

The following Local Rule and Form amendments are effective May 1, 2014 and will govern in all proceedings in bankruptcy cases commenced on or after the May 1, 2014 effective date:

Rule 1007-1. LISTS, SCHEDULES, AND STATEMENTS

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(c) **CERTIFICATE OF DEBTOR EDUCATION.** Unless an approved provider of a course on personal financial management has filed the Certificate of Debtor Education, the debtor shall file the Certificate with the court within the time limits prescribed in Federal Rule of Bankruptcy Procedure 1007(c). The debtor need not file Official Form 23 with the Certificate.

RULE 1019-1. CONVERSION OF CASES AND POST-CONVERSION REQUIREMENTS

(a) CONVERSION TO CHAPTER 7.

(1) From Chapter 12 or 13. The debtor may convert a chapter 12 or 13 case to a chapter 7 case at any time by filing a verified conversion adapted from Local Form 1019-1. The conversion shall be accompanied by the exhibits, attachments, schedules, statements and lists appropriate for a chapter 7 case, including the statement of current income and expenditures and statement of intention. **The schedules shall list all property of the estate as of the date of the petition that remains in the possession of or is under the control of the debtor on the date of conversion.**

RULE 2002-1. NOTICE TO CREDITORS & OTHER INTERESTED PARTIES (ENTITIES SERVED WITH RULE 2002 NOTICES)

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(b) CHAPTER 11 CASES.

~~(1) Service List. The clerk shall maintain a service list for each chapter 11 case in matrix form of the entities specified in items (1) through (13) of Local Rule 9013-3(a)(2) and shall furnish copies to requesting entities.~~

RULE 2002-4. PREPARATION, SERVICE AND FORM OF RULE 2002 NOTICES

...

(c) NOTICES PREPARED BY TRUSTEE.

(1) Disposition of Property. Except as provided in Local Rules 6004-1(b), 6007-1, and 9019-1, the trustee in a chapter 7 case shall prepare and request the clerk to transmit a notice of sale, abandonment or other disposition of property or compromise or settlement of a controversy, which shall conform substantially to Local Form 6004-1(~~d~~**a**).

(2) Final Report and Account. The trustee in a chapter 7 case shall prepare and request the clerk to transmit the notice of the trustee's final report and account, ~~which shall conform substantially to Local Form 2002-4(c).~~

RULE 2002-5. REQUEST FOR NOTICE; NOTICE OF APPEARANCE

...

(b) OTHER ATTORNEYS

(1) If an attorney who is not admitted to practice in the district court wishes to receive electronic notice, the attorney must register as a Filing User of the court's Electronic Case Filing System in accordance with Local Rule 9010-3(~~g~~**h**).

RULE 2019-1. SERVICE AND FILING OF FED. R. BANKR. PRO. 2019 STATEMENTS

(a) IN CONNECTION WITH APPEARANCE. An entity required to file a verified or supplemental statement under Federal Rule of Bankruptcy Procedure 2019 and who intends to take a position before the court shall serve and file such verified or supplemental statement in accordance with ~~Local:Rule:9013-3(a)~~ for service of moving documents. If the entity required to file the verified or supplemental statement is moving the court for relief, such verified or supplemental statement shall be served and filed no later than the service and filing of such entity's moving documents in accordance with ~~Local:Rule: 9006-1(b)~~. If the entity is filing responsive documents or wishes to be heard at the hearing, if any, on moving documents, the entity shall file and serve the verified or supplemental statement no later than the time for service and filing of responsive documents under ~~Local:Rule:9013-06-1(c)~~, unless expedited relief is sought. In the case of expedited relief, the verified or supplemental statement shall be served and filed no later than the start of the hearing.

RULE 4001-1. MOTIONS FOR RELIEF FROM STAY

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(b) REQUIRED INFORMATION. In all motions under 11 U.S.C. § 362 (d)(1) or (d)(2) in any chapter 7, 11, 12 or 13 case, the moving party seeking relief from stay with respect to an individual debtor's principal residence shall include a separate verification by a person with personal knowledge of the facts, which shall provide the following information:

...

(4) Loan History. **If the motion alleges a default in making payments to the movant**, a complete loan history, indicating all advances made to or charges of any kind made against the debtor beginning on the date of the default applicable to this motion, up to the date the motion is verified. The loan history shall be provided on Local Form 4001-1.

...

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

RULE 4004-3. DEFERRAL OF ENTRY OF DISCHARGE

If the trustee in a chapter 7 case serves and files a notice of nonconcluded meeting of creditors under Local Rule ~~4~~**2003-1**, the court may defer entry of discharge until the trustee files a report stating that the meeting has been concluded.

RULE 5009-1. TRUSTEE REQUESTS THAT ASSETS NOT BE ABANDONED UPON CASE CLOSING.

A request by a chapter 7 trustee for an order that an asset not be abandoned upon closing of the case shall be made by application unless otherwise ordered by the court. The application shall be mailed to the debtor on the date of filing. Any objection to the application must be filed within 21 days from the filing of the application and the objecting party shall schedule a hearing with notice to the trustee and the United States Trustee. If no objection is filed, the court may act on the application without a hearing.

RULE 9001-1. DEFINITIONS

In addition to the definitions and rules of construction in §§ 101, 102 and 1101 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 9001 and 9002, the following words used in these rules have the meanings indicated:

...

(10) "Proof of service" means proof of actual receipt, or an affidavit of service referred to in Fed. R. Civ. P. 4(g), or an unsworn certificate of service that conforms substantially to Local Form 9001-1.

RULE 9010-3. ATTORNEYS

...

~~(d) LAW STUDENTS. Any eligible law student in a law school in this district accredited by the American Bar Association may, under conditions stated below, interview, advise, negotiate, and appear before any bankruptcy judge in this district. For a student to be eligible to practice under this rule, the following requirements must be met:~~

~~—(1) The conduct of the case must be under the supervision of a member of the bar of this district, and the supervisor must be present with and prepared to assist the student at any court appearances and must assume full professional responsibility for the student's work;~~

~~—(2) The student must be in the final two years of law school;~~

~~—(3) The student must be enrolled for credit in a law school clinical program; and~~

~~—(4) The student may not accept personal compensation from a client or other source, although the law school clinical program in which the student is enrolled may accept compensation other than from a client, such as Criminal Justice Act payments.~~

~~—(5) The dean of the accredited law school that the student attends must file with the clerk of this court a list of names of the enrolled students who have been selected by the faculty to participate in the program. This filing shall constitute a certification that, in the opinion of the dean and the faculty, the students on the list have adequate knowledge of the applicable procedural rules and substantive law, and that the activities of the students will be adequately supervised as required by this rule. Upon written approval by the chief bankruptcy judge, to be filed with the clerk of this court, the students on the lists submitted by the law school deans shall be authorized to practice pursuant to this rule. The written approval of the chief judge shall remain in effect for a period of 12 months from the date of filing, unless withdrawn earlier or unless, upon application by the dean of the law school, the chief judge shall extend the privilege. Copies of all written approvals by the chief judge shall be provided to the district court.~~

A law student who represents a client in connection with a matter in this court and the attorney supervising the law student shall comply with the following requirements:

- (1) The law student must be supervised by a member of this court's bar. The supervisor must:
 - A. verify that the law student meets the requirements of Local Rule 83.8(b) of the district court;
 - B. complete the Student Practice Certification and Notice of Appearance of Student Attorney form and file it with the Clerk;
 - C. file a copy of the Student Practice Certification and Notice of Appearance of Student Attorney form in any case in which the law student appears;
 - D. assume full responsibility for the law student's work;
 - E. accompany the law student to, and be prepared to assist the law student at, every court appearance; and
 - F. appear as an attorney of record in the same case in which the law student appears.
- (2) The law student must be enrolled in a law school accredited by the American Bar Association.
- (3) The law student must have completed the equivalent of at least two semester of full-time study.
- (4) The law student must:
 - A. be enrolled for credit in a law school-supervised program and the law student's work must be under the supervision of that program;
or
 - B. be a paid or unpaid intern representing any state, local or other governmental unit or agency.
- (5) The law student must not accept compensation in connection with the matter, except that a paid intern may receive compensation from his or her employer. The law school-supervised program in which the law student is enrolled may accept compensation other than from a client.

A completed Student Practice Certification and Notice of Appearance of Student Attorney form is effective for 12 months after the date it is filed with the clerk, unless revoked by the chief judge at any time by written notice to the supervising attorney and the law student.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

STUDENT PRACTICE CERTIFICATION AND
NOTICE OF APPEARANCE OF STUDENT ATTORNEY

Local Rule 83.8 of the district court and Local Rule of Bankruptcy Procedure 9010-3(d) require that, before a law student practices before this court, this form must be completed and submitted by the law student's supervising attorney to clerk@mnb.uscourts.gov. This form must also be filed in each case in which the law student appears.

Supervising Attorney's Name	
Supervising Attorney's Employer	
Law Student's Name	
Law Student's Address	
Law Student's Phone Number	
Law Student's Email Address	
Law Student's Law School and Year	

By signing below, I certify that:

1. I will assume full responsibility for the above-identified law student's work and will accompany the law student to, and be prepared to assist the law student at, every court appearance.
2. I have verified that the above-identified law student meets the requirements of Local Rule 83.8 of the district court.
3. I have obtained verification from the law student's law school that the student is enrolled in a law school accredited by the American Bar Association and has completed the equivalent of at least two semesters of full-time study.
4. The law student will not accept compensation in connection with the matter.

Date: _____

Signature of Supervising Attorney

UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA

In re

Case No. _____

Debtor(s).

Chapter _____

DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR

1. Pursuant to 11 U.S.C. § 329(a) and Fed. Bankr. P. 2016(b), I certify that I am the attorney for the above-named debtor(s) and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept \$ _____

Prior to the filing of this statement I have received \$ _____

Balance Due \$ _____

2. The source of the compensation paid to me was:

- Debtor Other (specify)

3. The source of compensation to be paid to me is:

- Debtor Other (specify)

4. I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

I have agreed to share the above-disclosed compensation with another person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people or entities sharing in the compensation, is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

(a) Analysis of the debtor’s financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;

(b) Preparation and filing of any petition, schedules, statements of affairs and plan which may be required;

(c) Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;

(d) Representation of the debtor in contested bankruptcy matters; and

(e) Other services reasonably necessary to represent the debtor(s).

6. Pursuant to Local Rules 1007-1 and 1007-3-1, I have advised the debtor of the requirements of paragraph 9 of the Statement of Financial Affairs of the duty to disclose all payments made, or property transferred, by or on behalf of the debtor to any person, including attorneys, for consultation concerning debt consolidation or reorganization, relief under bankruptcy law, or preparation of a petition in bankruptcy. I have reviewed the debtor's disclosures and they are accurate and complete to the best of my knowledge.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy case.

Date: _____

Signature of Attorney
