
- **Rule 9072-1**
  - **Summary of Changes:** New rule to clarify procedures and expectations regarding submission of proposed orders. Incorporates the e-orders guidelines currently located on website.
  - **Notes for Attorneys:**

- The titles of all submitted orders should contain the title and disposition of the motion. (i.e., Order Granting Motion for Relief).
- E-order templates for several matters will be made available on the Local Forms pages.
- If a form or template order is available on the Court's website, that form should be used when submitting an order.