

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 ADOPTION

Amendment of Local Rules
Effective July 16, 2020

Local Rule 2002-1 (amended)
Local Rule 5001-2 (amended)

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(g)(1), the U.S. Bankruptcy Court for the District of Rhode Island hereby provides notice that the Local Rules listed above have been amended.

Copies of the amended local rules are available on our website at www.rib.uscourts.gov. These amendments are effective as of July 16, 2020, and shall apply to all cases filed or pending on or after this date.

FOR THE COURT



Susan M. Thurston
Clerk of Court

Date: 7/16/2020

RULE 2002-1 - NOTICE TO CREDITORS, EQUITY SECURITY HOLDERS, UNITED STATES, AND UNITED STATES TRUSTEE, AND CHANGES OF ADDRESS - [Amended 7/16/20]

(a) **Twenty-eight (28) Day Notice to Parties in Interest.** The notices required by [Fed. R. Bankr. P. 2002\(b\)](#) of the time fixed for filing objections and the hearing to consider approval of a disclosure statement, and the time fixed for filing objections and the hearing to consider confirmation of a chapter 9 or chapter 11 plan, shall be given by the proponent of the disclosure statement or plan to be considered at the hearing. Notice of the time fixed for filing objections and of the confirmation hearing for chapter 13 plans shall be given by the Clerk, in the first instance.

(b) **Service of Application for Compensation.** In all cases, the applicant must serve a complete copy of the application for compensation with:

- (1) the local office of the U.S. Trustee;
- (2) any chapter 7, 11, or 13 trustee;
- (3) the debtor and debtor's counsel;
- (4) the chairperson of the creditors' committee and its counsel, if any; and
- (5) the chairperson and counsel of any other official committee approved by the Court.

(c) **Notice to Equity Security Holders.** The notices required in chapter 11 cases by [Fed. R. Bankr. P. 2002\(d\)\(1\), \(2\) and \(3\)](#) shall be given by the debtor or the trustee, if applicable. The notices required by Fed. R. Bankr. P. 2002(d)(4), (5), (6), and (7) shall be given by the movant or proponent of the plan or disclosure statement.

(d) **Notice to Creditors in Chapter 7 Asset Cases and Chapter 13 Cases.** After seventy (70) days following the first date set for the Section 341 meeting of creditors in a chapter 13 case, or within the time allowed by the Court for the filing of claims in a chapter 7 asset case, the Clerk will mail notices only to creditors whose claims have been filed or who have been granted extensions of time within which to file claims.

(e) **Notices Required to be Served by Clerk or other Person.** Unless otherwise directed by the Court, wherever the Bankruptcy Rules or local rules require that the Clerk or some other person as the Court may direct shall provide notice pursuant to this rule, the Clerk is authorized to designate a trustee, debtor in possession, or other party to provide any notice required to interested

parties where the interests of justice and efficiency are served. The Clerk is further authorized to review the form of all such notices to ensure that the notice complies with the requirements of the Court and appropriate rules.

(f) Change of Address. Any creditor that seeks to change its address for noticing purposes from the address shown on any proof of claim, request for notice, or other document previously filed with the Court, must do so using R.I. Bank. Form 2002-1.1, with a copy served upon the debtor (if pro se), the debtor's attorney, the United States Trustee, and the case trustee, if applicable. Changes of address must be separately filed in each case file and if applicable, adversary proceeding, and must include the proper case caption and case/adversary number. Filing R.I. Bank. Form 2002-1.1 solely in the main bankruptcy case will not change an address in a related adversary proceeding. The Court will not update any creditor address without use of the proper form and adherence to this rule.

RULE 5001-2 - CLERK'S OFFICE - [Amended 07/15/20]

(a) Public Hours. The Clerk's Office is located at 380 Westminster Street, Sixth Floor, Providence, Rhode Island 02903, (401) 626-3100. Unless otherwise ordered by the Court, the Office of the Clerk shall be open to the public from 9:00 a.m. to 4:00 p.m., Monday through Friday, except federal holidays and holidays recognized by the U.S. District Court (which may include state holidays).

(b) Non-Public Hours. In accordance with Fed. R. Bankr. P. 5001(a), filings before 9:00 a.m. or after 4:00 p.m. weekdays, or on weekends and holidays may be made, for cause shown, by advance appointment or in emergency circumstances with the Judge, the Clerk, or the Clerk's designee.

(c) Emergency Filing(s) by Self-Represented Parties in the Event of an Unexpected Court Closure During Normal Court Business Hours. Self-represented parties are permitted to file new bankruptcy petitions via email, and all other documents such as motions, pleadings, notices, and other papers ("Court Filings") using the Electronic Drop Box ("EDB"), only in those rare instances when the Court is closed during normal business hours (not including weekends or holidays) due to an unexpected event such as inclement weather or other type situation. The below procedures shall be followed in such instances.

(1) Emailing Petitions to the Court. The self-represented party must attach the petition in Adobe PDF format to an email addressed to the Clerk's Office Helpdesk at "rib_helpdesk@rib.uscourts.gov". The ECF Help Desk address is also available on the Court's website (www.rib.uscourts.gov) under the menu "Electronic Filing/Electronic Filing Help Desk".

(2) Court Filings Using the Electronic Drop Box. Self-represented parties must complete the Application for Access to the Self-represented Electronic Drop Box and submit the application via email to rib_helpdesk@rib.uscourts.gov for review and approval before filing any Court Filings through the EDB. Instructions and requirements can be found on the Court's website in the [Self-Help Manual](#).

(3) Required Follow Up Procedures. Within twenty-one (21) days of electronic submission of Court Filings that require a signature under oath (such as new case petition and bankruptcy statements and schedules) the self-represented party must mail to the Court or place in the Court's drop box if available, the original document containing original signature(s) signed under oath.

(4) Date and Time Filed. Petitions filed in accordance with the above procedures will be deemed filed on the case docket on the date and time appearing on the email system of the Office of the Clerk, and all other Court Filings on the date and time they are submitted to the EDB. Where required, upon the timely receipt of the original signed document(s) and any required filing fee, the Court will stamp the original document with the following notation:

This document is deemed filed on _____ pursuant to Local Rule 5001-2 governing emergency filings due to unexpected court closure.

(5) Requirements and Standards. Self-represented parties are reminded that even though these rules authorize Court Filings to be made electronically, the Court holds self-represented parties to the same requirements and standards as with paper filings: each signature on a Court Filing, whether electronic or otherwise, is a certification that the filing party is proceeding in good faith and filing the document for a proper purpose. All electronically filed documents are subject to the same potential for sanctions as are paper filings containing original signatures pursuant to F.R.B.P. 9011.