



U.S. Bankruptcy Court, District of Minnesota

**Rule 9036-1. Notice and Service on Non-Filing Users and Trustees**

- (a) NON-FILING USERS. Parties who are non-Filing Users must be served with or given notice of any pleading or other electronically filed document in accordance with the Federal Rules of Bankruptcy Procedure and these Local Rules. Proof of such service or notice must be electronically filed.
- (b) TRUSTEES. When a document is required to be served in accordance with Federal Rule of Bankruptcy Procedure 7004, service on the trustee in a chapter 7, 12, 13, or subchapter V case is completed upon the filing of that document with the court's Electronic Case Filing System, unless the trustee requests to be served by non-electronic means.

[Effective July 17, 2023.]

**2023 Advisory Committee Note**

Local Rule 9036-1 was implemented to incorporate the language from former Local Rules 9004-1(b) and 9006-1(a) and to address electronic service on trustees. Subsection (a) contains the language from former Local Rules 9004-1(b) and 9006-1(a). Subsection (b) permits electronic services through ECF on the trustee assigned to the case. Rule 9036 excepts from electronic service any document required to be served in accordance with Fed. R. Bankr. P. 7004, which includes motions filed under Fed. R. Bankr. P. 9014, such as motions for relief from stay. Hence, when service is required on the trustee, the moving party would have to serve the initial motion on the trustee by mail. This would be burdensome on the trustees. While there are exceptions in the Federal Rules of Bankruptcy Procedure allowing other common parties to be served electronically and still be in compliance with Fed. R. Bankr. P. 7004, no such exception appears to exist for trustees. *See* Fed. R. Bankr. P. 7004(g) (allowing electronic service on the debtor's attorney). Local Rule 9036-1 creates such an exception for the trustee assigned to the case, unless the trustee requests service by non-electronic means.