

# Proposed Local Rule Amendments

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<b>Proposed Local Rule Amendment</b>	<b>Summary of Rhode Island Bankruptcy Court's Proposed Local Rule Amendments Effective April 1, 2014</b>
<b>Local Rule 1002-1 Petition - General (amended)</b>	Subdivision (d) is eliminated. Debtors are no longer required to provide the court with self-addressed envelopes and postage for creditors residing in foreign counties.  Subdivision (e) is relettered to (d).
<b>Local Rule 1005-1 Filing Papers – Requirements (amended)</b>	Subdivision (d)(2)(I) adds Debtor's Motions to Extend or delay entry of discharge as types of extensions of time which require a 14 day response time.  A new subdivision, (d)(2)(M), is inserted in the rule. The new paragraph adds Motions to File out of Time as an excepted paper where the response time is left to the discretion of the court.
<b>Local Rule 2017-1 Debtor's Transactions with Debtor's Attorney (amended)</b>	Previously entitled, "Payment or Transfer of Funds to Attorney Before Order for Relief", this rule was renamed, "Debtor's Transactions with Debtor's Attorney".  Subdivision (a) is now titled, "Payment or Transfer of Funds to Attorney Before Order for Relief".  New subdivision (b), "Payment or Transfer of Funds to Attorney After Order for Relief", addresses fee application requirements for Debtor's attorneys in Chapter 13 cases.  Previous subdivision (b) was relettered to (c).
<b>Local Rule 2090-2 Disciplinary Proceedings (amended)</b>	The local rule was amended to add additional provisions to the Court's disciplinary process.
<b>Local Rule 3002-1 Filing Proof of Claim or Interest Claims – Objections (amended)</b>	Subdivision (a) is amended to conform to the relettering of LBR 5005-4. Further amendments remove the requirement that the claimant serve a copy of the proof of claim upon filing.

<p><b>Local Rule 3015-1 Chapter 13 Plan (amended)</b></p>	<p>Subdivision (c)(1), “Service of the Plan where Secured Claims are being modified”, is amended to provide that service shall be made in accordance with LBR 9013-3(b)(1) and removes subdivisions (c)(1)(A) through (B) as these requirements are now addressed under amended LBR 9013-3(b)(1).</p> <p>New subdivision (c)(3), Supplemental Schedules I and J has been added. This subdivision addresses the requirements for filing supplemental schedules I and J when a motion to modify secured claim is filed.</p>
<p><b>Local Rule 3015-2 Chapter 13 Amendments to Plans (amended)</b></p>	<p>Subdivision (b) which was previously titled, “Amendments to Plan Prior to Section 341 meeting that do not Adversely Affect Creditor”, is now called, “Timing of Filing”.</p> <p>In addition, the entire rule was reorganized and relettered for readability. New service requirements are added to subdivision (b)(1)(B)(iii) and throughout the rule, filers are directed to the additional service requirements found in newly amended LBR 9013-3.</p>
<p><b>Local Rule 4001-3 Obtaining Credit (amended)</b></p>	<p>Paragraph one is now subdivision (a).</p> <p>New subdivision (b) addresses the filing of supplement schedules I and J when there is a change in the Chapter 13 debtor’s income or expenses.</p>
<p><b>Local Rule 4003-2 Lien Avoidance (amended)</b></p>	<p>Subdivision (b) has been amended to remove the service requirements and direct the filer to LBR 9013-3(b)(2).</p>
<p><b>Local Rule 5005-4 Electronic Filing (amended)</b></p>	<p>Subdivision (j) was retitled, “Electronic Signature and Retention of Original Signed Documents by Registered Users” and split into two paragraphs.</p> <p>In paragraph (1) the requirements for maintaining original signature were removed and added to new paragraph (2).</p> <p>New subdivision (k), “Effect of Electronically Filed Document”, adds that any document signed and filed electronically with the court, or filed conventionally and converted to an electronic document by the clerk, including a proof of claim filed on the court’s website, constitutes the filer’s approved signature and has the same force and effect as if the individual signed the paper copy of the document. Documents required to be verified or contain an unsworn declaration that are filed electronically shall be treated, for all purposes (both civil and criminal, including penalties for perjury), the same as though signed or subscribed.</p> <p>The remaining subdivisions were relettered.</p>

<p><b>Local Rule 9013-3 Service of Motions and Filing of Certificates of Service (amended)</b></p>	<p>Retitled, “Service of Motions and Filing of Certificates of Service”</p> <p>This rule was amended to address service requirements which were previously found in LBR 3015-1, 3015-2 and 4003-2. Additional provisions were added and practitioners are advised to review the new service requirements found in amended LBR 9013-3.</p> <p>New Appendix VII gives detailed instructions for creating an ECF mailing list used for service including managing invalid and preferred addresses.</p>
<p><b>R.I. Form W.1 Chapter 13 Plan</b></p>	<p>Conforming amendment correcting citations.</p>
<p><b>Appendix VII - Instructions for Creating an ECF Mailing List for Service (New)</b></p>	<p>New – Appendix VII. These instructions are designed to assist practitioners with complying with the Court’s service requirements specified in LBR 9013-3(d) by producing a Mailing Matrix report using the Court’s Electronic Case Filing system (ECF).</p>
<p><b>Appendix IX - Eighth Amended Loss Mitigation Program and Procedures</b></p>	<p>Section V. A1 – Amended to include the requirement that the Creditor’s registered agent be served.</p> <p>Section V. A1 and 2 – Removes the named attorney and states generally that service be made on the US Attorney for the District of Rhode Island.</p> <p>Section X. 5 – Amended to replace “Amended” with “Supplemental” when referring to schedules I and J.</p>