

UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND

CLERK'S OFFICE NOTICE

**Change in Clerk's Office Procedure Regarding
Defective Pleadings and
Failure to Submit Orders After Hearing**

PLEASE TAKE NOTICE: Effective June 14th, 2004, the following changes will take place:

1. The Clerk's office will discontinue its practice of issuing a Notice of Defective Pleading on filings that fail to conform with federal and local bankruptcy rules and forms. Instead, the filed document will be entered on the docket and immediately terminated as defective. A Notice of Document Termination will be issued to all interested parties listing the nature of the defect and instructing the filer to re-file the document in the correct form. This new procedure will apply to all filings made except those accompanied with a required fee. In those instances, in order to preserve the paid filing fee, a Notice of Defective Pleading will continue to be issued to correct the deficiency.
2. The Court will discontinue its practice of issuing an Order to Show Cause for failure to timely submit an order after hearing and instead will strictly enforce LBR 9071-1(c). If, after ten days from the date of the hearing, the responsible party does not file the required order, the Clerk's office will automatically terminate the original initiating document (i.e. motion, application, notice) and the parties will receive notice that no further action will be taken. In order to revive the terminated filing, the overdue order must be filed before the case is closed. Once the case is closed, a reopening fee will be required to docket the late filed order. *See*, LBR 9072-1(a), (c).

May 18, 2004

Susan M. Thurston, Clerk