

OFFICE OF THE CLERK
UNITED STATES BANKRUPTCY COURT
DISTRICT OF RHODE ISLAND
The Federal Center
380 Westminster St., 6th Floor
Providence, Rhode Island 02903
website: www.rib.uscourts.gov

Susan M. Thurston
Clerk of Court

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NOTICE OF PROPOSED AMENDMENTS TO
LOCAL RULES AND FORMS

Pursuant to 28 U.S.C. § 2071, Fed. R. Civ. P. 83, Fed. R. Bankr. P. 9029 and U.S. District Court for the District of Rhode Island General Rule 109(h)(1) authorizing the Bankruptcy Court to make and amend local rules, the U.S. Bankruptcy Court for the District of Rhode Island hereby provides notice that it proposes to amend the Local Rules and Forms as follows:

EFFECTIVE DATE OF October 3, 2016

Local Rule 1007-1(amended)
Local Rule 1009-1(amended)
Local Rule 8006-1(amended)

R. I. Local Form 1007-1.4 (new)
R. I. Local Form 1009-1.1 (new)

Pursuant to 28 U.S.C. § 2071(b), **the U.S. Bankruptcy Court for the District of Rhode Island invites public comment** on the Proposed Amendments to these Local Rules and Forms. Copies of the proposed amendments are available at the Clerk's office or on our website at www.rib.uscourts.gov. **Comments on the proposed rules and forms should be received by September 23, 2016. Comments can be made by email to Susan_Thurston@rib.uscourts.gov or in writing addressed to:**

Susan M. Thurston, Clerk
U.S. Bankruptcy Court for the District of Rhode Island
380 Westminster St., 6th Floor
Providence, Rhode Island 02903

Dated: 8/29/16

/s/ 
Susan M. Thurston, Clerk

Redlined Version

RULE 1007-1 LISTS, SCHEDULES AND STATEMENTS; TIME LIMITS; ORDER TO FILE MISSING DOCUMENTS AND NOTICE OF AUTOMATIC DISMISSAL FOR NON-COMPLIANCE; NOTICE IN CHAPTER 11 [Modified _____]

...

(b) Filings Subject to Seven (7) Day Filing Deadline: The following, as applicable to the case and chapter, are required to be filed within seven (7) days of the bankruptcy filing or any authorized extension thereof, or will be subject to the procedures set forth in subparagraph (d) below and R.I. LBR 1017- 2:

(1) Creditor Mailing List (names and addresses)

(2) Official Form B121 - Statement of Social Security Number. Form 21 shall be filed in all cases as a separate private event (not combined with the bankruptcy petition or schedules) and will be restricted from public access.

(3) Debtor's Mailing Address

(4) Official Form 101 Part 5, Question 15, and, if applicable, a Certificate of Credit Counseling, or a Motion ~~to be Exempt for Waiver from~~ of Credit Counseling Briefing and/or Financial Management Course, R.I. Local Form 1007-1.4, or Statement of Exigent Circumstances, R.I. Local Form 1007-1.3.

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RULE 1009-1 AMENDMENTS OF PETITIONS, LISTS, SCHEDULES AND STATEMENTS [Modified _____]

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(b) Notice and Service of Amendment. In each instance in which the debtor amends its petition, lists, schedules or statements, it shall give notice by serving a copy of the amendment upon any trustee appointed, the local office of the United States trustee, creditors, and to all other entities directly affected by the amendment, and shall file a certificate of service indicating the parties served and the date and method of service.

(c) Amendments Adding an Omitted Creditor. If, at any time after the first notice of the first meeting of creditors is mailed, pre-petition creditors not previously included on the creditor mailing list are added by amendments, the following procedures shall apply:

(1) Contemporaneous with the filing of the amendment and applicable fee, the debtor shall:

(A) in a conventionally filed case (not electronically filed), file a supplemental disk, listing only the name(s) and address(es) of the added creditor(s) in the form prescribed by R.I. LBR 1002-1(c);

(B) serve upon the added creditors a copy of the Notice of Section 341 meeting of creditors and if applicable, a copy of the Notice to File Claims, a proof of claim form;

(C) ~~In an individual chapter 7 case, s~~Serve a R.I. Local Form 1009-1.1, "Notice to Added Creditors of Pending Bankruptcy and Applicable Case Deadlines and Certificate of Service", ~~notice~~ informing the added creditor of its right to file complaints under 11 U.S.C. §§ 523 and 727, if applicable, and objections to the debtor's claim of exemptions within sixty (60) days of service of the papers required by this LBR or within the time set for the filing of such complaints, motions, or objections by creditors previously scheduled, whichever is later.

(D) File a certificate of service and a copy of the completed R.I. Local Form 1009-1.1 with the Court acknowledging compliance with this local rule.

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RULE ~~8006-1~~ 8009-1 RECORD ON APPEAL [Modified _____]

(a) Designated Items for Inclusion in the Record on Appeal. Parties must indicate the document number assigned by the Court's Case Management Electronic Case Filing System (CM/ECF) in each item listed in their Designation of Items to be included in the record on appeal. Parties should not file paper copies with the court unless otherwise instructed.

(b) Appeals to U.S. District Court, R.I. Parties are directed to Local Rule 109 of the Local Rules for the U.S. District Court for the District of Rhode Island for additional appeal requirements.

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

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In re: :

Debtor(s) : BK No. Chapter

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**NOTICE TO ADDED CREDITORS OF PENDING BANKRUPTCY
AND APPLICABLE CASE DEADLINES AND CERTIFICATE OF SERVICE**

NOTICE IS HEREBY GIVEN: that on _____ [date], you were added as a creditor in the above-referenced bankruptcy case. Pursuant to LBR 1009-1(c), a copy of the Notice of Section 341 Meeting of Creditors & Deadlines is enclosed and if applicable, a copy of the Notice to File Claims.

As an added creditor, you have a right to file a complaint under 11 U.S.C. §§ 523 and/or 727 (for Chapter 7 cases ONLY) objecting to the debtor’s discharge or the dischargeability of a particular debt, and/or to object to the debtor’s claim of exemptions, within sixty (60) days of service of this notice as evidenced on the below certificate of service, or within the time set for filing such complaints or objections by creditors previously scheduled, whichever is later (see deadlines listed on Section 341 Notice).

If this is a Chapter 13 Case, or a Chapter 7 Case where a Notice to File Claims has issued as evidenced by the enclosed notice: The deadline to file a proof of claim is ninety (90) days after the first date set for the meeting of creditors, or ninety (90) days from service of this notice, whichever is later. Creditors who do not file a proof of claim on or before this date may not share in any distribution from the debtor(s) estate. If you have previously filed a claim in this case, you do not need to file a new one now.

The proof of claim form may be filed by regular mail or by using the court’s electronic claims filing program, ePOC, available on its website: www.rib.uscourts.gov. If you wish to receive proof of receipt by the bankruptcy court, you must enclose a photocopy of the proof of claim together with a stamped, self-addressed envelope when mailing the form to the court. There is no fee for filing a proof of claim.

CERTIFICATE OF SERVICE

I _____ hereby certify that on _____, I caused true copies of the Notice to Added Creditors of Pending Bankruptcy and Applicable Case Deadline and Certificate of Service to be served through the Court’s CM/ECF system upon the following

registered electronic filer(s) in this case, and that I caused true copies of the within notice to be served by first class mail, postage pre-paid, to the following non-CM/ECF participant(s):

Electronic:

First Class Mail:

/s/ _____

Date: