U.S. BANKRUPTCY COURT

DISTRICT OF MINNESOTA

LOCAL RULES

Effective September 3, 2025

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Part I. Commencement of Case: Proceedings Relating to Petition and Order for Relief

Rule 1002-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; February 22, 2012; May 1, 2019. Abrogated effective July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 1002-1 was abrogated because it no longer reflects the way that cases are processed by the clerk's office; the rule number is reserved for possible future use. The clerk's office used to process cases by city (Minneapolis, St. Paul, Duluth, or Fergus Falls) and that is no longer the practice. Now, cases from any division may be processed in any clerk's office. In addition, the case assignment process has changed, with cases automatically assigned to a division when they are opened based on the county identified in the petition. Relevant portions of former Local Rule 1002-1 that addressed case assignment now appear in Local Rule 1073-1, Assignment of Cases.

Rule 1005-1. [ABROGATED]

[Effective April 15, 1997. Amended effective December 1, 2015. Abrogated effective July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 1005-1 was abrogated as duplicative of Fed. R. Bankr. P. 1005; the rule number is reserved for possible future use. The former rule also directed that the petition identify possible liability as a surety for another entity but the current Official Petition Forms (101 and 201) do not ask for that information.

Rule 1006-1. Filing Fee

The required filing fee must be paid in the form of payment authorized by the clerk on the day the petition is filed, except as provided in Federal Rule of Bankruptcy Procedure 1006(b)–(c).

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; February 1, 2011; December 1, 2017; October 1, 2019; July 17, 2023.]

2023 Advisory Committee Notes

Subsection (a) of former Local Rule 1006-1 was amended to clarify that any filing fee must be paid on the day the petition is filed, unless the debtor asks to pay the filing fee in installments or asks that the fee be waived under Fed. R. Bankr. P. 1006(b)–(c). The rule was also amended to remove the specific forms of payment that are accepted by the clerk. Please refer to the court's website at www.mnb.uscourts.gov for current instructions on acceptable forms of payment.

Subsection (b) was removed as duplicative of and to ensure consistency with Fed. R. Bankr. P. 1006(b)(1)–(2), which addresses how a debtor applies to pay the filing fee in installments and the court's action on the application.

Subsection (c) was removed to ensure consistency with Fed. R. Bankr. P. 1017(b), which provides that the court may dismiss a case for failure to pay any installment of the filing fee after a hearing on notice to the debtor and trustee.

Rule 1007-1. Lists, Schedules, and Statements

(a) STATEMENT OF COMPENSATION. The statement of compensation that a debtor's attorney must file under 11 U.S.C. § 329(a) and Federal Rule of Bankruptcy Procedure 2016(b) must conform to Local Form 1007-1.

(b) SCHEDULE C: REAL PROPERTY. Any real property listed on Schedule C must include a legal description of the property.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; May 1, 2014; December 1, 2015; July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 1007-1(a) was restyled to refer to 11 U.S.C. § 329(a) and Fed. R. Bankr. P. 2016(b) and eliminate language that was duplicative of Fed. R. Bankr. P. 2016(b). As amended, subsection (a) requires conformance with Local Form 1007-1 instead of substantial conformance. Subsection (b) was restyled and amended to better reflect the information that is requested on Official Form 106C. Subsection (c) was removed as duplicative of and to ensure consistency with Fed. R. Bankr. P. 1007(b)(7).

Rule 1007-2. Creditor Matrix and Supplemental Lists

(a) CREDITOR MATRIX AND SUPPLEMENTAL LISTS. To comply with Federal Rule of Bankruptcy Procedure 1007(a)(1), the debtor must file with the petition a matrix containing the names and addresses of each creditor in accordance with the clerk's instructions posted on the court's website. Any supplemental list that is required under Federal Rule of Bankruptcy Procedure 1007(d)–(e) must be filed in accordance with the clerk's instructions posted on the court's website.

(b) SUPPLEMENTAL LIST FOR HEALTH CARE BUSINESSES. If a petition in a case under chapter 7, chapter 9, or chapter 11 states that the debtor is a health care business, the debtor must file, within 14 days of the filing of the petition, a supplemental list containing the names and addresses of all entities that issue licenses to or regulate the debtor or the debtor's principal in accordance with the clerk's instructions posted on the court's website.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2014; July 17, 2023.]

2023 Advisory Committee Notes

The title of Local Rule 1007-2 was amended to clarify that it concerns the creditor matrix and supplemental lists. Subsection (a) was amended to reference Fed. R. Bankr. P. 1007(a)(1) and to clarify that the matrix must contain the

name and address for each creditor. The clerk's office maintains instructions on the court's website at www.mnb.uscourts.gov for how to properly prepare and file a creditor matrix and any required supplemental lists.

Former subsection (b) was removed as duplicative of Fed. R. Bankr. P. 1007(a)(3). Former subsection (c) was renumbered to subsection (b). Former subsection (c)(2) was removed as duplicative of Fed. R. Bankr. P. 1021, which states that a case will proceed as a health care business case if the petition identifies the debtor is a health care business, unless the court orders otherwise. The clerk's office maintains instructions on the court's website for how to properly prepare and file the required supplemental list for health care businesses. For other health care business rules, see Local Rules 2015.1-1 and 9013-2(b)(3).

Rule 1007-3. Statement of Business Income in Chapter 13 Cases

In any chapter 13 case in which the debtor derives gross income of more than $1,000.00 per month either from self-employment or from a corporation as defined by 11 U.S.C. § 101(9) in which the debtor is sole owner, the debtor must file a statement of business income and expenses with Schedule I. The statement of business income and expenses must conform substantially to Local Form 1007-3.

[Effective January 1, 2002. Amended effective January 9, 2006; July 17, 2023.]

2023 Advisory Committee Notes

The title of Local Rule 1007-3 was amended to indicate that it applies only in chapter 13 cases. Local Rule 1007-3 was also amended to increase the amount of self-employment income from $200.00 to $1,000.00. This change will result in fewer debtors needing to file a statement of business income and expenses for very small amounts of income, including, for example, income received from various gig jobs, such as for driving or delivery services. The amendments also clarify that the statement of business income and expenses must be filed with Schedule I (Official Form 106I). Submitting a completed Local Form 1007-3 should meet the requirements to answer question 8a in Schedule I.

Rule 1007-3-1. Notice of Responsibilities of Chapter 7 and 13 Debtors and Their Attorneys

In any chapter 7 or chapter 13 case in which the debtor is represented by an attorney, the attorney must file with the petition a Notice of Responsibilities. The Notice of Responsibilities must conform to Local Form 1007-3-1(7) in chapter 7 cases and Local Form 1007-3-1(13) in chapter 13 cases.

[Effective October 15, 2010. Amended effective July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 1007-3-1 was amended to clarify that the attorney must file with the petition a Notice of Responsibilities. The former language that directed that the Notice of Responsibilities include a scanned image of the signature page has been deleted to conform to the 2023 amendments made to Local Rule 9011-1 concerning electronic signatures.

Rule 1007-4. [ABROGATED]

[Effective April 15, 1997. Amended effective January 9, 2006; October 1, 2019; June 1, 2021. Abrogated effective July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 1007-4 was abrogated to ensure consistency with Fed. R. Bankr. P. 1017(c) and (f); the rule number is reserved for possible future use. Rule 1017(c) permits the court to dismiss chapter 7 and chapter 13 cases for failure to file required documents "after a hearing on notice served by the United States trustee on the debtor, the trustee, and any other entities the court directs." Rule 1017(f) provides the procedures for dismissal, conversion, or suspension.

Rule 1008-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006. Abrogated July 17, 2023.]

2023 Advisory Committee Note

Local Rule 1008-1 was abrogated; the rule number is reserved for possible future use. Local Rule 1008-1 had one remaining subsection concerning proof of authority to file a petition for all non-individual debtors. The Voluntary Petition for Non-Individuals Filing for Bankruptcy (Official Form 201) in part 17 addresses the declaration and signature of an authorized representative of the debtor, and specifically has the signatory declare under penalty of perjury that "I have been authorized to file this petition on behalf of the debtor." Further, an individual who is authorized to act on behalf of a non-individual debtor must also file the Declaration Under Penalty of Perjury for Non-Individual Debtors (Official Form 202) when signing and submitting the schedules of assets and liabilities, any other document that requires a declaration that is not included in the document, and any amendments to those documents. Accordingly, it was no longer necessary to have a Local Form 1008-1 to serve as separate proof of authority to file a petition; both the rule and Local Form 1008-1 were abrogated.

Rule 1009-1. Amendments of Voluntary Petitions, Lists, Schedules, and Statements

(a) AMENDMENTS TO DEBTOR'S IDENTIFICATION INFORMATION. At any time before the clerk sends the meeting of creditors notice, the clerk may direct the debtor to file an amendment to the petition on a form prescribed by the clerk to correct any clerical mistakes in the debtor's name, address, or employer identification number. If the debtor fails to comply, the clerk must determine the title of the case. If the debtor's identification information is corrected after the clerk sends the meeting of creditors notice, the debtor must comply with the notice requirements of Federal Rule of Bankruptcy Procedure 1009.

(b) FORM, FILING, AND NOTICE OF AMENDMENTS. Except as provided in paragraph (a) of this rule, all amendments to petitions, lists, schedules, and statements must be made by filing a new petition, list, schedule, or statement that is identified as amended. If an amended form is submitted, the "amended filing" checkbox must be checked. The amended documents

must clearly identify all changes made by underlining all additions and lining out all deletions or by submitting Local Form 1009-1 with the amended documents. Notice of any amendments must be made in accordance with Federal Rule of Bankruptcy Procedure 1009(a).

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; February 22, 2012; December 1, 2015; May 1, 2018; October 1, 2019; July 17, 2023.]

2023 Advisory Committee Note

Local Rule 1009-1 was restyled and amended to avoid unnecessary duplication with Fed. R. Bankr. P. 1009. In amended subsection (a), "employer" now modifies "identification number" to make clear that if an individual debtor's social security number is incorrect, Fed. R. Bankr. P. 1009(c) applies, regardless of whether the correction is made before or after the clerk sends the meeting of creditors notice. Amended subsection (a) no longer distinguishes between debtors represented by an attorney and pro se debtors. Because Fed. R. Bankr. P. 1009(a) states that the "debtor shall give notice of the amendment to the trustee and to any entity affected thereby" it is no longer necessary to provide additional instructions for filing amended Schedules A/B, C, D, and E/F. Debtors, including pro se debtors, are responsible for adequately noticing any affected entity when amended petitions, lists, schedules, and statements are filed, and for filing any required proof of such notice. *See also* Local Rule 9036-1(a) (requiring proof of service or notice to a non-Filing User). Accordingly, former subsections (b)(2)–(4) have been removed.

Current subsection (b), which was former subsection (b)(1), was restyled to clarify that any form amendments must be identified as an amended filing by checking the amended filing checkbox.

Rule 1010-1. Service in Involuntary Cases

If the petitioners serve the summons and petition on the debtor by mail, and if the mailed copies of the summons and petition are returned by the post office, the petitioners must file an affidavit disclosing such information to the court.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; July 17, 2023.]

2023 Advisory Committee Note

Local Rule 1010-1 was restyled and renumbered to no longer refer to an abrogated subsection. The rule was renamed to better reflect that Local Rule 1010-1 adds a filing requirement for service in certain involuntary cases.

Rule 1014-1. Transfer of Cases

When a case is transferred to this district from another district, the clerk must give notice of the transfer, with the new case number and assignment of the new trustee, if applicable, to the debtor, the trustee, all creditors, and indenture trustees.

[Effective April 15, 1997. Amended effective January 9, 2006; October 1, 2019; July 17, 2023.]

2023 Advisory Committee Note

Local Rule 1014-1 was amended to remove language that no longer reflects the clerk's current practices. When a case is transferred to this district, the transfer is effectuated electronically between the two involved clerk's offices. A case transfer may be processed in any clerk's office within the District of Minnesota. A transferred case will be assigned in accordance with Local Rule 1073-1 and the prevailing Order for Assignment of Cases. The notice language was amended to incorporate communicating the new case number and assignment of the new trustee, if applicable, to the entities listed in Fed. R. Bankr. P. 2002(a).

Rule 1015-1. Joint Case of Debtor Spouses

Unless a party in interest files a motion objecting to consolidation and the court orders otherwise, the estates of the debtor spouses in a joint case filed under 11 U.S.C. § 302 are consolidated for all purposes.

[Effective April 15, 1997. Amended effective July 17, 2023.]

2023 Advisory Committee Note

The title of Local Rule 1015-1 was amended to clarify that the rule applies only to debtor spouses. Local Rule 1015-1 was further amended to include a provision allowing a party in interest to object to automatic consolidation in light of 11 U.S.C. § 302(b).

Rule 1017-2. [ABROGATED]

[Effective April 15, 1997. Amended effective January 9, 2006. Abrogated effective July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 1017-1 was abrogated to ensure consistency with Fed. R. Bankr. P. 1017. Please refer to Fed. R. Bankr. P. 1017 for procedures that apply to dismissals and Fed. R. Bankr. P. 1017 and 1019 for procedures that apply to conversions.

Rule 1019-1. Filing Requirements for Conversions

When converting a case to another chapter, the notice of conversion or motion to convert must:

(a) Identify the chapter to which the party seeks to convert and the applicable statutory authority for the conversion;

(b) Include any documents necessary to establish eligibility to proceed under the new chapter, including, if applicable, the statement of current monthly income and means test; and

(c) Include amended Schedules I and J, for an individual debtor seeking to convert a case to chapter 7 or chapter 13.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; May 1, 2014; December 1, 2015; July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 1019-1 was amended to remove language that was duplicative of Fed. R. Bankr. P. 1017 and 1019 and to ensure consistency with the same. With these changes, Local Form 1019-1 was also abrogated. The procedure to convert a case to a different chapter—whether by a notice of conversion or a motion to convert—is specified in Fed. R. Bankr. P. 1017(f). Please also refer to Fed. R. Bankr. P. 1019 for the filing requirements to convert a chapter 11, 12, or 13 case to chapter 7. All references to needing a separate proof of authority to sign and file have been removed because the Declaration Under Penalty of Perjury for Non-Individual Debtors (Official Form 202) must be filed when an individual who is authorized to act on behalf of a non-individual debtor signs and submits: (a) the schedules of assets and liabilities; (b) any other document that requires a declaration that is not included in the document; and (c) any amendments to those documents.

Amended Local Rule 1019-1 only addresses what information should be filed with the notice of conversion or the motion to convert when converting a bankruptcy case to a different chapter. To establish eligibility to proceed under chapter 7, the debtor must file with the notice of conversion or motion to convert the statement of current monthly income and means test (Official Forms 122A-1/A-2). An individual debtor converting to a chapter 7 or 13 case must also file amended Schedules I and J (Official Forms 106I and 106J) to allow the trustees to assess income requirements. Please note that after a case is converted, the trustee may request that the debtor file other new schedules and statements.

Rule 1070-1. Reference

All bankruptcy cases and proceedings, including any claim or cause of action that is removed under 28 U.S.C. § 1452 or Federal Rule of Bankruptcy Procedure 9027, are referred to the bankruptcy judges and will be assigned among them according to orders made by them. The bankruptcy judges are specially designated to conduct jury trials under 28 U.S.C. § 157(e).

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; September 3, 2025.]

2025 Advisory Committee Notes

The amendments to Local Rule 1070-1 are stylistic only; no substantive changes were intended. Please see the 2025 Advisory Committee Notes to Local Rule 9029-2 regarding the former reference to the rule being promulgated by the district court.

Rule 1073-1. Assignment of Cases

Each case will be assigned to a particular division and a particular judge in accordance with the Order for Assignment of Cases. The clerk may permit or direct the filing of a petition in a particular division if the debtor has an interest in property in several counties or is an affiliate of a debtor in a pending case, or for other good cause.

[Effective April 15, 1997. Amended effective July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 1073-1 was amended to refer to the court's Order for Assignment of Cases, which is available on the court's website. All cases are assigned to a particular division and to a particular judge in accordance with that Order. Language in the former rule that was duplicative of the Order for Assignment of Cases was removed. Language from former Local Rule 1002-1 that allows the clerk to permit the filing of a case in a particular division in certain circumstances was added.

Part II. Officers and Administration; Notices; Meetings; Examinations; Elections' Attorneys and Accountants

Rule 2002-1. Notices

(a) ENTITY RESPONSIBLE FOR NOTICE. Unless the court orders otherwise, notice required by Federal Rule of Bankruptcy Procedure 2002 must be given by the entity specified in the chart available on the court's website, as may be modified by the clerk.

(b) DEBTOR'S ADDITIONAL NOTICE RESPONSIBILITIES. After the clerk sends the meeting of creditors notice, the debtor is responsible for sending such notice, and filing proof that such notice was sent, to:

(1) Any creditor subsequently added to the matrix referred to in Local Rule 1007-2; and

(2) All equity security holders on any subsequently filed list under Federal Rule of Bankruptcy Procedure 1007(a)(3).

(c) REQUEST FOR LIMITED NOTICE. A request that notice be limited to the entities identified in Federal Rules of Bankruptcy Procedure 2002(h) or (i) must be made by motion.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; May 1, 2014; May 1, 2019; October 1, 2019; June 1, 2021; September 3, 2025.]

2025 Advisory Committee Notes

Former Local Rules 2002-1 and 2002-4 were combined into one rule and significantly rewritten to ensure conformity with the Federal Rules of Bankruptcy Procedure.

Current subsection (a) replaces former Local Rule 2002-4(a)–(c). The chart maintained by the clerk specifies who gives notice of any given item listed in Fed. R. Bankr. P. 2002.

Current subsection (b) replaces former Local Rules 2002-1(d)(i) and 2002-4(d). The phrase "meeting of creditors notice" refers to Official Forms 309A, et seq. Those official forms give several notices required by Fed. R. Bankr. P. 2002, including, but not limited to: (1) the meeting of creditors under 11 U.S.C. § 341; (2) the order for relief; (3) the time fixed for filing proofs of claims; and (4) the time fixed for filing a complaint objecting to the debtor's discharge. Local Form 2002-4(d) is abrogated; a debtor should use Official Form 309E1, E2, F1, or F2 as filed by the clerk. Please refer to Fed. R. Bankr. P. 9036 for information about notice by electronic means. Local Rule 9036-1(a) also requires that proof of notice be electronically filed whenever notice is given to a party that is not a Filing User. Former Local Rules 2002-1(b)(1) and (2) were removed as no longer necessary. *See* Fed. R. Bankr. P. 2002(d) (governing notice to equity security holders).

Current subsection (c) replaces part of former Local Rule 2002-1(a) and adds a reference to Fed. R. Bankr. P. 2002(i), which is another provision allowing for limited notice.

Former Local Rule 2002-1(c) was removed to ensure conformity with Fed. R. Bankr. P. 1007(a)(1) and Local Rule 1007-2, which require the debtor to file with the petition a list containing the name and address of each creditor.

Former Local Rule 2002-1(d)(ii) was removed as no longer necessary. The clerk maintains instructions on the court's website at www.mnb.uscourts.gov for how to update the name or address of a creditor on the matrix. Former Local Rule 2002-4(e) was removed as no longer applicable. Former Local Rule 2002-4(f) was removed to ensure conformity with Fed. R. Bankr. P. 2002, which generally states the court may direct another entity to give notice.

Rule 2002-4. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; May 1, 2014; December 1, 2015; October 1, 2019. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Please refer to the 2025 Advisory Committee Notes for amended Local Rule 2002-1.

Rule 2002-5. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; February 22, 2012; May 1, 2014; October 1, 2019; June 1, 2021. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Former Local Rule 2002-5 was abrogated, along with Local Form 2002-5. The clerk will maintain instructions for how attorneys should file a request for notice, notice of appearance, and withdrawal of notice and notice of appearance on the court's website at www.mnb.uscourts.gov. Under Fed. R. Bank. P. 9010(b), an "attorney appearing for a party in a case must file a notice of appearance . . . ." Accordingly, under Local Rule 9010-1(a), an attorney filing a notice of appearance to appear for a party must be admitted to the court's bar. Former Local Rule 2002-5(b)(2) was abrogated to ensure consistency with that requirement.

Rule 2003-1. Meeting of Creditors

(a) FIRST DATE OF MEETING. If the meeting of creditors is rescheduled because the trustee recuses themself or rejects their appointment, the date to which the meeting is rescheduled will be deemed the first date set for such meeting.

(b) MEETING CONCLUSION. The meeting of creditors will be deemed concluded on the first date set for such meeting, unless the trustee files a statement indicating the meeting is not concluded and specifying the date and time to which the meeting is continued. The statement must be filed within seven days after the meeting. The trustee may file more than one statement under this rule.

(c) NOTICE. The trustee must provide notice of any statement filed under this rule to the debtor, the attorney for the debtor, and the United States trustee.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; December 2012; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 2003-1 was amended to provide greater clarity as to the timing of the meeting of creditors. Subsection (a) was added to clarify the first date set for the meeting of creditors if the trustee recuses themself or rejects their appointment. There are several deadlines in the rules that are set based on the first date set for the meeting of creditors. *See, e.g.*, Fed. R. Bankr. P. 4003(b)(1) (providing that a party in interest may file an objection to claimed exemptions within 30 days after the meeting of creditors concludes). *But see* Fed. R. Bankr. P. 1019(b) (providing new timelines, including under Fed. R. Bankr. P. 4003(b), when a case is converted to chapter 7). Note that Fed. R. Bankr. P. 2003(e) uses the words "adjourn" and "adjournment" to refer to a meeting's continuance.

Subsection (b) addresses the conclusion of the meeting and largely contains the substance of former Local Rule 2003-1, with a few exceptions. The 28-day timeline for reconvening was removed as unnecessary. However, a seven-day deadline was added for filing a statement under subsection (b) to ensure timely notice of rescheduling the non-concluded meeting. Note that trustees must also adhere to the requirements of Fed. R. Bankr. P. 2003(e), which requires the trustee to announce at the meeting that the meeting is not concluded and provide the date and time to which it is continued. The statement required under subsection (b) ensures that the information shared at the meeting of creditors is also made available on the case docket. Lastly, the notice provisions were moved to new subsection (c). The list of entities required to receive notice was reduced as Fed. R. Bankr. P. 2003(e) and the 2011 Advisory Committee Notes thereto make clear that filing the statement is generally sufficient for purposes of notice.

Rule 2014-1. Employing Professionals

(a) APPLICATION. An application filed under Federal Rule of Bankruptcy Procedure 2014(a) must comply with Local Rules 9013-3(a) and (c), except that:

(1) A verification is required; and

(2) Notice of the application must also be given to any committee elected under 11 U.S.C. § 705 or appointed under 11 U.S.C. § 1102, or its authorized agent.

(b) UNITED STATES TRUSTEE REPORT. Within seven days after receipt of the application, the United States trustee must file a report indicating whether the United States trustee supports or opposes the proposed employment. If the United States trustee opposes the proposed employment, the applicant must schedule a hearing on the application and give notice of the hearing to the entities listed in subsection (a)(2) of this rule and Local Rule 9013-3(c).

(c) EFFECTIVE DATE OF EMPLOYMENT. An order approving the employment of a professional under this rule is effective as of the date the application was filed.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; May 1, 2019; October 1, 2019; January 1, 2021; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 2014-1 was restyled and amended to avoid unnecessary duplication and inconsistency with Fed. R. Bankr. P. 2014. Subsection (a) was amended to reference Local Rule 9013-3(a) and (c), with a few additional requirements. The required verification referenced in Local Rule 2014-1(a)(1) must include the verified statement requirements listed in Fed. R. Bankr. P. 2014(a). Subsection (b) was restyled. References to amended subsection (a) of this rule and Local Rule 9013-3(c) were added; no substantive changes were intended. Amended subsection (c) includes restyled language found in former subsection (b). The language in former subsection (c) was removed as to ensure consistency with Fed. R. Bankr. P. 2014. If the employment of a professional person is not authorized under 11 U.S.C. §§ 327, 1103, or 1114, a motion for such employment is required.

Rule 2015-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; October 1, 2019. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Former Local Rule 2015-1 was abrogated as unnecessary. The duty to make reports is governed by Fed. R. Bankr. P. 2015. Moreover, if the trustee in a chapter 12 or 13 case wishes to be heard regarding any request for relief, the trustee may file a response.

Rule 2015.1-1. Patient-Care Ombudsman's Report

When making a report under 11 U.S.C. § 333(b)(2) and Federal Rule of Bankruptcy Procedure 2015.1(a), a patient-care ombudsman must also give notice of the report to each entity that issues licenses to or regulates the debtor or the debtor's principal.

[Effective December 1, 2014. Amended effective October 1, 2019; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 2015.1-1 was restyled. A reference to 11 U.S.C. § 333(b)(2) was added; no substantive changes were intended. For other health care business rules, *see* Local Rules 1007-2(b) and 9013-2(b)(3).

Rule 2016-1. Compensation of Professional Persons

(a) NOTICE. Except as provided in subsection (b) of this rule, notice of any application for compensation must be sent to all creditors under Federal Rule of Bankruptcy Procedure 2002(a)(6) and such notice must state that any responses are due within 21 days of the filing of the application. If no response to the application is filed, the court may enter an order without further notice or a hearing.

(b) CHAPTER 7 CASES. In a chapter 7 case, an application for compensation filed in accordance with Federal Rule of Bankruptcy Procedure 2016(a) will be reviewed as part of the trustee's interim or final report. Therefore, the trustee's interim or final report satisfies the notice requirements of Federal Rule of Bankruptcy Procedure 2002(a)(6) and the applicant need not comply with subsection (a) of this rule.

(c) CHAPTER 13 CASES. In addition to the requirements in subsection (a) above, in a chapter 13 case, any application for compensation by a debtor's attorney must comply with the guidance maintained by the clerk.

(d) BANKRUPTCY PETITION PREPARERS. A bankruptcy petition preparer must complete, sign, and cause to be filed with the petition the bankruptcy petition preparer's notice, declaration, and signature (Official Form 119) and disclosure of compensation of bankruptcy petition preparer (Director's Form 2800). A bankruptcy petition preparer's compensation in a chapter 7 or 13 case is generally limited to $200.00. Any bankruptcy petition preparer paid more than $200.00 in any chapter 7 or 13 case must file an application for compensation in accordance with Federal Rule of Bankruptcy Procedure 2016(a) and subsections (a) and (b) of this rule.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; April 3, 2007; February 22, 2008; December 1, 2009; May 1, 2015; December 1, 2015; June 1, 2016; March 1, 2017; October 1, 2019; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 2016-1 was significantly revised to ensure consistency with the Federal Rules of Bankruptcy Procedure.

The language of former subsection (a) now appears in new subsection (b) with few modifications. New subsection (a) makes clear that 21 days' notice of the application must be given in accordance with Fed. R. Bankr. P. 2002(a)(6). If no response to the application is received, the court may grant the application without further notice or a hearing.

Any reference to a motion, which was found in former subsection (b), was removed. New subsection (b) contains much of the same language as former subsection (a) and specifically addresses chapter 7 cases. The procedure for filing and reviewing an application for compensation in a chapter 7 case is remaining the same.

The language of former subsection (c) was removed to ensure consistency with Fed. R. Bankr. P. 2016(a). Many of the requirements in former subsection (c) could be traced to the language in the federal rule. Other requirements, such as including a copy of the order approving the applicant's employment, stating the date that a plan was confirmed, and itemizing all unpaid administrative expenses, were deemed unnecessary. To comply with Fed. R. Bankr. P. 2016(a), specifically the requirement to describe the services rendered, the time expended, and expenses incurred, an applicant should generally attach its bills or timesheets, as applicable, to its application for compensation. New subsection (c) addresses chapter 13 cases only. When the debtor's attorney is filing an application for compensation, such application must comply with the guidance maintained by the clerk and available on the court's website at www.mnb.uscourts.gov. The guidance addresses the presumptively reasonable fee amounts and describes the types of services that are included in such amounts. Local Form 2016-1 was revised to conform to the guidance and to include certain formatting changes.

Former subsection (e) is now subsection (d) and was revised to avoid duplication with 11 U.S.C. § 110 and to reflect the clerk's current practice in this district. For example, former subsection (e)(4) was removed as 11 U.S.C. § 110 has sanction provisions. In addition, the provision in former subsection (e)(5) about the clerk providing notice of that

section was removed as that procedure does not reflect current practice. The amount permitted to be charged for preparation of a chapter 7 or 13 debtor's schedules and statements increased from $90.00 to $200.00. The amount is set by local rule, as the Supreme Court and the Judicial Conference of the United States have not set a maximum allowable fee under 11 U.S.C. § 110(h)(1). Finally, any reference to a motion was removed and replaced with a reference to an application. Because various subsections were removed, former subsection (e) was condensed to one paragraph without further subsections.

Rule 2016-2. Disclosure of Compensation in Adversary Proceeding

Any attorney representing a debtor in connection with an adversary proceeding, regardless of whether the attorney applies for compensation, must file a disclosure of compensation within 14 days after the attorney receives payment or enters into an agreement to represent the debtor in connection with the adversary proceeding, unless such attorney has previously filed a disclosure of compensation that discloses such payment or agreement. The disclosure must substantially comply with Local Form 2016-2.

[Effective June 1, 2021. Amended effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 2016-2 was restyled. The time to file the disclosure of compensation was changed to reflect a seven-day increment. No other substantive changes were intended. Local Form 2016-2 was also restyled; no substantive changes were intended.

Rule 2019-1. Disclosures by Groups, Committees, and Other Entities

(a) TIMING. If the group, committee, or other entity required to file a verified statement under Federal Rule of Bankruptcy Procedure 2019 is requesting relief, whether in a motion or in a response, the verified statement must be filed with the request for relief. If the group, committee, or other entity required to file a verified statement intends to solicit votes regarding confirmation of a plan, the verified statement must be filed within seven days of the filing of the plan.

(b) NOTICE. Notice of any verified statement filed under this rule must be given to the debtor, the attorney for the debtor, and the trustee or examiner. The verified statement must also be sent to the United States trustee.

[Effective December 1, 2011. Amended effective May 1, 2014; October 1, 2019; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 2019-1 was restyled and amended to avoid duplication with Fed. R. Bankr. P. 2019. The first sentence of former subsection (a) was removed, as the requirement to file the verified or supplemental statement is already found in Fed. R. Bankr. P. 2019(b) and (d). Subsection (a) was amended to just address timing. The time for filing the

verified statement if the entity intends to solicit votes on confirmation of a plan was changed from "no later than the date of the entry of the order approving the disclosure statement" in former subsection (b) to "within seven days of the filing of the plan" in amended subsection (a). This change was made because many cases do not have orders approving disclosure statements. Subsection (b) was amended to only address notice requirements. Entities should refer to Fed. R. Bankr. P. 2019(d) for when a supplemental statement may be required. Failure to comply with this rule may result in sanctions. *See* Fed. R. Bankr. P. 2019(e).

Rule 2020-1. [ABROGATED]

[Effective April 15, 1997. Amended effective October 1, 2019. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 2020-1 was abrogated as unnecessary. Parties should refer to the Federal Rules of Bankruptcy Procedure to determine whether the United States trustee must be served in any given instance. In addition, there are several provisions in the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure requiring debtors to cooperate with the United States trustee. *See, e.g.*, 11 U.S.C. § 521; Fed. R. Bankr. P. 4002.

Part III. Claims and Distribution to Creditors and Equity Interest Holders; Plans

Rule 3002-2. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; October 1, 2019. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3002-2 and Local Form 3002-2(c) were abrogated to ensure consistency with 11 U.S.C. § 503(b) and to ensure consistency across chapters. Specifically, 11 U.S.C. § 503(b) requires "notice and a hearing." *See also* 11 U.S.C. § 102(1) (defining "notice and a hearing"). To ensure a party has an opportunity for a hearing, a request for an administrative expense generally must be made by motion under Fed. R. Bankr. P. 9013 and Local Rule 9013-1 et seq. In limited circumstances, however, the Federal Rules of Bankruptcy Procedure authorize a request to be made by application. *See* Fed. R. Bankr. P. 9013(a) and 2016(a); 11 U.S.C. §§ 330(a) and 503(b)(2).

Rule 3002-3. [ABROGATED]

[Effective April 15, 1997. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3002-3 was abrogated to ensure consistency with Fed. R. Bankr. P. 3003(c)(2). Federal Rule of Bankruptcy Procedure 3003(c)(2) states in part, "A creditor or equity security holder whose claim or interest is not scheduled—or is scheduled as disputed, contingent, or unliquidated—must file a proof of claim or interest."

Rule 3003-1. Time for Non-Governmental Entities to File Proofs of Claim in Chapter 11 Cases

In a chapter 11 case, a proof of claim by a non-governmental entity must be filed not later than 90 days after the first date set for the meeting of creditors. In a subchapter V case, a proof of claim by a non-governmental entity must be filed not later than 70 days after the date of the order for relief under that chapter.

[Effective April 15, 1997. Amended effective January 9, 2006; amended and renumbered as 3003-1 on September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3002-1 was renumbered to Local Rule 3003-1 since it corresponds to Fed. R. Bankr. P. 3003(c)(3). The title of the rule was amended to reflect that the rule pertains to the time for filing proofs of claim for non-governmental entities. Previously abrogated subsections (a) and (b) were removed. Because subsections (a) and (b) were removed, the subsection (c) designation was also removed. The substance of former subsection (c) is now the substance of the rule in its entirety, with a few changes. A new 70-day deadline to file a proof of claim in a subchapter V case was added. When proceeding under subchapter V, a plan must be filed within 90 days of the petition date under 11 U.S.C. § 1189(b). Therefore, a proof of claim deadline sooner than 90 days is helpful. *See also* 11 U.S.C. § 1188(a) (requiring that a status conference be held within 60 days of the order for relief). Further, the qualifier "by a non-governmental entity" was added to make clear that these deadlines do not apply to governmental entities. Under

11 U.S.C. § 502(b)(9)(A), "a claim of a governmental unit shall be timely filed if it is filed before 180 days after the date of the order for relief or such later time as the Federal Rules of Bankruptcy Procedure may provide." *See also* 3002(c)(1) (providing the same deadline in chapter 7, 12, and 13 cases).

Rule 3007-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; May 1, 2015; October 1, 2019. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3007-1 was abrogated to ensure consistency with Fed. R. Bankr. P. 3007 and to avoid duplication of the same. The 1983 Advisory Committee Notes to Fed. R. Bankr. P. 9014 remark that "the filing of an objection to a proof of claim" constitutes a contested matter. Under Fed. R. Bankr. P. 9014(a), "relief must be requested by motion." While Local Rule 9013-1(a)(1) generally requires a notice of hearing and motion in conformance with Local Form 9013-1, Fed. R. Bankr. P. 3007(a) makes clear that notice of an objection to a claim must substantially conform to Official Form 420B. A party filing a motion objecting to a claim should use Official Form 420B instead of Local Form 9013-1. Lastly, the provision about counterclaims was removed as duplicative of Fed. R. Bankr. P. 3007(b).

Rule 3009-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3009-1 was abrogated to avoid duplication of the United States Bankruptcy Code and the Federal Rules of Bankruptcy Procedure and to reflect current practice in this district. Subsection (a) was removed as it was previously abrogated. Subsection (b)(1) was removed as unnecessary and to avoid duplication with 11 U.S.C. § 503(a) and (b), as well as Fed. R. Bankr. P. 5009(a). Subsection (b)(2) was removed to avoid duplication with Fed. R. Bankr. P. 2002(f)(1)(I), which indicates that notice to all creditors of a trustee's final report in a chapter 7 case is only necessary "if the net proceeds realized exceed $1,500." Lastly, subsection (b)(3) was removed because if additional assets are discovered after final distributions have been made, the current practice in this district is to file a new final report and final account. For more information on distributions and final reports and accounts in chapter 7 cases, please refer to the Handbook for Chapter 7 Trustees maintained by the U.S. Trustee Program and available at https://www.justice.gov/ust/private-trustee-handbooks-reference-materials/.

Rule 3010-1. Small Dividends and Payments in Chapter 13 Cases

Under Federal Rule of Bankruptcy Procedure 3010(b), the trustee in a chapter 13 case may make payments of less than $15.00.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; September 3, 2025.]

2025 Advisory Committee Notes

The amendments to Local Rule 3010-1 are stylistic only; no substantive changes were intended.

Rule 3011-1. Unclaimed Funds

Any deposit from a trustee under Federal Rule of Bankruptcy Procedure 3011 and 11 U.S.C. § 347(a) that exceeds $500.00 must be accompanied by a statement from the trustee using the form provided by the clerk. The statement must briefly describe the efforts made to locate the creditor or debtor.

[Effective April 15, 1997. Amended effective January 1, 2002; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3011-1 was restyled and amended to change the procedure for depositing unclaimed funds with the court. The title of the rule was amended to change "dividends" to "funds" to reflect the language used in Fed. R. Bankr. P. 3011. Subsection (a) was removed as it was previously abrogated. Because subsection (a) was removed, the subsection (b) designation was also removed. The rule now requires the trustee to file a statement on a form provided by the clerk if the amount of the deposit exceeds $500.00. The statement must describe the efforts made to locate the creditor or debtor. According to the Handbooks for Chapter 7 and Chapter 13 Trustees maintained by the U.S. Trustee Program, the trustee must make a reasonable effort to locate creditors who do not promptly cash their checks or whose checks are returned as undeliverable. *See also* 28 U.S.C. § 586.

Rule 3012-1. [ABROGATED]

[Effective April 1, 2013. Amended effective December 1, 2017; May 1, 2019; October 1, 2019. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3012-1 was abrogated to ensure consistency with Fed. R. Bankr. P. 3012(b)(1) and 5009(d). Federal Rule of Bankruptcy Procedure 3012(b)(1) allows a debtor to request a determination of the amount of a secured claim by motion, in a claim objection, or in a plan. It also allows a debtor to request a determination of priority status by motion or in a claim objection. While no longer required, when making a request under Fed. R. Bankr. P. 3012(b)(1), the information listed in abrogated subsection (a) may still be helpful to the court including, the name of the creditor holding the claim, the appraised value of the property, the address and legal description of the property, the name of each entity holding a lien on the property, copies of all recorded lien instruments, and an abstract or Owners and Encumbrance Report.

As to abrogated subsection (b), parties should refer to Fed. R. Bankr. P. 5009(d) when requesting an order declaring a lien satisfied and released. When making a request under Fed. R. Bankr. P. 5009(d), the information listed in abrogated subsection (b) may still be helpful to the court including, the date of confirmation of the debtor's plan, the legal description of the property, the date the debtor completed payments under the plan, copies of all recorded lien instruments, and an abstract or Owners and Encumbrance Report.

Because Local Rule 3012-1 was abrogated, Local Form 3012-1(b) was also abrogated.

Rule 3015-1. Chapter 12 or 13 – Filing Plans, Modifying Plans, and Objecting to Confirmation

(a) CHAPTER 13 PLAN FORM. A chapter 13 plan must conform to Local Form 3015-1.

(b) INITIAL PLAN. The clerk will include the initial chapter 12 or 13 plan with the meeting of creditors notice. However, in accordance with Federal Rule of Bankruptcy Procedure 3015(d), if the initial chapter 12 or 13 plan is filed after the clerk sends the meeting of creditors notice, the chapter 12 or 13 debtor must serve the plan and give notice of the confirmation hearing as provided in Federal Rule of Bankruptcy Procedure 2002 and file proof of such service and notice.

(c) MODIFICATIONS. A chapter 12 or 13 debtor must file and serve the modified plan, or a motion to modify the plan, as applicable, and give notice of the confirmation hearing, including the date, time, and place of the hearing and the objection deadline, as provided in Federal Rule of Bankruptcy Procedure 2002 and file proof of such service and notice.

(d) OBJECTIONS. For purposes of Federal Rules of Bankruptcy Procedure 3015(f) and (h) and 9014(a), any objection to confirmation of a chapter 12 or 13 plan need only comply with Local Rules 9006-1(b) and 9013-1(b) and (c).

[Effective April 15, 1997. Amended effective January 9, 2006; October 1, 2019; January 1, 2021; September 3, 2025.]

2025 Advisory Committee Notes

The title of Local Rule 3015-1 was amended to include chapter 12 cases. Subsection (a) was amended to remove unnecessary language about signatures and dates. That subsection requires that a chapter 13 plan conform to Local Form 3015-1, which has placeholders for signatures and dates. Signatures are addressed in Local Rule 9011-1. Local Form 3015-1 was amended to remove language referring to abrogated Local Rule 3012-1. Local Form 3015-1 was further amended to, among other things, identify or address: (1) all security interest holders or lienholders whose interests or liens are subject to avoidance; (2) the treatment of tax returns; (3) cure payments; and (4) lien avoidance.

Subsection (b) was amended to include chapter 12 cases and to make clear that if the debtor files a plan after the clerk sends the meeting of creditors notice, the debtor must serve the plan and give notice of the confirmation hearing.

Subsection (c) was amended to include chapter 12 cases and to address modifications generally, whether the modification is pre-confirmation or post-confirmation. *See, e.g.*, 11 U.S.C. § 1323(a)–(b) ("The debtor may modify the plan at any time before confirmation . . . After the debtor files a modification under this section, the plan as modified becomes the plan."). The ten-day filing period was removed to ensure consistency with Fed. R. Bankr. P. 2002(a)(8)–(9) and (b). Subsection (d) was removed as unnecessary. Both 11 U.S.C. §§ 1229(b)(2) and 1329(b)(2) imply that court approval of the modification is required. Moreover, Fed. R. Bankr. P. 3015(h) mentions "[a] request to modify a confirmed plan." A request for court approval, or a court order, must generally be made by motion under Fed. R. Bankr. P. 9013(a). Further, Fed. R. Bankr. P. 3015(h) already requires 21 days' notice of the time for filing objections to the proposed modification. *See also* Fed. R. Bankr. P. 3015(h) advisory committee's note to 2017 amendment ("Unless required by another rule, service under this subdivision [of the proposed modification] does not need to be made in the manner provided for service of a summons and complaint by Rule 7004.") For a chapter 13 debtor seeking a reduction in plan payments, the debtor may attach to the motion proof of the debtor's current monthly income and expenses using the format of Schedules I, J, and J-2, as applicable. When submitted with a motion to modify the plan, Schedules I, J, and J-2 will not be considered amended schedules.

Subsection (e) was renumbered to subsection (d). It makes clear that for purposes of Federal Rules of Bankruptcy Procedure 3015(f) and (h) and 9014(a), any objection to confirmation of a chapter 12 or 13 plan need only comply with Local Rules 9006-1(b) and 9013-1(b) and (c). For example, no notice of hearing and motion is required. The

confirmation hearing is the relevant hearing for purposes of the objection and no separate notice of hearing is required. However, parties must still comply with the service requirements of Fed. R. Bankr. P. 3015, 9014(b), and 7004, as well as Local Rules 9013-2 and 9036-1. The remainder of former subsection (d) was removed to ensure consistency with Fed. R. Bankr. P. 3015(f) and (h) and Local Rule 9006-1(b).

Subsection (f) was removed as unnecessary and to ensure consistency with Fed. R. Bankr. P. 3015(f)(2), which states, "If no objection is timely filed, the court may, without receiving evidence, determine that the plan has been proposed in good faith and not by any means forbidden by law."

Rule 3015-2. [ABROGATED]

[Effective April 15, 1997. Amended effective January 9, 2006; April 17, 2009; December 1, 2009; December 1, 2014; October 1, 2019; March 1, 2020; January 1, 2021. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3015-2 was abrogated as chapter 12 cases are now addressed in Local Rule 3015-1, along with chapter 13 cases.

Rule 3016-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 9, 2006; January 1, 2021. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3016-1 was abrogated as unnecessary. Disclosure statements are signed and dated by the proponent as a matter of course. *See also* Local Rule 9011-1.

Rule 3017-1. Chapter 11 – Objections to Approval of Disclosure Statements

For purposes of Federal Rules of Bankruptcy Procedure 3017(a) and 9014(a), any objection to the approval of a disclosure statement in a chapter 11 case need only comply with Local Rules 9006-1(b) and 9013-1(b) and (c).

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; October 1, 2019; January 1, 2021; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3017-1 was retitled and amended to reflect that for purposes of Fed. R. Bankr. P. 3017(a) and 9014(a), any objection to the approval of a disclosure statement in a chapter 11 case need only comply with Local Rules 9006-1(b) and 9013-1(b) and (c). For example, no notice of hearing and motion is required. The hearing on the disclosure statement is the relevant hearing for purposes of the objection and no separate notice of hearing is required. However, parties must still comply with the service requirements of Fed. R. Bankr. P. 3017(a), 9014(b), and 7004, as well as Local Rules 9013-2 and 9036-1.

Rule 3017.1-1. Objections to Approval of Disclosure Statements in Small Business or Subchapter V Cases

For purposes of Federal Rules of Bankruptcy Procedure 3017.1(c)(2) and 9014(a), any objection to the approval of a disclosure statement in a small business or subchapter V case need only comply with Local Rules 9006-1(b) and 9013-1(b) and (c).

[Effective January 1, 2002. Amended effective January 9, 2006; October 1, 2019; January 1, 2021; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3017.1-1 was retitled to reflect that it only addresses objections to a disclosure statement in small business or subchapter V cases. Subsection (a) was removed to ensure consistency 11 U.S.C. §§ 1125(f), 1181, and 1187, as well as Fed. R. Bankr. P. 3017.1(b). Under the referenced statutes, a small business or subchapter V debtor may not need to file a separate disclosure statement if the court determines that adequate information is contained in the plan. The provisions about transmitting the plan and the disclosure statement were removed as unnecessary because that requirement is addressed in Fed. R. Bankr. P. 3017(d), which is incorporated by Fed. R. Bankr. P. 3017.1(b). Subsection (b) was removed to ensure consistency with Fed. R. Bankr. P. 3017.1, which allows a disclosure statement to be conditionally approved by motion. Notice of the time to file objections is sent after conditional approval. *See* Fed. R. Bankr. P. 3017.1(c)(1). Subsection (c) was removed as transmittal and notice requirements are addressed in Fed. R. Bankr. P. 3017.1(a) and (c)(1). Finally, subsection (d) was removed as the amended text of Local Rule 3017.1-1 makes clear that for purposes of Fed. R. Bankr. P. 3017.1(c)(2) and 9014(a), any objection to the approval of a disclosure statement in a small business or subchapter V case need only comply with Local Rules 9006-1(b) and 9013-1(b) and (c). For example, no notice of hearing and motion is required. The final hearing on the disclosure statement is the relevant hearing for purposes of the objection and no separate notice of hearing is required. However, parties must still comply with the service requirements of Fed. R. Bankr. P. 3017.1(c)(2), 9014(b), and 7004, as well as Local Rules 9013-2 and 9036-1. The time for objecting to a disclosure statement will be set by the court in an order under Fed. R. Bankr. P. 3017.1(a).

Rule 3019-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 1, 2021. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3019-1 was abrogated to ensure consistency with Fed. R. Bankr. P. 3019 and 11 U.S.C. § 1127. Federal Rule of Bankruptcy Procedure 3019(a) remarks, "In a . . . Chapter . . . 11 case, after a plan has been accepted and before confirmation, the plan proponent may file a modification." Therefore, subsection (a) was unnecessary. Similarly, Fed. R. Bankr. P. 3019(b) remarks that for individual chapter 11 cases, a request to modify the plan under 11 U.S.C. § 1127(e) is governed by Fed. R. Bankr. P. 9014. Federal Rule of Bankruptcy Procedure 9014(a) generally requires a motion. While Fed. R. Bankr. P. 3019 does not address non-individual cases, 11 U.S.C. § 1127(b) makes clear that notice and a hearing is required, as well as a court order confirming the plan. To obtain a court order, the proponent of the plan or the reorganized debtor would be required to file a motion. *See generally* Fed. R. Bankr. P. 9013(a) ("A request for an order must be made by written motion unless: (1) an application is authorized by these rules; or (2) the request is made during a hearing."). Therefore, subsection (b) was also unnecessary.

Rule 3020-1. Chapter 11 – Confirmation of a Plan

(a) OBJECTIONS. For purposes of Federal Rules of Bankruptcy Procedure 3020(b)(1) and 9014(a), any objection to confirmation of a chapter 11 plan need only comply with Local Rules 9006-1(b) and 9013-1(b) and (c).

(b) REPORT OF BALLOT TABULATION. Attorneys for the plan proponent and the committee of unsecured creditors must count the ballots and file a report of the tabulation not later than 24 hours before the confirmation hearing. The report must conform substantially to Local Form 3020-1.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; October 1, 2019; January 1, 2021; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 3020-1 was amended to reflect current practice and to ensure consistency with Fed. R. Bankr. P. 3020. Subsection (a) was amended to make clear that for purposes of Fed. R. Bankr. P. 3020(b)(1) and 9014(a), any objection to confirmation of a chapter 11 plan need only comply with Local Rules 9006-1(b) and 9013-1(b) and (c). For example, no notice of hearing and motion is required. The confirmation hearing is the relevant hearing for purposes of the objection and no separate notice of hearing is required. With that change, subsection (a)(1) was removed. However, parties must still comply with the service requirements of Fed. R. Bankr. P. 3020(b)(1), 9014(b), and 7004, as well as Local Rules 9013-2 and 9036-1. Subsection (a)(2) was also removed as unnecessary. The court enters a scheduling order that contains a deadline for objecting to confirmation of a chapter 11 plan. The changes to subsection (b) are stylistic only; no substantive changes were intended. Local Form 3020-2 was renumbered to Local Form 3020-1 and restyled. Subsection (c) was removed in its entirety as unnecessary and to ensure consistency with Fed. R. Bankr. P. 3020(b)(3). Federal Rule of Bankruptcy Procedure 3020(b)(3) allows the court to make certain determinations without receiving evidence if no objection is filed.

Rule 3021-1. Chapter 13 – Adequate Protection Payments Paid Through Trustee

In a chapter 13 case, adequate protection payments must be paid through the trustee, unless the plan provides as a nonstandard provision that such payments must be paid by the debtor directly to the creditor.

[Effective January 9, 2006. Amended effective December 1, 2015; September 3, 2025.]

2025 Advisory Committee Notes

The amendments to Local Rule 3021-1 are stylistic only; no substantive changes were intended. Under 11 U.S.C. § 1326(a)(1)(C), the debtor generally pays adequate protection payments to the creditor directly. However, 11 U.S.C. § 1326(a)(1) allows the court to order otherwise. Through Local Rule 3021-1, the court is ordering otherwise and requiring that adequate protection payments generally go through the trustee. *See also* Local Rule 9029-1(a) ("These Local Rules constitute an order of the court . . . ."). Local Form 3015-1 requires the same.

Part IV. The Debtor: Duties and Benefits

Rule 4001-1. Motion for Relief from the Automatic Stay

(a) PRINCIPAL RESIDENCE. A motion for relief from the automatic stay under 11 U.S.C. § 362(d) and Federal Rule Bankruptcy Procedure 4001(a) as to an individual debtor's principal residence must include a verification with the following information:

(1) Evidence of standing. Evidence that the moving party has standing to bring the motion, including, at a minimum:

(A) a copy of the note;

(B) a copy of the mortgage;

(C) evidence of perfection of the mortgage; and

(D) if the moving party is not the original mortgagee, evidence of an assignment or other similar document.

(2) Description of property. The legal description and address of the property.

(3) Value. The current tax-assessed value of the property and the moving party's estimate of current market value.

(4) Loan History. If the motion alleges a default in making payments to the moving party, a complete loan history beginning on the date of the default applicable to the motion, up to the date of the verification. The loan history must be provided on Local Form 4001-1(a).

(5) Equity. If the amount of equity is at issue, the name of all other lienholders, the amounts due, as scheduled or as provided in any proofs of claim, and their priority with respect to the moving party.

(6) Payments to Chapter 13 Trustee. If the motion alleges a default in making plan payments to the chapter 13 trustee, the month, amount, and status of such payments.

(b) PROPOSED ORDER GENERALLY. If a motion seeks relief from the automatic stay as to property, the proposed order must substantially conform to Local Form 4001-1(b)(1) (pre-discharge) or Local Form 4001-1(b)(2) (post-discharge).

[Amended effective May 1, 2014; December 1, 2014; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 4001-1 was retitled to better conform to Fed. R. Bankr. P. 4001(a). Subsection (a) was removed as unnecessary as Local Rules 9013-1 and 9013-2 apply to motions generally. Former subsection (b) was renumbered to subsection (a) and restyled; no substantive changes were intended. Note, as before, amended subsection (b) applies to motions for relief from the automatic stay generally, not just those pertaining to a principal residence. Local Form 4001-1 was renumbered to Local Form 4001-1(a) and restyled; no substantive changes were intended. Former subsection (c) was renumbered to subsection (b) and given a title. Local Forms 4001-2(a) and 4001-2(b) were renumbered to Local Forms 4001-1(b)(1) and 4001-1(b)(2), respectively, and restyled; no substantive changes were intended.

Rule 4001-2. Motion for Authorization to Use Cash Collateral

For any motion for authorization to use cash collateral, in addition to the requirements in Federal Rule of Bankruptcy Procedure 4001(b)(1)(B), the debtor must include a verification with the following information:

(a) the debtor's calculation of the amount of debt secured by the cash collateral;

(b) the debtor's description of the cash collateral;

(c) the debtor's estimate of the cash collateral's value on the petition date;

(d) the debtor's estimate of the cash collateral's value at the beginning of the period of time for which the debtor seeks authorization to use cash collateral;

(e) the debtor's estimate of the cash collateral's value at the end of the period of time for which the debtor seeks authorization to use cash collateral; and

(f) the debtor's cash flow projections.

[Effective April 15, 1997. Amended effective January 1, 2002; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 4001-2 was retitled to better conform to Fed. R. Bankr. P. 4001(b). Subsection (b) was removed as duplicative of Fed. R. Bankr. P. 4001(b)(1)(B) and (b)(2). Former subsection (a) was renumbered in light of the removal of subsection (b).

Rule 4002-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 9, 2006. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 4002-1 was abrogated as duplicative of Fed. R. Bankr. P. 4002(a)(5), which requires a debtor to file a statement of any change of the debtor's address.

Rule 4003-1. Notice of an Amendment to a Claimed Exemption

The debtor must give notice of an amendment to a claimed exemption under Federal Rules of Bankruptcy Procedure 1009 and 4003 to the trustee and all creditors and file proof of such notice.

[Effective April 15, 1997. Amended effective January 9, 2006; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 4003-1 was amended to only address notice of an amendment to a claimed exemption (Schedule C). Notice must be given to all creditors. *See generally* 9 Collier on Bankr. ¶ 1009.02[2] (discussing the importance of such notice). Similar language used to appear in former Local Rule 1009-1(b)(3). Subsection (a) was removed as duplicative of Fed. R. Bankr. P. 9014(a), which requires that for a "contested matter . . . relief must be requested by motion." The 1983 Advisory Committee Notes to that rule make clear that "an objection . . . to a claim of exemption" constitutes a "contested matter." Further, if an amended Schedule C is subsequently filed, the motion objecting to a claimed exemption may be moot. If a case is closed before the court rules on a motion objecting to a claimed exemption, the court may address any issues upon the reopening of the case. Subsection (b) was also removed as unnecessary. As such, Local Form 4003-1 was abrogated. The clerk maintains instructions on the court's website at www.mnb.uscourts.gov for requesting a certified copy of Schedule C.

Rule 4004-1. Debtor's Certifications Regarding Domestic Support Obligations and 11 U.S.C. § 522(q)

(a) LOCAL FORM 4004-1. A certification regarding domestic support obligations under 11 U.S.C. §§ 1228(a) or 1328(a), or a certification regarding 11 U.S.C. § 522(q) under 11 U.S.C. §§ 727(a)(12), 1141(d)(5)(C), 1228(f), or 1328(h) and Federal Rule of Bankruptcy Procedure 1007(b)(8), must:

(1) Conform to Local Form 4004-1; and

(2) In a chapter 7 case, be filed with the petition or within 14 days thereafter.

(b) MOTION FOR TIMELY ENTRY OF DISCHARGE. If the debtor indicates in Part III, Subpart B of Local Form 4004-1 that the debtor has claimed an exemption as described in 11 U.S.C. § 522(q)(1) and 11 U.S.C. § 522(q)(1)(A) or (B) may be applicable, the debtor must file and serve a motion requesting the timely entry of a discharge. In addition to complying with Local Rules 9013-1 and 9013-2, the debtor must give notice of the motion to all creditors.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; October 1, 2009. Subdivision (a) amended September 23, 2010, effective as to all individual chapter 11 cases filed

on or after October 17, 2005, and in which an order of discharge had not been entered as of October 1, 2010. Amended effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 4004-1 was retitled to better conform to the substance of the rule. Local Rule 4004-1 now only addresses certifications regarding domestic support obligations and 11 U.S.C. § 522(q). These certifications are required for a discharge. Amended subsection (a)(1) makes clear that such certifications must conform to Local Form 4004-1. Local Form 4004-1 was amended to add additional chapters besides chapters 12 and 13. Section 522(q) is at issue in chapter 7 cases and chapter 11 cases under 11 U.S.C. §§ 727(a)(12) and 1141(d)(5)(C), respectively. *See also* Fed. R. Bankr. P. 4004(c)(1)(I) ("In a Chapter 7 case, . . . the court must promptly grant the discharge—except [if] . . . a motion is pending to delay or postpone a discharge under § 727(a)(12)."). Thus, while chapter 7 is not mentioned in Fed. R. Bankr. P. 1007(b)(8), the local rule requires a certification because of 11 U.S.C. § 727(a)(12). Local Form 4004-1 was also amended to request additional information regarding the potential applicability of 11 U.S.C. § 522(q)(1)(A) or (B). *See also* Fed. R. Bankr. P. 4003(b)(3) ("An objection based on § 522(q) must be filed: (A) before the case is closed; or (B) if an exemption is first claimed after a case has been reopened, before the reopened case is closed."). Other changes are stylistic.

Amended subsection (a)(2) addresses the time for filing Local Form 4004-1 in chapter 7 cases. It was not necessary to specify the time in a chapter 11, 12, or 13 case because Fed. R. Bankr. P. 1007(c) already mandates that the form must be filed no earlier than the date of the last payment made under the plan or the date of the filing of a motion for a discharge under 11 U.S.C. §§ 1141(d)(5)(B), 1228(b), or 1328(b). Further, under Fed. R. Bankr. P. 4004(c)(3), in a chapter 11, 12, or 13 case, the court "must not grant a discharge until at least 30 days after the statement is filed."

Amended subsection (b) ensures conformance with Fed. R. Bankr. P. 2002(f)(1)(L). Under Fed. R. Bankr. P. 2002(f)(1)(L), in a chapter 11, 12, or 13 case, notice to all creditors must be given of the time to request a delay in the entry of the debtor's discharge under 11 U.S.C. §§ 1141(d)(5)(C), 1228(f), or 1328(h). The objection deadline in the motion is the time to request a delay in the entry of the debtor's discharge. The purpose of the delay is to investigate potential objections to exemptions based on 11 U.S.C. § 522(q). Amended subsection (b) makes notice to all creditors required in a chapter 7 case too.

Former subsection (a) was revised to remove the requirement that a trustee in a chapter 12 or 13 case file a final report and final account after the debtor completes plan payments. That requirement was duplicative of 11 U.S.C. § 704(a)(9), which is incorporated into chapter 12 and 13 cases by 11 U.S.C. §§ 1202(b)(1) and 1302(b)(1). *See also* Fed. R. Bankr. P. 5009(a) (indicating a chapter 7, 12, or 13 case can be closed after the trustee files a final report and final account and has certified that the estate has been fully administered). Former subsection (a) was further revised to remove the provision about the court entering an order for discharge upon the debtor's filing of Local Form 4004-1. Filing Local Form 4004-1 is not the only requirement for receiving a discharge. Finally, former subsection (a) was revised to remove the requirement that an individual chapter 11 debtor file a motion for discharge. That requirement may not apply in a case under subchapter V where the discharge is often statutorily determined unless the plan provides otherwise. In addition, for non-subchapter V cases, that requirement was duplicative of 11 U.S.C. § 1141(d)(5)(A) and Fed. R. Bankr. P. 9013, which generally requires that a request for an order be made by motion. It is incumbent on the individual chapter 11 debtor to inform the court, through a motion, that all plan payments have been completed and the debtor is eligible for a discharge.

Former subsection (b) was abrogated to ensure consistency with and avoid duplication of Fed. R. Bankr. P. 4007(d). Federal Rule of Bankruptcy Procedure 4007(d) requires a motion for hardship discharge, not an application. Further, that rule only applies to chapter 13 cases, not chapter 12 cases. In chapter 12 cases, while a motion is still required, it is not necessary for the court to fix the time to file a complaint to determine the dischargeability of any debt under 11 U.S.C. § 523(a)(6) because that time was already set in the meeting of creditors notice. *Compare* 11 U.S.C. §

1228(a)(2) (generally excepting debts under 11 U.S.C. § 523(a) from discharge), *with* 11 U.S.C. § 1328(a)(2) (excepting certain debts under 11 U.S.C. § 523(a) from discharge, but not debts under 11 U.S.C. § 523(a)(6)). Please refer to the court's website at www.mnb.uscourts.gov for filing guidance on motions for hardship discharge.

Rule 4004-3. [ABROGATED]

[Effective April 15, 1997. Amended effective January 9, 2006; May 1, 2014. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 4004-3 was abrogated as unnecessary and inconsistent with Fed. R. Bankr. P. 4004(c)(2). Under Fed. R. Bankr. P. 4004(c)(2), the court may delay the entry of an order granting a discharge upon a motion filed by the debtor.

Rule 4008-1. Reaffirmation Agreement

An agreement to reaffirm a debt in whole or in part must conform to Director's Form 2400A/B ALT.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; December 1, 2015; October 1, 2019; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 4008-1 was retitled to better conform to Fed. R. Bankr. P. 4008(a). Subsection (a) was removed as unnecessary. Based on the filing with the court, the court will determine whether a hearing is necessary and schedule such hearing accordingly. Subsection (b) was removed as duplicative of Fed. R. Bankr. P. 4008(a). Federal Rule of Bankruptcy Procedure 4008(a) requires that every reaffirmation agreement be accompanied by Official Form 427. Local Form 4008-1(a), or Local Form 4008-1 as it was titled on the Court's website, was abrogated. Parties should use Director's Form 2400A/B ALT instead.

Part V. Bankruptcy Courts and Clerks

Rule 5005-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; October 1, 2019. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 5005-1 was abrogated as follows. Subsection (a) was removed as duplicative of Fed. R. Bankr. P. 5005(a)(2)(A) which generally requires an entity represented by an attorney to file electronically. For instructions on how to file electronically, including how to register as a Filing User, refer to the court's website at www.mnb.uscourts.gov. *See also* Local Rule 9001-1(c) (defining "Filing User"). Subsection (b) was removed as unnecessary. Again, the clerk maintains instructions on the court's website for how to register as a Filing User. Subsection (c) was removed as duplicative of Fed. R. Bankr. P. 5005(a)(2)(B) which generally prohibits an individual not represented by an attorney from filing electronically. Subsection (d) was removed as unnecessary. ECF is now the accepted and required method for filing documents in accordance with the rules. *See also* Fed. R. Bankr. P. 5005(a)(2)(D) ("A paper filed electronically is a written paper for purposes of these rules, the Federal Rules of Civil Procedure made applicable by these rules, and § 107 of the Code."). Use of the "Inbox" is generally not permitted. To use the "Inbox," a party must obtain permission from the judge's courtroom deputy. The provision regarding filing before midnight was removed as duplicative of Fed. R. Bankr. P. 9006(a)(4)(A). Lastly, subsection (e) was removed because there is necessary processing time between the clerk's office receiving a document (by mail or in person) and filing a document.

Rule 5009-1. [ABROGATED]

[Effective May 1, 2014. Amended effective October 1, 2019. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 5009-1 was abrogated as the language of the rule now appears in amended Local Rule 6007-1. Instead of an application, a motion is required. *See generally* Fed. R. Bankr. P. 9013 (requiring that a request for an order be made by motion).

Rule 5010-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; October 1, 2019. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 5010-1 was abrogated to ensure consistency with 11 U.S.C. § 350(b) and Fed. R. Bankr. P. 5010. Subsections (a) and (b) were removed as 11 U.S.C. § 350(b) states the grounds for reopening a case, including to administer assets, to accord to relief to the debtor, or for other good cause. *See also In re Johnson*, 500 B.R. 594, 597 (Bankr. D. Minn. 2013) ("A motion to reopen a bankruptcy case should be granted only where there is a compelling

reason."). The 1983 Advisory Committee Notes to Fed. R. Bankr. P. 5010 further state, "Although a case has been closed the court may sometimes act without reopening the case. Under Rule 9024, clerical errors in judgments, orders, or other parts of the record or errors therein caused by oversight or omission may be corrected. A judgment determined to be non-dischargeable pursuant to Rule 4007 may be enforced after a case is closed by a writ of execution obtained pursuant to Rule 7069." Subsection (c) was removed as Fed. R. Bankr. P. 5010 states "[a] case may be reopened on motion of the debtor or other party in interest . . . ." Finally, subsection (d) was removed as the Bankruptcy Court Miscellaneous Fee Schedule, available on www.uscourts.gov, lists several instances where the reopening fee must not be charged, such as: (1) to permit a party to file a complaint to obtain a determination under Fed. R. Bankr. P. 4007(b); (2) when a debtor alleges a violation of the terms of the discharge under 11 U.S.C. § 524; or (3) to redact a record already filed in the case under Fed. R. Bankr. P. 9037. The Bankruptcy Court Miscellaneous Fee Schedule further notes, "The court may waive this fee under appropriate circumstances or may defer payment of the fee from trustees pending discovery of additional assets. If payment is deferred, the fee should be waived if no additional assets are discovered." Waiver is governed by 28 U.S.C. § 1930(f).

Rule 5011-1. Withdrawal of Reference

(a) GENERALLY. A motion for withdrawal of reference under 28 U.S.C. § 157(d) and Federal Rule of Bankruptcy Procedure 5011(a) must be filed with the clerk of the bankruptcy court. Any other party in interest may serve and file a response within 14 days after service of the motion. The clerk of the bankruptcy court will transmit the motion and any response to the clerk of the district court. If the district court orders a withdrawal of the reference, the clerk of the bankruptcy court will transmit all relevant documents to the clerk of the district court.

(b) JURY TRIAL. Where the right to a jury trial has been asserted, and the proceeding is not yet trial ready, any motion for withdrawal of reference under subsection (a) of this rule must also state specific grounds for why the reference should be withdrawn before the proceeding is trial ready.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; October 1, 2019; September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 5011-1 was amended to add subsections. New subsection (a) addresses withdrawal of reference generally. Citations to 28 U.S.C. § 157(d) and Fed. R. Bankr. P. 5011(a) were added. The provision regarding abstention, remand, and transfer was removed to ensure consistency with 28 U.S.C. § 157(d). Abstention is addressed in 28 U.S.C. § 1334(c). The provision about first filing a motion for stay with the bankruptcy court was removed as duplicative of Fed. R. Bankr. P. 5011(c), which states that a motion filed under Fed. R. Bankr. P. 5011(a) or (b) "does not stay proceedings in a case or affect its administration. But a bankruptcy judge may, on proper terms and conditions, stay a proceeding until the motion is decided." The remaining changes are stylistic or were made to add clarity, such as whether it is the bankruptcy court clerk or the district court clerk who will transmit certain documents.

Subsection (b) was added to address situations where the right to a jury trial has been asserted, but where the proceeding is not yet trial ready. It requires the moving party to assert the specific grounds for withdrawing the reference before the proceeding is trial ready. *See, e.g.*, *Kelley v. JPMorgan Chase & Co.*, 464 B.R. 854, 863–67 (D. Minn. 2011) (explaining how the motion for withdrawal of reference was premature).

Please see the 2025 Advisory Committee Notes to Local Rule 9029-2 regarding the former reference to the rule being promulgated by the district court.

Rule 5011-3. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 5011-3 was abrogated to ensure consistency with 28 U.S.C. § 157(b)(5), (c)(1), and (d). If there is a right to a jury trial and the parties have not consented to the bankruptcy judge conducting the jury trial under Fed. R. Bankr. P. 9015(b), a party can request a withdrawal of the reference under 28 U.S.C. § 157(d), Fed. R. Bankr. P. 5011(a), and Local Rule 5011-1. Likewise, if the case involves a personal injury tort or wrongful death claim, a party can seek an order from the district court under 28 U.S.C. § 157(b)(5) and (d), Fed. R. Bankr. P. 5011(a), and Local Rule 5011-1 withdrawing the reference for trial. *See also* 28 U.S.C. § 1411 (discussing title 11 and jury trials generally). If a case involves title 11 and other laws affecting interstate commerce, a party can seek a mandatory withdrawal of the reference under 28 U.S.C. § 157(d), Fed. R. Bankr. P. 5011(a), and Local Rule 5011-1. Finally, the procedure for a bankruptcy judge hearing a non-core proceeding in which a party has not consented to entry of final orders by the bankruptcy court is generally governed by 28 U.S.C. § 157(c)(1), Fed. R. Bankr. P. 9033, and Local Rule 9033-1. The bankruptcy judge is required to issue proposed findings of fact and conclusions of law and the parties can assert objections to such findings and conclusions. Please see the 2025 Advisory Committee Notes to Local Rule 9029-2 regarding the former reference to the rule being promulgated by the district court.

Rule 5071-1. Request for a Continuance

The court has the discretion to grant or deny a request for a continuance. If a continuance is granted before the hearing, the party requesting the continuance must give notice of such continuance and the date and time for the rescheduled hearing to each entity that received notice of the hearing and file proof of such notice.

[Effective April 15, 1997. Amended effective January 9, 2006; October 1, 2019; September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 5071-1 was amended to remove unnecessary language regarding maintaining a calendar for hearings and arranging dates for hearings. Information regarding calendars and hearings is generally available on the court's website at www.mnb.uscourts.gov. Each judge may have specific instructions. To request a continuance, the moving party may generally contact the courtroom deputy for the judge to whom the case has been assigned. However, if there is an objection, the objecting party must generally consent to the request. If the moving party and the objecting party do not agree, a more formal request for a continuance may be required. Please consult the judge's preferences on the court's website at www.mnb.uscourts.gov for further instructions on requesting a continuance. The remaining changes are stylistic only; no substantive changes were intended. The procedure for giving notice of a continuance remains the same.

Rule 5095-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; October 1, 2019. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 5095-1 was abrogated as the deposit and withdrawal of money with the court registry is governed by amended Local Rule 7067-1 and Fed. R. Bankr. P. 7067. *See also* Fed. R. Civ. P. 67. Subsection (d) of amended Local Rule 7067-1 specifically addresses unclaimed funds. Detailed instructions regarding a request for unclaimed funds, including by successor claimants, can be found on the court's website at www.mnb.uscourts.gov. Refer to amended Local Rule 7067-1 for more information.

Part VI. Collection and Liquidation of the Estate

Rule 6004-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; December 1, 2015; October 1, 2019. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 6004-1 was abrogated, along with Local Forms 6004-1(a), 6004-1(d), and 6004-1(f). Subsections (a) and (c) were removed to ensure consistency with 11 U.S.C. § 363(b)(1) and Fed. R. Bankr. P. 2002(a)(2) and (c)(1) and 6004(a), (b), (d), and (e). Section 363(b)(1) generally allows the trustee, after notice and a hearing, to use, sell, or lease property of the estate outside the ordinary course of business. *See* 11 U.S.C. § 102(1)(A) (defining "after notice and a hearing"). Rule 6004(a), (b), (d), and (e) describe the procedures for doing so. For example, Fed. R. Bankr. P. 6004(a) requires that notice of a proposed use, sale, or lease of property, other than cash collateral, outside the ordinary course of business be given under Fed. R. Bankr. P. 2002(a)(2), which requires 21-days' notice of such use, sale, or lease to all creditors. Rule 2002(c)(1) governs the content of the notice. Rule 6004(b) requires any objection to "be filed and served not less than seven days before the date set for the proposed action or within the time fixed by the court." The objection is governed by Fed. R. Bankr. P. 9014. Under Fed. R. Bankr. P. 6004(d), if the nonexempt property of the estate has an aggregate gross value less than $2,500.00, the trustee can give a general notice of intent to sell such property other than in the ordinary course of business. Any objection to such sale must be filed and served within 14 days of the mailing of the notice. Again, the objection is governed by Fed. R. Bankr. P. 9014. Notably, Fed. R. Bankr. P. 9014(a) states "relief shall be requested by motion."

Subsection (b) was removed to ensure consistency with Fed. R. Bankr. P. 2002(a)(2). Rule 2002(a)(2) allows the court, not the United States trustee, to shorten the time for giving notice of a proposed use, sale, or lease or direct that notice not be sent. *See also* Fed. R. Bankr. P. 2002(h) and (i) (other notice limiting provisions).

Subsection (d) was removed as unnecessary, and with that, Local Form 6004-1(d) was abrogated. If the trustee seeks proof of authority to sell property, the trustee may file a motion and seek an order from the court.

Subsection (e) was removed for many of the same reasons as subsections (a) and (c) described above. Section 363(b)(1) and Fed. R. Bankr. P. 6004(a), (b), (d), and (e) do not require that the trustee's proposed use, sale, or lease of property of the estate outside the ordinary course of business be approved by the court. If a trustee in a chapter 7 case needs a court order, the trustee should include a request for an order in the notice and attach a proposed order to the same.

Subsection (f) was removed as unnecessary, and with that, Local Form 6004-1(f) was abrogated. There is no need for a standard conveyance form. The language of each conveyance may differ depending on the circumstances.

Rule 6007-1. Abandoning or Disposing of Property Upon Chapter 7 Case Closing

In a chapter 7 case, a request by the trustee under 11 U.S.C. § 554(c) for an order that an asset is not abandoned to the debtor upon case closing must be made by motion. The motion must briefly describe the asset and state that any responses are due within 21 days of the filing of the motion. The filing requirements for motions under Local Rule 9013-1 do not apply. If no response to the motion is filed, the court may enter an order without a hearing. If a response to the motion

is filed, the trustee must contact the judge's courtroom deputy for a hearing date and give notice of such hearing to the responding party.

[Effective April 15, 1997. Amended effective October 1, 2019; September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 6007-1 was amended to remove any reference to former Local Rule 6004-1. Refer to Fed. R. Bankr. P. 6007(a) for procedures for giving notice of a proposed abandonment. Local Rule 6007-1 was further amended to add language from former Local Rule 5009-1. Though instead of an application, a motion is required. *See generally* Fed. R. Bankr. P. 9013 (requiring that a request for an order be made by motion).

Rule 6007-2. Abandoning or Disposing of Property Containing Hazardous Substances

Notice of a proposed abandonment or disposition of property which may contain a hazardous substance must be given to the Environmental Protection Agency, any applicable state or federal regulatory agency, and the state Attorney General where the property is located.

[Effective April 15, 1997. Amended effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 6007-2 was amended and restyled to remove the "commercial or industrial" description of the property. Property that is not commercial or industrial can still contain hazardous substances. The rule was further amended to remove the reference to Minn. Stat. § 115B.02, subd. 8 or other applicable law. A hazardous substance does not necessarily have to meet a legal definition for notice to be required. Finally, the rule now has an additional requirement that any applicable state or federal regulatory agency be noticed. This is to account for situations where the Environmental Protection Agency is not the only governing agency. *See, e.g., In re Paolella*, 79 B.R. 607 (Bankr. E.D. Pa. 1987) (Party opposing abandonment of property can show that abandonment is not appropriate because it would contravene state statute or regulation that is reasonably designed to protect public health or safety from identified hazards.).

Rule 6072-1. [ABROGATED]

[Effective April 15, 1997. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 6072-1 was abrogated to ensure consistency with 11 U.S.C. § 542 and Fed. R. Bankr. P. 7001(1). Rule 7001(1) generally requires an adversary proceeding for recovery of money or property. A motion is only permitted in a proceeding to compel the debtor to deliver property to the trustee or if records are at issue under 11 U.S.C. § 542(e).

Part VII. Adversary Proceedings

Rule 7004-1. Issuance of Summons

Upon the filing of a complaint commencing an adversary proceeding, the clerk will issue a summons.

[Effective April 15, 1997. Amended and renumbered as 7004-1 effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7004-2 was renumbered to Local Rule 7004-1. The changes are stylistic only; no substantive changes were intended.

Rule 7005-2. [ABROGATED]

[Effective April 15, 1997. Amended effective January 9, 2006. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7005-2 was abrogated as duplicative of Fed. R. Bankr. P. 7005. Rule 7005 incorporates Fed. R. Civ. P. 5(d)(1)(A) which states, "[D]iscovery requests and responses must not be filed until they are used in the proceeding or the court orders filing: depositions, interrogatories, requests for documents or tangible things or to permit entry onto land, and requests for admission."

Rule 7007-1. Motions and Responses

Local Rules 9006-1, 9013-1, 9013-2, and 9017-1 govern motions and responses in adversary proceedings.

[Effective April 15, 1997. Amended effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7007-1 was amended to remove unnecessary language about proper requests for relief. The other changes are stylistic only; no substantive changes were intended.

Rule 7018-1. [ABROGATED]

[Effective April 15, 1997. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7018-1 was abrogated as unnecessary. Parties are responsible for knowing whether a request for relief can be made by filing a motion in the bankruptcy case or by filing an adversary proceeding. *See, e.g.*, Fed. R. Bankr. P. 3007(b) ("A party in interest shall not include a demand for relief of a kind specified in Rule 7001 in an objection to the allowance of a claim, but may include the objection in an adversary proceeding."); Fed. R. Bankr. P. 7001 (listing requests for relief that require filing an adversary proceeding).

Rule 7037-1. Discovery Motions

In addition to the certification under Federal Rule of Civil Procedure 37(a)(1) that must be filed with a discovery motion, the parties to the discovery motion must file a joint stipulation not later than 24 hours before the hearing on such motion setting forth the matters that remain unresolved.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7037-1 was amended to remove language that was duplicative of Fed. R. Civ. P. 37(a), as incorporated by Fed. R. Bankr. P. 7037. For example, Fed. R. Civ. P. 37(a)(1) requires a certification that "the movant has in good faith conferred or attempted to confer with the person or party failing to make disclosure or discovery in an effort to obtain it without court action." The requirement that a discovery conference be held within seven days of a written request for such a conference was also removed. Parties should contact the courtroom deputy for the judge assigned to the adversary proceeding to schedule a discovery conference. The timing of the discovery conference is at the discretion of the judge. If a discovery motion is filed, it will be heard at the appropriate time. *See* Local Rule 7007-1. The requirement that the parties include memoranda in support of or in opposition to their respective contentions was also removed, as such memoranda should be included with the motion and any response thereto. Finally, the provision about attorney's fees was removed as duplicative of Fed. R. Civ. P. 37(a)(5).

Rule 7041-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 9, 2006; March 1, 2017; October 1, 2019. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7041-1 was abrogated to remove unnecessary language and to ensure consistency with Fed. R. Bankr. P. 7041. *See also* Fed. R. Civ. P. 41. The 2023 Advisory Committee Notes to Local Rule 9019-1 indicated that language from former Local Rule 9019-1(c) would be addressed in Local Rule 7041-1. That language is no longer necessary. Rule 9019(a) begins with, "On motion by the *trustee* and after notice and a hearing . . . " (emphasis added). *See also* Fed. R. Bankr. P. 9001(11) ("'Trustee' includes a debtor in possession in a chapter 11 case."); Fed. R. Bankr. P. 9001(5) (defining "Debtor"). Thus, Fed. R. Bankr. P. 9019(a) applies to settlements by the "trustee." Any such motion must be filed in the main bankruptcy case.

Rule 7054-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; December 1, 2009; April 1, 2013; December 1, 2017. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7054-1 was abrogated as duplicative of Fed. R. Bankr. P. 7054. Refer to Director's Bankruptcy Form 2630 for a bill of costs.

Rule 7055-1. Default Judgment

(a) REQUIRED DOCUMENTS. After the clerk has entered a party's default under Federal Rule of Civil Procedure 55(a), the party seeking a default judgment must file and serve the following documents on the defaulting party:

(1) a request for a default judgment;

(2) an affidavit of default stating that no defense or other response of any kind has been received or, if one has been received, detailing the defense or other response received;

(3) an affidavit of identification of the defaulting party including the defaulting party's address and military, infancy, or competency status;

(4) an affidavit on the merits and the amount due including costs and disbursements by a person with personal knowledge; and

(5) proposed findings of fact, conclusions of law, and an order for judgment.

(b) RETURNED MAIL. If either the summons and complaint or the request for default judgment were served by mail and returned by the post office, the party seeking a default judgment must disclose that to the court by filing an affidavit.

(c) HEARING. The court may, in its discretion, hold a hearing before entering a default judgment.

[Effective April 15, 1997. Amended effective January 1, 2002; October 1, 2019; September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7055-1 was amended to remove language that was duplicative of Fed. R. Civ. P. 55(a), as incorporated by Fed. R. Bankr. P. 7055. The other amendments are stylistic only; no substantive changes were intended.

Rule 7056-1. Summary Judgment Motions

(a) MOVING DOCUMENTS. Notwithstanding Local Rule 9006-1(a), and unless the court orders otherwise, moving documents for summary judgment in an adversary proceeding or contested matter must be filed, served, and noticed, as applicable, not later than 28 days before the hearing date.

(b) RESPONSIVE DOCUMENTS. Any responsive documents must be filed and served not later than 14 days before the hearing date.

(c) REPLY DOCUMENTS. Any reply documents must be filed and served not later than seven days before the hearing date.

[Effective May 1, 2018. Amended effective October 1, 2019; September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7056-1 was amended to incorporate some of the changes made to amended Local Rules 9006-1(a) and 9013-2 and to remove any language that was duplicative of those rules. Those rules apply to adversary proceedings through Local Rule 7007-1. The other amendments are stylistic only; no substantive changes were intended.

Rule 7067-1. Depositing in and Withdrawing Money from the Court Registry

(a) DEPOSITS. To deposit money in the court registry, a party must file a motion to deposit funds in compliance with Local Rules 9013-1 and 9013-2. The moving party must also file concurrently with the motion a completed registry deposit form provided by the clerk. If the motion to deposit funds is granted, the clerk's office will provide instructions for depositing the funds.

(b) WITHDRAWALS. To withdraw money from the court registry, a party must file a motion to withdraw funds in compliance with Local Rules 9013-1 and 9013-2. The moving party must also file concurrently with the motion to withdraw funds a completed registry withdrawal form provided by the clerk. If the motion to withdraw funds is granted, the clerk must not disburse money from the court registry until 14 days after the entry of the order, unless the court orders otherwise.

(c) ADMINISTRATION OF REGISTRY MONEY. The clerk will administer money deposited in the court registry in accordance with 28 U.S.C. §§ 2041–2042 and 2045.

(1) The clerk will deposit all registry money in the Court Registry Investment System (CRIS) of the Administrative Office of the U.S. Courts. The clerk will deposit interpleader money in the CRIS Disputed Ownership Fund.

(2) The Director of the Office of the Administrative Office of the United States Courts is the custodian of CRIS funds and may assess fees based on the Bankruptcy Court

Miscellaneous Fee Schedule; withhold and pay federal taxes on Disputed Ownership Funds; and distribute income from fund investments after assessing fees.

(3) The clerk must assess and deduct all applicable registry fees from the interest income earned and credited to the money on deposit in the fund before any disbursement of funds.

(d) UNCLAIMED FUNDS. Subsections (a)–(b) of this rule do not apply to the deposit and withdrawal of unclaimed funds paid into the court registry under 11 U.S.C. § 347(a). Trustees may deposit unclaimed funds in the court registry in accordance with the clerk's instructions. Any party who seeks payment of unclaimed funds must file an application on the form provided by the clerk. A court order is required to approve any application for payment of unclaimed funds.

[Effective April 15, 1997. Amended effective January 1, 2002; September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7067-1 was amended to provide a process for parties to deposit in and withdraw money from the court registry. Except for unclaimed funds, as described in amended subsection (d), a motion must be filed to request that money be deposited in or withdrawn from the court registry. To deposit money, a moving party must also concurrently file with a motion to deposit funds a completed registry deposit form. This form is maintained by the clerk on the court's website at www.mnb.uscourts.gov. Please refer to the filing instructions on the court's website for how to properly file the registry deposit form. The information collected on the form is provided to determine the appropriate tax liability for the deposited funds. Interpleader funds deposited under 28 U.S.C. § 1335 meet the IRS definition of a "disputed ownership fund," a taxable entity that requires tax administration. *See also* 26 C.F.R. § 1.468B-9. Interpleader funds are deposited with the court by a non-owner, third-party for court determination of ownership.

To withdraw money from the court registry, a moving party must also concurrently file with a motion to withdraw money a completed registry withdrawal form. This form is maintained by the clerk on the court's website at www.mnb.uscourts.gov. Please refer to the filing instructions on the court's website for how to properly file the registry withdrawal form. To complete the registry withdrawal form, the filing party must submit a completed W-9 or AO213 (Vendor Information/TIN Certification) form. Because a completed registry withdrawal form must contain complete financial account information and other details, the form must be filed using the proper event so that the form is restricted from public access.

Funds on deposit with the court registry in the Court Registry Investment System (CRIS) are pooled with all funds on deposit with the Treasurer of the United States to purchase Government Account Series securities through the Bureau of Public Debt. An account is established in the CRIS Liquidity Fund titled in the name of the case giving rise to the deposit invested in the fund. Income generated from CRIS investments will be distributed to each case based on the ratio of each account's principal and earnings to the aggregate principal and earnings in the fund after CRIS fees have been applied. The CRIS fees are set forth in the Bankruptcy Court Miscellaneous Fee Schedule, which may be found at the website of the United States Courts at www.uscourts.gov. For each interpleader case, an account will be established in the CRIS Disputed Ownership Fund (DOF), titled in the name of the case giving rise to the deposit invested with the fund. Income generated from fund investments will be distributed to each case after the DOF fee has been applied and taxes are deducted.

Parties may obtain reports showing the interest earned, principal amounts contributed, and fees applied for all registry funds on deposit with the court by contacting clerk's office at 612-664-5200.

For unclaimed funds, the clerk's instructions and the appropriate form can be found on the court's website at www.mnb.uscourts.gov.

Rule 7069-1. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 2012. Abrogated effective September 4, 2024.]

2024 Advisory Committee Notes

Local Rule 7069-1 was abrogated to ensure consistency with Fed. R. Civ. P. 69, as incorporated by Fed. R. Bankr. P. 7069. Refer to 28 U.S.C. § 1963 for information about enforcing judgments in other districts. Refer to Fed. R. Bankr. P. 5003(c) and the court's website at www.mnb.uscourts.gov for information about requesting a certified copy of a judgment.

Part VIII. Appeals to District Court or Bankruptcy Appellate Panel

Rule 8001-1. [ABROGATED]

[Effective January 1, 2002. Amended effective January 9, 2006. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 8001-1 was abrogated as no longer necessary. *See* Fed. R. Bankr. P. 8001(a) ("These Part VIII rules govern the procedure in a United States district court and in a bankruptcy appellate panel on appeal from a bankruptcy court's judgment, order, or decree."). Please refer to L.R. BAP 8th Cir. 8005A(b) to determine the applicable rules for filing an appeal to the Bankruptcy Appellate Panel for the Eight Circuit.

Rule 8009-1. [ABROGATED]

[Former Rule 8006-1(b) and (c) renumbered as Rule 8009-1 effective December 1, 2014. Amended effective June 1, 2016. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 8009-1 was abrogated to ensure consistency with Fed. R. Bankr. P. 8009. Specifically, subsection (a) was abrogated to ensure consistency with Fed. R. of Bankr. P. 8009(a), which requires that the appellant designate the record on appeal. Further, several provisions in Fed. R. Bankr. P. 8009 already contemplate the clerk of the bankruptcy court transmitting the record on appeal. *See, e.g.*, Fed. R. Bankr. P. 8009(a)(5), (c), (d), (f), and (g); *see also* Fed. R. Bankr. P. 8010(b)(1) ("[T]he bankruptcy clerk must send to the clerk of the court where the appeal is pending either the record or a notice that it is available electronically."). As to transcripts, subsection (b) was abrogated as duplicative of Fed. R. Bankr. P. 8009(b). Please see the 2025 Advisory Committee Notes to Local Rule 9029-2 regarding the former reference to the rule being promulgated by the district court.

Rule 8010-1. [ABROGATED]

[Former Rule 8007-2 amended and renumbered as Rule 8010-1 effective December 1, 2014. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 8010-1 was abrogated as unnecessary. It may take longer than 45 days after the filing of the notice of appeal for transcripts to be filed, especially in larger, more complex proceedings. Once the parties agree the record is complete for purposes of Fed. R. Bankr. P. 8010(b)(1), the parties can contact the judge's courtroom deputy to initiate transmission of the record on appeal. Please see the 2025 Advisory Committee Notes to Local Rule 9029-2 regarding the former reference to the rule being promulgated by the district court.

Rule 8024-1. [ABROGATED]

[Former Rule 8016-1(b) renumbered as Rule 8024-1 effective December 1, 2014. Abrogated effective September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 8024-1 was abrogated as unnecessary. When notice of a judgment is transmitted to the clerk of the bankruptcy court under Fed. R. Bankr. P. 8024, the clerk dockets any such judgment. The bankruptcy court will enter such further orders or judgment as appropriate. Please see the 2025 Advisory Committee Notes to Local Rule 9029-2 regarding the former reference to the rule being promulgated by the district court.

Part IX. General Provisions

Rule 9001-1. Definitions

In addition to the definitions and rules of construction in 11 U.S.C. §§ 101, 102, 902, 1101, and 1502 and Federal Rules of Bankruptcy Procedure 9001 and 9002, the following words and phrases used in these Local Rules have the meanings indicated:

(a) "District court" means the United States District Court for the District of Minnesota, unless otherwise specified.

(b) "Electronic Case Filing System" or "ECF" means the process made available by the court for electronic submission of documents.

(c) "Filing User" means a registered user of the Electronic Case Filing System.

(d) "Hour" includes every hour whether or not the clerk's office is open.

(e) "Proof of service," "proof of notice," or "proof of mailing," as applicable, means proof of actual receipt or an affidavit establishing the service, notice, or mailing.

(f) "Unsworn declaration" means an unsworn statement that substantially complies with 28 U.S.C. § 1746 and which is endorsed on a document.

(g) "Verified" or "verification" means a signed affidavit or unsworn declaration, affixed to or endorsed on a document, which states in substance that the factual allegations made in the document are true and correct according to the best of the verifier's knowledge, information, and belief. A verification must be made on personal knowledge, set forth only facts that would be admissible in evidence, and affirmatively show that the verifier is competent to testify as to the matters stated in the document.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; May 1, 2014; October 1, 2019; July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 9001-1 was renumbered to be consistent with other local rules and to remove abrogated subsections. The rule was also restyled. The definition for "affidavit" in former subsection (1) was removed because this term is also addressed within the definition of "verified" or "verification" in now renumbered subsection (g). The definitions for "application" and "motion" in former subsections (2) and (9) were removed as unnecessary and duplicative of the information set forth in Fed. R. Bankr. P. 9013 and amended Local Rules 9013-1 through 9013-3. Similarly, the definitions for "court" and "judge" in former subsections (3) and (8) were removed as duplicative of Fed. R. Bankr. P. 9001(4) and 9002(4). The definition for "verified" or "verification" in now renumbered subsection (g) was amended to include additional information regarding affidavits and verifications that used to appear in former Local Rules 9004-1 and 9013-2.

Rule 9004-1. Required Form of Documents

(a) SIZE. All documents presented for filing, except trial exhibits, must be formatted to print on standard letter-size paper (8-1/2" x 11").

(b) SCANNING OF DOCUMENTS.

(1) A document that is scanned must not be submitted for filing on the court's Electronic Case Filing System, except that the following types of documents may be scanned:

(A) The signature page of a document bearing a wet ink signature of a non-attorney; or

(B) An exhibit or attachment.

(2) All documents created on the attorney's computer or using petition preparer software should be printed directly to portable document format (PDF).

[Effective April 15, 1997. Amended effective January 9, 2006; February 22, 2012; April 1, 2013; October 1, 2019; July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 9004-1 was restyled. Former subsection (b) regarding proof of service, notice, or transmittal was removed because this language now appears in Local Rule 9036-1 with modifications. Former subsection (c) regarding facsimile transmission was removed as unnecessary. Refer to the court's website at www.mnb.uscourts.gov for filing guidance. Former subsection (d) regarding verifications was removed because the definition for "verification" in Local Rule 9001-1(g) was updated to note that a verification must be signed.

Renumbered subsection (b) was amended to clarify that a document that bears a wet ink signature of a non-attorney, an exhibit, or an attachment may be scanned. The general rule is that any document that is produced by an attorney on a computer or with petition preparer software should be printed directly to PDF and not scanned. Documents that are being filed to support a request to the court but that were not produced by an attorney, such as exhibits or attachments to a motion or application, may be scanned. The court's website provides instructions for how to print documents to PDF.

Rule 9006-1. Time Periods

(a) MOVING DOCUMENTS. Unless otherwise provided by the Federal Rules of Bankruptcy Procedure or these Local Rules, moving documents must be filed, served, and noticed, as applicable, not later than 14 days before the hearing date.

(b) RESPONSIVE DOCUMENTS. Any responsive documents must be filed, served, and noticed, as applicable, not later than seven days before the hearing date.

(c) REPLY DOCUMENTS. Reply documents are not required. Unless otherwise authorized by the court, any reply documents must be filed not later than 48 hours before the scheduled time

for hearing. A reply document must be limited to new legal or factual matters raised by any responsive documents.

(d) EXPEDITED RELIEF. If expedited relief is necessary and authorized by Federal Rule of Bankruptcy Procedure 9006(c), the moving party must obtain a hearing date from the judge's courtroom deputy and the motion must include a request for an expedited hearing. Unless otherwise authorized by the court, moving documents seeking expedited relief must be filed not later than 48 hours before the scheduled time for hearing. The party seeking expedited relief must take all reasonable steps to provide all required parties with prompt service or notice and must file a certificate of service specifying the efforts made. Unless otherwise authorized by the court, any responses must be filed not later than two hours before the scheduled time for hearing. The court will rule on the request for an expedited hearing when the motion is heard.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; May 1, 2019; October 1, 2019; January 1, 2021; July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 9006-1 was restyled. The language in former subsection (a) that addressed the Electronic Case Filing System was removed as duplicative of Fed. R. Bankr. P. 9036. The time to file responsive documents in amended subsection (b) was changed to reflect a seven-day increment.

Rule 9010-1. Attorneys

(a) ADMISSION. The bar of this court consists of those attorneys admitted to practice before the district court who pay all admission fees that the district court prescribes. No person, unless duly admitted to practice before the district court, including a government attorney and an attorney admitted pro hac vice, is permitted to appear and participate in the trial of any action or the hearing of any motion in this court, except when appearing on that person's own behalf or as provided in subsection (b) of this rule.

(b) LAW STUDENTS. A law student who represents a client in connection with a matter before this court and the law student's supervising attorney must comply with Local Rule 83.8 of the district court, except that any filing required by that rule must be made with this court's clerk.

(c) FORMER LAW CLERKS. For a period of one year after termination from service as a law clerk, an attorney who has served as a law clerk to a judge must not appear before that judge or allow that attorney's name to appear on any pleading or memorandum filed in connection with any bankruptcy case or adversary proceeding assigned to that judge.

(d) FORMER JUDGES. For a period of one year after termination from service as a judge, an attorney who has served as a judge of the court must not appear before the court or allow that attorney's name to appear on any pleading or memorandum.

(e) SUBSTITUTION; WITHDRAWAL.

(1) Substitution in Adversary Proceeding or Chapter 7 or 13 Cases. If a party in an adversary proceeding or a debtor in a chapter 7 or 13 case seeks to substitute attorneys, the substituted attorney must file a substitution of attorney signed by the party or debtor and the substituted attorney. Notice of the substitution must be given to all parties to the adversary proceeding or the trustee in the bankruptcy case.

(2) Substitution if Employment Subject to Court Approval. If a party or debtor seeks to substitute attorneys and the party's or debtor's employment of the original attorney was subject to court approval, the substituted attorney must file an application to substitute attorneys and comply with Local Rule 2014-1.

(3) Withdrawal Only. If an attorney for a party in an adversary proceeding, an attorney for a debtor in a chapter 7 or 13 case, or an attorney in a bankruptcy case whose employment was subject to court approval seeks to withdraw without filing a substitution of attorney, that attorney must file a motion for leave to withdraw. However, if there is more than one attorney of record for the party or debtor, and at least one attorney will remain of record after the withdrawal, an attorney may withdraw by filing a notice of withdrawal and sending such notice to all parties to the adversary proceeding or the trustee in the bankruptcy case.

(4) Effect of Failure to Comply. Until the substituted attorney files a substitution of attorney or the court enters an order allowing the original attorney to withdraw if withdrawal is not otherwise allowed, the original attorney is the party's or debtor's attorney of record and the original attorney must represent the party or debtor in bringing and defending all matters or proceedings in the bankruptcy case other than adversary proceedings in which the original attorney has not yet made an appearance. Failure to receive advance payment or guarantee of attorney's fees is not grounds for failure to comply with this local rule.

[Effective April 15, 1997. Amended effective January 9, 2006; October 15, 2010; April 1, 2013; May 1, 2014; October 1, 2019; amended and renumbered as 9010-1 on July 17, 2023.]

2023 Advisory Committee Note

Local Rule 9010-3 was renumbered to Local Rule 9010-1 and restyled. Subsection (a) was amended to be consistent with Local Rule 83.5 of the district court. Former subsection (b) was removed to require government attorneys to follow the same rules of admission that apply to government attorneys in district court. That change is now reflected in amended subsection (a). Former subsection (c) was removed as pro hac vice is now addressed in amended subsection (a). Former subsection (d) was renumbered to subsection (b).

Subsection (b) now refers to Local Rule 83.8 of the district court to remove language duplicative of that rule. A supervising attorney should use the bankruptcy court's Student Practice Certification Form and Notice of Appearance of Student Attorney to have a student attorney appear in a case under this rule. The form is available on the court's website at www.mnb.uscourts.gov. Former subsections (e) and (f) were renumbered to subsections (c) and (d), respectively, and include minor, stylistic changes. Former subsection (g) was renumbered to subsection

(e) and restyled. Former subsection (g)(1) was divided into subsections (e)(1) and (e)(2) for readability. The last sentence in amended subsection (e)(3) was added to make clear that where a party or a debtor has multiple attorneys and only one or some of those attorneys seek to withdraw, a motion for leave to withdraw is not required, as the party or debtor will still have representation. Former subsection (g)(3) was removed because service requirements are addressed in other rules. Further, service is not always required. As in amended subsection (e)(1), there are instances where only notice is required. Former subsection (g)(4) was renumbered to (e)(4) and restyled.

Rule 9010-2. Appearances by Non-Individuals

An entity which is not an individual may not appear in bankruptcy court unless represented by an attorney authorized to practice under Local Rule 9010-1.

[Effective April 15, 1997. Amended and renumbered as 9010-2 on July 17, 2023.]

2023 Advisory Committee Note

Local Rule 9010-4 was renumbered to Local Rule 9010-2. The title was amended to better identify that the rule applies to appearances by non-individuals who are not permitted to appear pro se under this rule.

Rule 9011-1. Signatures

(a) SIGNATURE BLOCK REQUIREMENTS. For any document that requires a signature under Federal Rule of Bankruptcy Procedure 9011(a), the document must state the signer's name, address, email address, telephone number, and attorney bar registration number, if applicable.

(b) SIGNATURE METHODS FOR ELECTRONIC DOCUMENTS. The following methods may be used to obtain a signature on a document that is filed electronically through ECF:

(1) A scanned image of the originally signed document containing a wet ink signature;

(2) An image with a digital signature from a software program that creates a secure electronic signature that uniquely identifies the signer and ensures both the authenticity of the signature and that the signed document has not been altered or repudiated; or

(3) A document with an "s/", followed by the printed name of the signer when:

(A) The Filing User obtained the signer's signature by an authorized signature method provided in subsections (b)(1)–(2) of this rule; or

(B) The Filing User obtained the signer's written permission to use the signer's electronic signature.

(c) RETENTION REQUIREMENTS FOR ELECTRONIC SIGNATURES. A Filing User who files a document containing an electronic signature under subsection (b) of this rule certifies, under

penalty of perjury, that the Filing User has the original wet ink signature, digital signature, or written evidence of permission to use the signer's electronic signature. For purposes of this rule, written evidence of permission includes email correspondence. A Filing User must retain the signed document or evidence of permission to use the electronic signature for at least one year after the bankruptcy case is closed. On request, the Filing User must provide the court or other parties in the case a copy of the signed document or evidence of permission to use the electronic signature.

[Effective April 15, 1997. Amended effective January 9, 2006; February 1, 2011; February 22, 2012; October 1, 2019; January 1, 2021; amended and renumbered as 9011-1 on July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 9011-4 was renumbered to Local Rule 9011-1 and has been substantially amended to accommodate the use of electronic signatures. The amendments to subsection (a) incorporate the signature block requirements that were outlined in former subsections (a) and (b). Please note that for Filing Users, the act of signing a document and electronically filing the document constitutes that person's signature. *See* Fed. R. Bankr. P. 5005(a)(2)(C). The term "Filing User" is defined in Local Rule 9001-1 as a "registered user of the Electronic Case Filing System."

Subsection (b) provides the authorized methods to obtain a signature for documents that are filed electronically in ECF. Subsection (c) provides the retention period for a Filing User who files a document containing an electronic signature. These amendments place the responsibility with the Filing User—typically an attorney—to ensure compliance with the signature method requirements in Local Rule 9011-1(b) and the retention requirements in 9011-1(c). With these changes, it is no longer necessary for attorneys to submit a scanned image of the Form ERS 1 Signature Declaration page for debtors or a scanned image of the signature page by a non-Filing User. As such, the Signature Declaration form was abrogated. In addition, with these changes, it is no longer necessary to provide separate instructions for a Filing User's non-attorney employees. By filing a document in ECF using a signature method authorized in subsection (b), the attorney is certifying under subsection (c) that they have the original wet ink signature, digital signature, or evidence of permission to file the document with the signer's electronic signature. This same process applies whether the Filing User collects one or multiple signatures. Accordingly, former subsections (b)–(f) were removed as no longer necessary.

Subsections (b)–(c) only apply to documents that are filed by a Filing User on ECF. Claims that are submitted electronically through the court's Electronic Proof of Claim (ePOC) module are not subject to this rule.

Rule 9013-1. Motions – Form

(a) MOTION REQUIREMENTS. Except as otherwise provided, a party making a motion must file and serve:

(1) A notice of hearing and motion that substantially complies with Local Form 9013-1;

(2) A concise memorandum of facts and law;

(3) If facts are at issue, a verification of the motion or exhibits;

(4) A proposed witness list with the name, address, and substance of the proposed testimony, if applicable;

(5) A proposed order; and

(6) If required, proof of service.

(b) RESPONSE REQUIREMENTS. A party who wishes to respond to a motion must file and serve a response. A response may include a request for an order denying the motion or a request for an order imposing costs, fees, and expenses, but must not include a request for any other relief. The response must include:

(1) A concise memorandum of facts and law;

(2) If facts are at issue, a verification of the response or exhibits;

(3) A proposed witness list with the name, address, and substance of the proposed testimony, if applicable;

(4) A proposed order; and

(5) If required, proof of service.

(c) EXHIBITS. Filing Users must submit all exhibits or attachments in electronic form in accordance with the clerk's instructions on the court's website, unless ordered otherwise.

(d) RELIEF WITHOUT HEARING. If no response opposing a motion is timely filed, the court may enter an order granting the motion without a hearing.

(e) SEALED DOCUMENTS. A party seeking to file documents under seal must file a motion in accordance with this rule. The documents proposed to be filed under seal must be filed in accordance with the clerk's instructions on the court's website.

(f) CERTAIN MOTIONS BY TRUSTEE IN CHAPTER 7 OR 13 CASES. Unless the court orders otherwise, the trustee in a chapter 7 or 13 case is not required to file a memorandum of facts and law for the following motions:

(1) To dismiss a bankruptcy case under Federal Rule of Bankruptcy Procedure 1017;

(2) For examination of an entity under Federal Rule of Bankruptcy Procedure 2004;

(3) For turnover of property;

(4) Objecting to a claim of exemption under Federal Rule of Bankruptcy Procedure 4003; or

(5) Objecting to a proof of claim under Federal Rule of Bankruptcy Procedure 3007.

[Effective April 15, 1997. Amended effective January 9, 2006; April 1, 2013; May 1, 2015; December 1, 2017; May 1, 2019; October 1, 2019; amended and renumbered as 9013-1 on July 17, 2023.]

[Former Local Rule 9013-1 effective April 15, 1997. Amended effective January 1, 2002. Abrogated effective July 17, 2023.]

2023 Advisory Committee Notes

The language in former Local Rule 9013-1 was removed as duplicative of Fed. R. Bankr. P. 9013. Local Rule 9013-2 was renumbered to Local Rule 9013-1. Local Form 9013-2 was renumbered to 9013-1 and restyled to make it consistent with certain rule changes. The language in former Local Rule 9013-2 was restyled and reorganized. As stated in the 2013 Advisory Committee Notes to Fed. R. Bankr. P. 9006, "Rule 9013 governs the form of motions and the parties who must be served. Rule 9014 prescribes the procedures applicable to contested matters, including the method of serving motions commencing contested matters and subsequent papers."

Information concerning the presentation of evidence at hearings found in former Local Rule 9013-2(c)(2) was moved to Local Rule 9017-1. The information in former subsection (d) was moved to Local Rule 9001-1(g). Amended subsections (e) and (f) regarding exhibits and sealed documents now advise filers to file such documents in accordance with the clerk's instructions, which are available on the court's website at www.mnb.uscourts.gov. Former subsection (h) was removed as unnecessary. A waiver of discharge under 11 U.S.C. §§ 727(a)(10), 1141(d)(4), 1228(a), or 1328(a) requires court approval and Fed. R. Bankr. P. 9013(a) states, "A request for an order, except when an application is authorized by these rules, shall be by written motion, unless made during a hearing."

Subsection (f) was added to include the information that used to appear in now abrogated Local Rule 9013-5, except for references to a motion to approve compromise or settlement and a motion for sale of property. Reference to a motion to approve compromise or settlement was removed as it is now addressed in Local Rule 9019-1(a) for chapter 7 trustees. Reference to a motion for sale of property was removed as unnecessary. *See* Fed. R. Bankr. P. 6004(a). While a memorandum of facts and law is not required for the motions listed in subsection (f), the motion itself should provide the factual and legal basis for the relief sought.

Rule 9013-2. Motions – Service and Notice

(a) SERVICE OF MOTIONS. Motions must be served on:

(1) The debtor;

(2) The attorney for the debtor;

(3) The trustee or examiner;

(4) Each entity against whom relief is sought;

(5) Each entity claiming a lien or other interest in property if any property is involved;

(6) Any committee elected under 11 U.S.C. § 705 or appointed under 11 U.S.C. § 1102, or its authorized agent; or, if the case is a chapter 9 or chapter 11 and no committee has been appointed under 11 U.S.C. § 1102, the twenty largest unsecured creditors; and

(7) Any other entity required to be served by the Federal Rules of Bankruptcy Procedure or these Local Rules.

(b) NOTICE OF MOTIONS.

(1) Generally. Notice of a motion and any related hearing must be given to any entity required to receive notice under the Federal Rules of Bankruptcy Procedure, including, but not limited to, Federal Rule of Bankruptcy Procedure 2002.

(2) Chapter 11 and 12 Cases. In a chapter 11 or 12 case, notice of a motion and any related hearing must be given to the Internal Revenue Service, the Collection Division of the Minnesota Department of Revenue, and the United States Attorney for the District of Minnesota.

(3) Health Care Business Case. Notice of a motion arising under Federal Rule of Bankruptcy Procedure 2007.2 and any related hearing must be given to each entity that issues licenses to or regulates the debtor or the debtor's principal.

(c) MOTIONS AND RESPONSES SENT TO UNITED STATES TRUSTEE. All motions and responses must be sent to the United States trustee.

(d) SERVICE OF RESPONSES. Responses must be served on:

(1) The moving party;

(2) The attorney for the debtor;

(3) The trustee or examiner; and

(4) The attorneys for any elected or appointed committee.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2014; December 1, 2017; October 1, 2019; June 1, 2021; amended and renumbered as 9013-2 on July 17, 2023.]

2023 Advisory Committee Notes

Former Local Rule 9013-3 was renumbered to Local Rule 9013-2. The language in former Local Rule 9013-3 was restyled and reorganized. As amended, Local Rule 9013-2 addresses service and notice requirements for all motions and responses filed under Fed. R. Bankr. P. 9013 and 9014 and Local Rule 9013-1. Note that service requirements in adversary proceedings are addressed in Fed. R. Bankr. P. 7005 and Fed. R. Civ. P. 5. Service and notice are separated into different subsections in an effort to emphasize the fact that they are distinct concepts.

Subsection(a) – Service

Compared to former Local Rule 9013-3, amended Local Rule 9013-2 requires service on fewer parties. The parties required to be served in the local rule are the parties generally required to be served under the Federal Rules of Bankruptcy Procedure. *See, e.g.*, Fed. R. Bankr. P. 1020(d), 1021(b), 2007.2(e), 4001, and 6004(g)(1). While there may be some duplication with the federal rules, this local rule remains in place, as amended, to fill in any gaps and

ensure the proper parties are served. For example, Fed. R. Bankr. P. 2004 does not specify any parties to serve. Rule 9013, and many other federal rules, give the court significant discretion in determining who needs to be served. Importantly, "service" may mean something different depending on the type of motion at issue. If the motion does not commence a contested matter under Fed. R. Bankr. P. 9014, "service" is more akin to mailing the motion to the address on the creditor matrix. *See* Fed. R. Bankr. P. 2002(g); *see also In re Simpson*, No. 21-11179-T7, 2022 WL 2181324, at *2 (Bankr. D.N.M. June 16, 2022). Electronic service through the court's Electronic Case Filing System is generally sufficient. *See* Fed. R. Bankr. P. 9036. Examples include motions under Fed. R. Bankr. P. 1007(a)(5), 1017(f)(2), 4001(d), and 4004(b).

In contrast, if the motion commences a contested matter under Fed. R. Bankr. P. 9014, "service" must be completed in accordance with Fed. R. Bankr. P. 7004. Notably, Fed. R. Bankr. P. 9036, which permits electronic service through the court's Electronic Case Filing System, specifically states in subsection (e) that the rule "does not apply to any paper required to be served in accordance with Rule 7004." Read together with Fed. R. Bankr. P. 9014(b) which allows "[a]ny paper served after the motion" to be served in accordance with Fed. R. Civ. P. 5(b), it appears the initial motion must be served by non-electronic means while any subsequent filings may be served electronically. *See* Fed. R. Civ. P. 5(b)(2)(E) (permitting service by "sending it to a registered user by filing it with the court's electronic-filing system"). However, there may be exceptions for certain parties. For instance, Fed. R. Bankr. P. 7004(g) allows the debtor's attorney to be served electronically in accordance with Fed. R. Civ. P. 5(b). Attorneys for other parties can expressly consent to electronic service of any paper required to be served in accordance with Fed. R. Bankr. P. 7004 through language in their notice of appearance. There is also an exception in Local Rule 9036-1(b) for trustees. Examples of contested matters include, but are not limited to, proceedings arising under Fed. R. Bankr. P. 1017(f)(1), 1020(c), 1021(b), 2005(a), 2007.1(a), 2007.2(e), 2015.1(b), 2017, 2020, 3007, 3012, 3015(f), 3015(h), 3019(b), 3019(c), 3020(b)(1), 4001(a)(1), 4001(b)(1), 4001(c)(1), 4003(b), 4003(d), 4004(d), 5009(d), 5011(b), 6002, 6004(b), 6004(c), 6004(d), 6004(g)(1), 6006(a), 6006(b), 6007, 6008, 9011(c)(1)(A), 9020, and 9027(d).

Subsection(b) – Notice

As compared to service, "notice" may entail a one-page notice of the motion and any related hearing with instructions on how to request a full copy of the motion. As to amended subsection (b)(3), for other health care business rules, *see* Local Rules 1007-2(b) and 2015.1-1.

Subsection(c) – United States Trustee

The 2023 Federal Rules of Bankruptcy Procedure generally use the word "transmit" in regard to the United States trustee. However, the proposed restyled Federal Rules of Bankruptcy Procedure simply use the word "send." Thus, this subsection was updated to reflect the restyled rules. The United States trustee automatically receives filings in each case through the court's Electronic Case Filing System. *See* Fed. R. Bankr. P. 5005(b)(1).

Rule 9013-3. Applications

(a) APPLICATION REQUIREMENTS. Unless otherwise directed by these Local Rules, a party making an application must file and notice:

(1) If facts are at issue, a verification of the application or exhibits; and

(2) A proposed order.

(b) RESPONSE REQUIREMENTS. Unless otherwise directed by these Local Rules, a party who wishes to respond to an application must file and notice:

(1) A concise memorandum of facts and law;

(2) If facts are at issue, a verification of the response or exhibits; and

(3) A proposed order.

(c) NOTICE OF APPLICATIONS AND RESPONSES. Unless otherwise directed by the Federal Rules of Bankruptcy Procedure and these Local Rules, notice of an application and any response to the application must be given to the debtor, the attorney for the debtor, and the trustee or examiner. An application and any response must also be sent to the United States trustee.

(d) COURT ACTION ON APPLICATION. Before ruling on an application, the court may require that a motion be made, that a hearing be held, or that additional persons be served.

[Effective April 15, 1997. Amended and renumbered as 9013-3 on July 17, 2023.]

2023 Advisory Committee Notes

Former Local Rule 9013-4 was renumbered to Local Rule 9013-3. The language in former Local Rule 9013-4 was restyled and reorganized. Subsections (a) and (b) from former Local Rule 9013-4 were removed as duplicative of Fed. R. Bankr. P. 2014 and 2016 and Local Rules 2014-1 and 2016-1. Those rules provide specific instructions for filing applications for employment of professional persons and for compensation for services rendered and reimbursement of expenses.

Rule 9013-4. Corporate Ownership Statements

(a) APPLICABILITY. The requirements of Federal Rule of Bankruptcy Procedure 7007.1 apply to any request for relief made by a nongovernmental corporation as defined by 11 U.S.C. § 101(9).

(b) TIMING. The corporate ownership statement must be filed when the nongovernmental corporation files the request for relief.

[Effective July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 9013-4 was implemented to impose a requirement for nongovernmental corporations to file a corporate ownership statement when filing a request for relief. A request for relief includes any motion, response to a motion, objection, or application that is filed in a bankruptcy case that is not an adversary proceeding. Rule 7007.1 imposes this requirement in adversary proceedings but there is currently no requirement in the Federal Rules of Bankruptcy Procedure to have nongovernmental corporations do the same in a bankruptcy case. Judges use the information provided in a corporate ownership statement to help them make properly informed disqualification decisions under the Code of Conduct for United States Judges.

Rule 9013-5. [ABROGATED]

[Effective April 15, 1997. Amended effective January 1, 2021. Abrogated effective July 17, 2023.]

2023 Advisory Committee Notes

The language that appeared in former Local Rule 9013-5 has been moved to Local Rule 9013-1(f). With this change, Local Rule 9013-5 is abrogated; the rule number is reserved for possible future use.

Rule 9017-1. No Evidence at Initial Motion Hearing

No evidence will be presented at an initial motion hearing. The court will determine at the initial motion hearing whether an evidentiary hearing is required.

[Effective April 15, 1997. Amended effective July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 9017-1 was retitled and amended to include hearing-related information that used to appear in former Local Rule 9013-2(c)(2). The language previously contained in Local Rule 9017-1 was removed as unnecessary.

Rule 9019-1. Compromise or Settlement

(a) MOTION BY TRUSTEE IN CHAPTER 7 CASES. In a chapter 7 case, a motion made by a trustee under this rule must briefly describe the compromise or settlement and state the date by which any responses are due. The filing requirements for motions under Local Rule 9013-1 do not apply. If no response to the motion is filed, the court may enter an order approving the compromise or settlement without a hearing. If a response to the motion is filed, the trustee must contact the judge's courtroom deputy for a hearing date and give notice of such hearing to the objecting party.

(b) NOTICE ONLY. For any motion under Federal Rule of Bankruptcy Procedure 9019(a), the service requirements under Local Rule 9013-2(a) do not apply.

[Effective April 15, 1997. Amended effective January 1, 2002; July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 9019-1 was amended to remove any reference to Local Rule 6004-1, which governs the sale of estate property. Former subsections (a) and (b) were removed to ensure consistency with and as duplicative of Fed. R. Bankr. P. 2002(a)(3), which allows the court for cause shown to direct that notice not be sent. Amended subsection (a) still provides a more efficient method for chapter 7 trustees to notice settlements. The chapter 7 trustees are permitted to use negative notice procedures and do not have to comply with Local Rule 9013-1. Under Fed. R. Bankr. P. 2002(a)(3), a trustee can request that the court limit notice in any given case. Amended subsection (b) is meant to signify that a trustee only has to comply with the notice requirements found in Fed. R. Bankr. P. 9019(a) and Local Rule 9013-2(b), as opposed to the service requirements in Local Rule 9013-2(a). This is to ensure the local rule is not significantly more burdensome than the federal rule. Former subsection (c) was removed as it is more appropriately

addressed in Local Rule 7041-1. Subsection (d) was removed as unnecessary and to ensure consistency with Fed. R. Bankr. P. 9019.

Rule 9019-2. Mediation

The court may refer any adversary proceeding or contested matter for mediation by a federal judge or a mediator agreed to by the parties.

[Effective May 1, 2015. Amended effective July 17, 2023.]

2023 Advisory Committee Note

Local Rule 9019-2 was restyled; no substantive changes were intended.

Rule 9021-1. Entry of Judgments in Adversary Proceedings

Upon entry of a judgment in an adversary proceeding to deny or revoke a discharge, to revoke the confirmation of a plan, or to subordinate a claim, the clerk must also enter the judgment in the bankruptcy case and provide notice to the entities listed in Federal Rule of Bankruptcy Procedure 2002 in the manner specified in that rule.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; December 1, 2009; October 1, 2019; July 17, 2023.]

2023 Advisory Committee Notes

Local Rule 9021-1 was retitled, restyled, and amended to remove language that was duplicative of Fed. R. Bankr. P. 5003, 7054, and 9021. Former subsection (b), which now constitutes the substance of the rule, was also amended to clarify that certain judgments entered in adversary proceedings will also be entered in the bankruptcy case and the clerk will provide notice of such judgments to the entities listed in Fed. R. Bankr. P. 2002.

Rule 9022-1. [ABROGATED]

[Effective January 9, 2006. Amended effective October 1, 2019. Abrogated effective July 17, 2023.]

2023 Advisory Committee Notes

Former Local Rule 9022-1 is abrogated as duplicative of Fed. R. Bankr. P. 9022; the rule number is reserved for possible future use.

Rule 9029-1. Rules – General

(a) SCOPE. These Local Rules constitute an order of the court and govern practice and procedure in bankruptcy cases and proceedings in the District of Minnesota. All previous local rules are superseded except to the extent that in the opinion of the court the application of one of these rules in a matter pending when these rules or amendments were promulgated would not be feasible or would work injustice.

(b) SUSPENSION. In the interest of expediting a decision or for other good cause, the court may suspend the requirements or provisions of any local rule and may order proceedings in accordance with its direction.

(c) LOCAL FORMS. The local forms prescribed by these Local Rules must be observed and used with only such alterations as may be appropriate unless a local rule requires exact conformity. The clerk, with approval of the judges, may issue additional forms for use under these rules.

(d) CITATION. These rules or amendments may be cited as Local Rule ____ and these forms as Local Form ____.

[Effective April 15, 1997. Amended effective July 17, 2023.]

2023 Advisory Committee Note

Local Rule 9029-1 was restyled. The language regarding an order of the court was added to subsection (a) to make clear that when the Federal Rules of Bankruptcy Procedure allow the court to direct or order otherwise, these Local Rules constitute the court directing or ordering otherwise.

Rule 9029-2. Rules – Adoption and Amendment

The bankruptcy judges are authorized to make and amend rules of practice and procedure in accordance with Federal Rule of Bankruptcy Procedure 9029(a).

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; amended and renumbered as 9029-2 on September 3, 2025.]

2025 Advisory Committee Notes

Local Rule 9029-4 was renumbered to Local Rule 9029-2 and amended to allow the bankruptcy judges to amend any local rule, including local rules that relate to the reference, bankruptcy court authority, or appeals. This change was made with the approval and understanding of the district court. Accordingly, references indicating certain Local Rules were promulgated by the district court have been removed.

Rule 9033-1. Findings and Conclusions in Non-Core Proceedings

If proposed findings of fact and conclusions of law are filed under Federal Rule of Bankruptcy Procedure 9033 and the time to file objections has expired, the clerk of the bankruptcy court will transmit copies of all relevant documents to the clerk of district court.

[Effective April 15, 1997. Amended effective January 1, 2002; January 9, 2006; September 3, 2025.]

2025 Advisory Committee Notes

The amendments to Local Rule 9033-1 are stylistic only; no substantive changes were intended. Please see the 2025 Advisory Committee Notes to Local Rule 9029-2 regarding the former reference to the rule being promulgated by the district court.

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.

Rule 9070-1. Exhibits

Upon the closing of a bankruptcy case or adversary proceeding, the clerk may require the attorneys of record to remove any exhibits or other items that were not filed in ECF within 14 days after written notice. The clerk may destroy or otherwise dispose of such exhibits or other items not filed in ECF if they are not removed in the time specified. Attorneys of record who collect any exhibits or items not filed in ECF under this rule must retain such material until all applicable appeal periods for the bankruptcy case or adversary proceeding have expired.

[Effective April 15, 1997. Amended effective December 1, 2009; July 17, 2023.]

2023 Advisory Committee Note

Local Rule 9070-1 has been restyled. The rule was amended to also refer to other items that may have been left with the court as part of a bankruptcy case or adversary proceeding but were not filed in ECF. The rule was also amended to provide a retention period for any materials collected under this rule.