

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

RECORD OF CHANGES IN 12/1/10 LOCAL RULES FROM 1/1/10 PUBLICATION

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Rule	Summary of Change
LBR 1001-1(d)	Updated effective date of rules to 12/1/10, except for requirement for certain creditors to file electronically, which becomes effective 6/1/11.
LBR 1005-1(a) and (b)	Requirement for names on petitions to be in “Mixed” or “Initial Cap” deleted as the Court no longer finds it necessary to mandate such procedure.
LBR 1006-1(a)(1)	Requirement to tender separate fee for each petition deleted as unnecessary as attorneys filing multiple petitions do so electronically.
LBR 1006-1(a)(2)(B)	Rule providing for dismissal of case if installment payment not made deleted as possibility of dismissal is stated on order approving installment payments.
LBR 1006-1(e)	Rule stating that fee waiver statute applies solely to an individual Chapter 7 case deleted as it restates the statute (28 U.S.C. §1930(f)).
LBRs 1007-2, 2002-1(g)(2), and 2003-1(a)	References to “mailing matrix” changed to “mailing list” for consistency with FRBP 1007 .
LBR 1010-1(a)	Rule requiring an involuntary petition to contain the name and mailing address of the debtor and of any debtor’s attorney deleted as (1) the name and address of the debtor is on the Official Form and (2) the Official Form contains no space to insert the name and address of any debtor’s attorney.
LBR 1080-1	Rule re presumption of foreign main proceeding in Chapter 15 cases deleted as the petition form has checkboxes for main and nonmain proceedings.
LBR 2002-1(a)(6)	Reference to “case” replaced with “petition for recognition”.
LBR 2003-1(d)(1)	Added section to rule re rescheduling of §341(a) meeting before its scheduled time to require any motion to state that the moving party complied with any UST policy and the basis for opposition.

Rule	Summary of Change
LBR 2015-1(b)(1)	Deadline for DIP to file monthly financial report changed from 15th to 21st day following the month which is the subject of the report.
LBR 2016-1(a)(1)	Provision allowing claimant of administrative expense to file proof of claim changed to proof of administrative expense. Optional form for such proof created.
LBR 3016-1(b)	Section added to require conspicuous disclosure of certain lien treatments in a Chapter 11 plan and disclosure statement.
LBR 3022-1	Rule re entry of final decree deleted as inconsistent with FRBP 3022 .
LBR 4001-1(b)(2)	Text added to clarify that relief from stay procedures contained in LBF #720.50 apply to cases in all chapters.
LBR 4001-1(f)(1)	Text added to note that the requirement to file a petition accompanied by a rent deposit under §362(l)(1) in paper is “notwithstanding” the electronic filing requirements of LBR 5005-4.
LBR 4008-1(a)	Text added to note that OBF #B240A is preferred by the Court for reaffirmation agreements, but that OBF #B240A/B Alt will also be accepted.
LBR 4008-1(b)	Rule requiring attachment of cover sheet to reaffirmation agreement deleted as restating FRBP 4008(a) .
LBR 5003-2	Rule prohibiting removal of court papers and files from offices of the court and the federal archives deleted as restating 18 U.S.C. §2071 .
LBR 5005-4(b)(1)	Requires creditors who file more than 10 documents in any year to thereafter file electronically. Note: Effective date of this rule is 6/1/11.
LBR 5005-4(b)(2)	Adds trustees and creditors as entities who may request a waiver of the electronic filing requirement.
LBR 5005-4(b)(3)	Rule requiring ECF Participant to inspect electronic filings regarding worms and viruses deleted as unnecessary given virus checking software requirement.
LBR 6004-1(b)	Adds text to rule requiring the FRBP 6004(f)(1) report to be filed “upon completion” of the sale while retaining the 28-day deadline.

Rule	Summary of Change
LBR 6004-1(c)	Rule allowing Chapter 7 Trustee to sell publicly held securities deleted as inconsistent with FRBP 6004(a) . Replaced with rule requiring certain asset sales and sale procedures motions to comply with LBF #363 .
LBR 7001-1(a)	Portion of rule stating that fee waiver statute does not apply to adversary proceedings deleted as it restates the statute (28 U.S.C. §1930(f)).
LBR 7005-1(b)(2)	Requirement that a certificate of service contain a clearly identified list of ECF Participants to be served electronically deleted.
LBR 7007-1(b)(1)(A)	Requirement for a brief to be a document separate from the underlying motion deleted.
LBR 7026-1(a)	Requirement to serve a copy of LBR 7026-1 with an adversary summons and complaint deleted.
LBR 7026-1(e)	Deadline to file motion to compel or for other relief with respect to a discovery request extended from 14 to 28 days after the discovery response is received or is due if no response filed.
LBR 7067-1(a)(1)(D)	Funds to be deposited into Court's registry where a specific depository is requested must now be fully collateralized without regard to FDIC or other governmental insurance.
LBR 7067-1(a)(3)	Text revised to more clearly emphasize that the Clerk must not deposit registry funds until s/he is satisfied that the requirements of LBR 7067-1(a)(1)(D) have been satisfied.
LBR 9001-1(b)	Citation to subsection of LBR 9010-1 corrected.
LBR 9004-1(a)(3)	Rule prohibiting the filing of documents on "onion skin" or bond type paper deleted.
LBR 9004-1(a)(10)	Rule prohibiting filing of documents by fax or e-mail deleted as duplicating LBR 5005-1.
LBR 9009-1(c)	Rule requiring compliance with any instructions regarding use of an LBF or OBF deleted as it is implicit that the required use of a form includes following the instructions for the form.
LBR 9009-1(e)	Rule requiring that an LBF or OBF be fully completed when filed deleted as it is implicit that a required form must be fully completed when filed.

Rule	Summary of Change
LBR 9010-1(a)(2)(D)	New rule allows a creditor not represented by an attorney to file and amend a proof of claim, and also sign a stipulation allowing, modifying, or disallowing the proof of claim.
LBR 9011-4(b)	Clarifies which documents an ECF Participant must not file without possessing the “wet ink” signature of the person signing the document.
LBR 9013-1(a)	Provision indicating that LBR 9013-1 applies to contested matters deleted as such is apparent from the title of the rule.
LBR 9013-1(c)	Clarifies deadlines for filing objections, responses, and replies, and when replies are permitted.
LBR 9013-1(f)	Rule re presentation of testimony at contested matter hearings deleted as duplicating LBR 2002-1(d)(2).
LBR 9015-1(b)	Rule re demand for jury trial on pleading deleted as inconsistent with FRCP 38(b) / FRBP 9015(a) .
LBR 9017-1(f)(1)	Adds requirement to offer transcript of testimony re recorded testimony from non-court proceedings in lieu of audio recording.
LBR 9017-1(f)(2)	New rule requires that party seeking to introduce a certified audio recording from a court proceeding also offer a transcript of such testimony.
LBR 9021-1(a)(1)	New rule allows attachment of proposed order or judgment to motion, application or complaint.
LBR 9021-1(a)(2)(A)	Clarifies requirements for prior service of a lodged order.
LBR 9021-1(a)(3)(A)(vii)(II)	Revises requirement for preparation of orders to list as recipients of order only contesting parties who are not, and whose attorneys are not, ECF Participants.
LBR 9021-1(a)(4)	Clarifies the Court’s authority to delegate to a party the Clerk’s obligation under FRBP 9022(a) to serve an order or judgment.
LBR 9036-1	Rule re electronic transmission of notices deleted as it restates FRBP 9036 .
LBR 9037-1(b)(1)	Adds language to clarify that redaction requirements apply to transcripts “subject to FRBP 9037(a) and not exempted by FRBP 9037(b) .”
LBR 9050-1	Rule renumbered as LBR 9018-1.