

UNITED STATES BANKRUPTCY COURT
FOR THE
WESTERN DISTRICT OF KENTUCKY

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RULES

Effective

~~1, 2009~~

(including
subsequent
orders and
changes)

LOCA

~~December~~

updates from
general
administrative

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RULE 1002-1 PETITION - GENERAL

- (a) All petitions must be:
- (1) filed within fourteen (14) days of their execution; or
 - (2) a properly executed amendment must be filed indicating the changes, if any, that have occurred between the date of execution and the date of filing.
- (b) The Court will dismiss any petition, under Title 11, regardless of the chapter under which it is filed, if it:
- (1) purports to place more than one entity or person (unless they are ~~husband and wife~~ legally married) under the protection of Title 11;
 - (2) is not accompanied by a filing fee, installment application or application for waiver of the Chapter 7 filing fee;
 - (3) is not properly signed and dated; or
 - (4) is filed *pro se* by a corporation or partnership ~~or other business entity—other than an individual conducting business as a sole proprietorship—See~~ § 1074-1

RULE 1007-1 LISTS, SCHEDULES & STATEMENTS

All statements of affairs and schedules must be:

- (a) ~~filed within~~ signed no later than fourteen (14) days ~~of before~~ their ~~execution~~ filing with the Clerk; ~~or and~~
- (b) a properly executed amendment must be filed indicating the changes, if any, that have occurred between the date of execution and the date of filing.

RULE 1007-2 MAILING - LIST OR MATRIX

The Court will dismiss any petition, under Title 11, regardless of the chapter under which it is filed, if it fails to have a creditor database loaded or mailing matrix submitted.

RULE 1007-5 STATEMENT OF SOCIAL SECURITY NUMBER (PRIVACY)

If an individual's social security number must be included in a pleading, only the last four digits of that number should be used, except for the Statement of Social Security Number (Official Form B 121) which must be separately filed ~~with the Court~~ pursuant to Fed.R.Bankr.P. 1007(f).

RULE 1014-2 VENUE - CHANGE OF

Any request for change of venue after assignment shall be made by motion to the Court.

**RULE ~~1073-1~~ ASSIGNMENT 1015-1 CONSOLIDATION OR JOINT
ADMINISTRATION OF CASES PENDING IN SAME COURT**

- (a) Joint Cases.** A joint case commenced under 11 U.S.C. § 302(a) shall be jointly administered, unless the Court orders otherwise. The separate estates of the debtors in a joint case will only be consolidated upon proper motion and notice.
- (b) Joint Administration.** The debtors may move for joint administration pursuant to Fed. R. Bankr. P. 1015. If any of the cases are filed under Subchapter V, the Court will set a hearing on the motion for joint administration. Jointly administered cases shall be administered as follows, unless the Court orders otherwise:
- (1) Designation of Lead Case.** The case with the lowest number shall be designated as the “Lead Case.” The other jointly administered cases are known as “Member Case(s).”
 - (2) Caption.** All papers, except those filed in a Member Case under subparagraphs (b)(4) and (5) of this rule, shall have the caption with the name and case number of the Lead Case followed by the words “Jointly Administered,” except that if one of the Member Cases is for an individual debtor, the caption shall include the Lead Case name and case number and the case name for an individual debtor. The caption for a jointly administered case shall not include the word “Consolidated.”
 - (3) Docket.** Except for the documents listed in subparagraphs (b)(4) and (5) of this rule, a pleading or document filed in a jointly administered case after the entry of the order for joint administration shall be docketed under the case number of the Lead Case. If joint administration is terminated, documents filed after the order terminating joint administration shall be filed and docketed in the separate cases.
 - (4) Claims and Related Pleadings.** Claims shall be filed only in the name and case number of the debtor against which the claim is asserted. A separate claims register shall be maintained for each case. A separate claim against multiple debtors shall be filed in each Member Case in which a claim is asserted. A pleading related to a claim filed in a Member Case shall be filed in that Member Case, and its caption shall have the name and case number of the Member Case.
 - (5) Documents to Be Filed in Member Cases Separately.** The following documents shall be filed on the dockets of the Lead or Member Cases as to which the document applies, even if filed after the entry of the order for joint administration, and the caption of these documents shall have the name and case number of the Member Case:
 - i. All Chapters**
 - 1. amended petitions;**
 - 2. schedules, statements of financial affairs, and amendments thereto;**
 - 3. proofs of claims and objections thereto;**

4. UST's Notice of Revocation of Appointment of Trustee;
 5. Section 341 Meeting Adjourned/Continued;
 6. trustee's final reports and accounts and related notices;
 7. adversary proceedings relating only to a Member Case;
 8. a notice of appeal and related documents concerning an order entered only in the Member Case;
 9. corporate ownership statements;
 10. Verifications of Creditor List; and
 11. all documents related to the foregoing.
- ii. Chapter 11 & 12 Cases
1. plans, disclosure statements, ballot reports, and objections or other documents related thereto;
 2. first day motions;
 3. the debtor's monthly operating reports;
 4. Motions to Extend Time to File Chapter 11/12 Plan, Obtain Confirmation, and/or Extend Exclusivity;
 5. Applications for Final Decree;
 6. in addition to documents required by this subparagraph (b) of this rule, in Subchapter V Cases:
 - a. Notices of Completion of § 1192 Payments;
 - b. Notices of Substantial Consummation of Subchapter V Plan;
 - c. Objections to Small Business/Subchapter V Designation/Request for Determination;
 - d. Statements of Small Business/Subchapter V Designation;
 - e. Subchapter V Status Reports Pursuant to § 1188(c); and
 7. documents related to the foregoing.
- (6) **Ballots.** Ballots shall have the caption of the name and case number of the Member Case for which the plan being voted on was filed.
- (c) **Substantive Consolidation.** Substantively consolidated cases shall be administered as follows, unless the Court orders otherwise:
- (1) **Designation of Lead Case.** The case with the lowest number shall be designated as the "Lead Case."
 - (2) **Caption.** All documents in substantively consolidated cases shall have the caption of the Lead Case, unless one of those cases is for an individual debtor; then the caption shall include the Lead Case and the case name for an individual debtor.
 - (3) **Docket.** A single case docket shall be maintained after the entry of the order for consolidation. If consolidation is later terminated, documents filed after the order terminating consolidation shall be filed in the separate cases.

- (4) **Claims.** After consolidation all claims shall be filed in the Lead Case. Claims filed and docketed prior to consolidation shall be considered as filed in the substantively consolidated cases but shall remain on the claims register where originally filed.

~~All proceedings shall be conducted in the division of the residence of the debtor or the division in which the major part of the assets are located.~~

RULE 1019 REQUIRED FILINGS IN CONVERTED CASES

- (a) Upon conversion of a bankruptcy to a Chapter 7 case, unless the Court orders otherwise, the debtor's initial lists, inventories, schedules, and statements of financial affairs should not be refiled in the record.
- (b) Unless the Court directs otherwise, if a Chapter 11 or Chapter 12 case is converted to a Chapter 7 case, within fourteen (14) days of the notice of conversion the debtor in possession or the trustee serving at the time of conversion shall file a schedule of any unpaid debts incurred after the filing of the petition and before conversion of the case, including the name and address of each holder of a post-petition claim.
- (c) Unless the Court directs otherwise, if a Chapter 13 case is converted to a Chapter 7 case, within fourteen (14) days of the notice of conversion, the debtor shall file (i) a notice of any unpaid debts incurred after the filing of the petition and before conversion of the case, including the name and address of each holder of a post-petition claim, and (ii) an amended Schedule I and J.
- (d) If a case is converted to a Chapter 7 from another Chapter, a creditor is not required to file a proof of claim in the Chapter 7 case. Instead, all proofs of claim are deemed filed in the Chapter 7 case upon conversion.

RULE 1074-1 CORPORATIONS

No corporation ~~/ or~~ partnership ~~or other business entity~~ shall be permitted to file documents *pro se* unless:

- (a) ~~the document being filed is a reaffirmation agreement~~ or request for notice, proof of claim ~~;~~ or transfer of claim.

RULE 1094-1 SUBCHAPTER V COMPENSATION

- (a) The Subchapter V trustee shall file fee applications in accordance with 11 U.S.C. § 330, Fed. R. Bankr. P. 2016, and W.D. Ky. L.B.R. 2016-1. The Court shall consider and determine the amount and reasonableness of the Subchapter V trustee's fee application.
- (b) **Monthly Deposit.**
- (1) Within ten (10) days after appointment of a Subchapter V trustee, the debtor shall confer with the Subchapter V trustee about the appropriate amount for a monthly postpetition deposit for administrative expenses.

Funds for administrative expenses will be held in a court approved account pending further Order of the Court. Disbursement of said funds shall be solely pursuant to Orders of this Court, including a confirmation order.

- (2) If an agreement is reached, the debtor shall seek Court approval of the postpetition deposit payment agreement in a cash collateral motion or other appropriate motion and shall file a stipulated motion to obtain approval of the agreed amount of the monthly deposit. The stipulated motion may be granted by the Court without hearing. Any party in interest who opposes the stipulated motion may file an objection within twenty-one (21) days after the date of service, and such objection may be set for hearing notwithstanding the Court's order granting the stipulated motion.
- (3) If no agreement is reached, the debtor shall immediately file, but in no case later than the close of the 10th day after a Subchapter V trustee has been appointed, a motion with the Court requesting an expedited hearing to determine an appropriate monthly postpetition deposit based on the equities of the case. Failure to do so may result in a dismissal of the case for cause.
- (4) The Subchapter V trustee, or any party in interest, may seek to decrease or to increase the amount of the monthly postpetition deposit for cause shown and based on the equities of the case.

(c) **Subchapter V Fee Applications Upon Case Dismissal.**

If a Subchapter V Case is dismissed, the Court shall retain jurisdiction to determine the amount and reasonableness of professional fee applications (including the Subchapter V trustee's fee application) under 11 U.S.C. § 330 (or other applicable law) and the Fed. R. Bankr. P., to enter final orders on professional fee applications, and to enforce orders authorizing and awarding professional fees.

RULE 1095-1 SUBCHAPTER V POST-CONFIRMATION MATTERS

(b) ~~the filer is an individual conducting business as a sole proprietorship~~ Post-Confirmation Requirements for Nonconsensual Plans.

- (1) The debtor shall provide periodic reporting to the Subchapter V trustee detailing the status of the debtor's operations and to ensure plan compliance as set forth in the confirmation order.
- (2) The debtor shall provide written notice to the Subchapter V trustee of any significant after-acquired property within thirty (30) days of acquiring such property.
- (3) In cases in which the Subchapter V trustee is acting as the disbursing agent, the Court may require the trustee to file periodic post-confirmation reports. The form, content, and frequency of any post-confirmation reports may vary depending upon the reporting requirements that are

- specified in the confirmed plan, the plan confirmation order, and/or local rule or practice.
- (4) If the debtor acts as the disbursing agent, the Court may require the debtor to file periodic post-confirmation reports. The form, content, and frequency of any post-confirmation reports may vary depending upon the reporting requirements that are specified in the confirmed plan, the plan confirmation order, and/or local rule or practice.
- (5) **If the debtor fails to** comply with the requirements of a confirmed nonconsensual Plan, the Subchapter V trustee may file a notice of noncompliance detailing such failures.
- (6) After confirmation of a nonconsensual Plan, the Subchapter V trustee may file a monthly notice of post-confirmation fees and expenses related to the trustee's services under the confirmed plan. If no objection **is filed within fourteen (14) days of the** filing of the fee notice, then the debtor shall promptly pay the balance due to the Subchapter V trustee.
- (b) **Notice of Substantial Consummation.** The debtor shall file a Notice of Substantial Consummation and serve it upon the Subchapter V trustee, the U.S. trustee, and all parties-in-interest within fourteen (14) days following substantial consummation as required under 11 U.S.C. § 1183(c)(1) and (2).
- (c) **Discharge and Case Closure Process-Consensual Plan.**
- (1) If a case has been confirmed under 11 U.S.C. § 1191(a) and the debtor is an individual, then the Court may enter the discharge immediately after entry of the confirmation order.
- (2) Within ninety (90) days of the debtor filing a Notice of Substantial Consummation, the Subchapter V trustee shall file (a) a final application for compensation and (b) the applicable Report of No Distribution ("NDR") or Final Report ("TFR").
- (3) Within thirty (30) days of the filing of the Subchapter V trustee's NDR or TFR, the debtor shall file a motion for final decree.
- (4) Upon entry of a final decree, the Subchapter V trustee is discharged as the trustee of the estate, the Subchapter V trustee's bond is cancelled, and the case may be closed.
- (d) **Discharge and Case Closure Process-Nonconsensual Plan.**
- (1) Upon completion of Plan payments, the disbursing agent as set forth in the confirmed Plan or confirmation order shall file a notice of completion of plan payments.
- (2) Within ninety (90) days of the filing of the notice of Plan completion, the Subchapter V trustee shall file (a) a final application for compensation and (b) the NDR or TFR.
- (3) Within thirty (30) days of the filing of the Subchapter V trustee's NDR or TFR, the debtor shall file a motion for entry of discharge and a motion for final decree. In the motion for entry of discharge, the debtor shall certify that (1) all payments required under the confirmed plan have been made, (2) all administrative expenses including the approved fees and expenses

of the Subchapter V trustee have been paid in full, and (3) that the debtor is entitled to entry of discharge. If no motion for entry of discharge is filed, the case may be closed without entry of a discharge after the trustee files the NDR or TFR.

- (4) Upon entry of a final decree, the Subchapter V trustee is discharged as the trustee of the estate, the Subchapter V trustee's bond is cancelled, and the case may be closed.

**RULE 2002-1 NOTICE TO CREDITORS & OTHER INTERESTED PARTIES -
CHAPTER 11 SPECIAL NOTICING PROCEDURES-**

- (a) In all Chapter 11 cases, the Clerk serves as the primary noticing agent unless the Court orders otherwise.
- (b) The debtor may ask the Court by motion to require creditors and parties in interest to file a request to receive notices.
- (c) If the motion of the debtor to require creditors and parties in interest to file a request to receive notices is granted, service is due to the following:
- (1) all secured creditors who are not represented by counsel;
 - (2) all counsel of record for parties in interest;
 - (3) the U.S. Trustee;
 - (4) counsel for the unsecured creditors committee and any other committees;
 - (5) all governmental units having claims; and
 - (6) all persons who file a request to receive such notices.
- ~~(d) A copy of an entry of appearance or a request for notices must be served on the debtor's or debtor-in-possession's counsel.~~

RULE 2002-2 NOTICE TO UNITED STATES OR FEDERAL AGENCY

- (a) If Any objection, proof of claim, or motion involving a debt is owed to the United States, other than for taxes, notice or a federal agency must be mailed to served on:
- ~~(a)~~1) The U.S. Attorney for the district in which the case is pending; and
 - ~~(b)~~2) The department, agency, or instrumentality of the United States through which the debtor became indebted. The proper addresses for service are located in the Clerk's Office Administrative Manual.
- (b) Notice of a new bankruptcy filing involving a non-tax debt owed to a federal agency must be sent to the applicable agency and to the U.S. Attorney for the Western District of Kentucky.

RULE 2007-1 APPOINTMENT OF HEALTH CARE OMBUDSMAN

Consistent with Fed. R. Bankr. P. 2007.2, when a debtor commences a case as a "health care business" as defined in 11 U.S.C. § 101(27A), the Court shall enter an Order for the appointment of a Patient Care Ombudsman by the United States Trustee, without a

hearing, within thirty (30) days of the commencement of the case, unless within twenty-one (21) days a Motion is filed seeking an Order that the appointment of a Patient Care Ombudsman is not necessary.

RULE 2012-1 CHAPTER 13 - DEBTOR ATTORNEY FEES

(a) The Amount of the Flat Fee.

The Clerk's Office Administrative Manual shall contain the ~~advice and recommendations of the Chapter 13 Trustee for the~~ amount of the flat fee for representation of a debtor in a Chapter 13 bankruptcy case.

(b) What Is Covered by the Flat or ~~"No-Look"~~ Fee.

The Clerk's Office Administrative Manual shall ~~contain the advice and recommendations of the Chapter 13 Trustee on what specifies~~ specify which tasks are included in the flat fee for representation of a debtor in a Chapter 13 bankruptcy case.

RULE 2081-1 CHAPTER 11 - DISCHARGEABILITY AND FINAL DECREE IN NON-SUBCHAPTER V CASES

(a) Deadline for filing Certification and Request for Entry of Final Decree.

Unless otherwise provided in the Order of Confirmation, the debtor-in-possession (or plan proponent) shall complete and file ~~with the Court~~ within sixty (60) days of the entry of the Order of Confirmation the Certification and Request for Entry of Final Decree, Local Form U. The time for filing may be extended upon proper motion for cause.

(b) Certification and Request for Discharge-Individual Chapter 11 Case.

(1) Individual Chapter 11 cases will be closed as set forth above.

(2) Section 1141(d)(5)(A) Discharge

Upon completion of all plan payments, the debtor-in-possession may move to reopen an individual Chapter 11 case for the purpose of obtaining a discharge. The Certification of Plan Completion and Request for Discharge, Local Form S, must accompany the motion to reopen.

(3) If no response to the certification is filed with the ~~Court~~Clerk by creditors or parties in interest, the Court will issue a discharge and re-close the case. A waiver of the reopening fee will be considered upon proper motion.

(4) Section 1141(d)(5)(B) Discharge

A motion by the debtor-in-possession for a discharge under this provision must be accompanied by the Certification of Debtor Eligibility Regarding Request for Discharge Prior to Completion of Plan Payments, Local Form T.

RULE 2082-1 CHAPTER 12 - DISCHARGEABILITY

- (a) **Requirements for Section 1228(a) Discharge –**
- (1) Upon the Chapter 12 trustee filing a notice of plan completion, the trustee shall contemporaneously serve on the debtor and the debtor's attorney ~~for the debtor~~ (if any) a notice to the debtor of plan completion and of the ~~debtor's~~ need to file request for discharge.
 - (2) The debtor shall complete and file ~~with the Court~~ within thirty (30) days of the date of the trustee's notice the Certification of Plan Completion and Request for Discharge, Local Form V. The time for filing may be extended upon proper motion for cause.
 - (3) Failure to file the certification could result in the case being closed without a discharge. Any reopening to enter a discharge will require a reopening fee to be paid.
 - (4) If no response to the certificate and notice is filed ~~with the Court by creditors or by~~ parties in interest, the Court ~~will~~may issue a discharge.
- (b) **Requirements for Section 1228(b) Discharge –**
- (1) Upon the filing of a motion by the debtor for a hardship discharge, the debtor shall contemporaneously file the Certification of Debtor Information Regarding Request for Hardship Discharge, Local Form W.
 - (2) Failure to file the certification with the motion may result in denial of relief sought.

RULE 2083-1 CHAPTER 13 - DISCHARGEABILITY-

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- (a) **Requirements for Section 1328(a) Discharge –**
- (1) Upon the Chapter 13 trustee filing a notice of plan completion, the trustee shall contemporaneously serve on the debtor and the attorney for the debtor (if any) a notice to the debtor of plan completion and of the debtor's need to file request for discharge.
 - (2) The debtor shall complete and file ~~with the Court~~ within thirty (30) days of the date of the trustee's notice the Certification of Plan Completion and Request for Discharge, Local Rule Form Q. The time for filing may be extended upon proper motion for cause.
 - (3) Failure to file the certification ~~could~~will result in the case being closed without a discharge. Any reopening to enter a discharge will require a reopening fee to be paid.
 - (4) If no response to the certificate and notice is filed ~~with by the Court by~~ creditors or the parties in interest, the Court will issue a discharge.
- (b) **Requirements for Section 1328(b) Discharge –**
- (1) Upon the filing of a motion by the debtor for a hardship discharge, the debtor shall contemporaneously file the Certification of Debtor Information Regarding Request for Hardship Discharge, Local Rule Form R.

- (2) Failure to file the certification with the motion may result in denial of relief sought.

RULE 2091-1 ATTORNEYS - WITHDRAWAL

Notice of any debtor's attorney's motion to withdraw from a case or proceeding will be served upon the mailing matrix or creditor database, U.S. Trustee and panel trustee by said attorney unless otherwise ordered.

RULE 3001-1 CLAIMS AND EQUITY SECURITY INTERESTS - GENERAL

(a) Required Disclosure.

All Proofs of Claims must be typewritten, substantially comply with [Official Form B410](#) and ~~include as of the date the Order of Relief is granted:~~ [Fed. R. Bankr. P. 3001](#), include copies of any documents evidencing the claim, and contain redactions of all personal identifiers.

- ~~(1) Total gross balance due;~~
- ~~(2) Amount of unmatured interest rebated;~~
- ~~(3) Net balance due;~~
- ~~(4) Regular installment payment amount;~~
- ~~(5) The interest rate—contract rate or per diem rate whichever applies—at which interest accrues;~~
- ~~(6) A copy of—including proof of the recording of—the security interest or lien;~~
- ~~(7) The Federal and State Identification number of the company filing the proof of claim;~~
- ~~(8) A statement of account or other evidence of indebtedness; and~~
- ~~(9) Telephone number of claimant.~~

(b) Secured and Priority Claims.

- All in a Chapter 13 case, all secured claims and priority claims of creditors should:

- ~~(1)~~ be filed ~~in the Clerk's office~~ within seven (7) days preceding the meeting of creditors; ~~and (2) must include a rebated balance as of the date of filing.~~

Failure to comply with this rule may result in delay of distribution of money by the Chapter 13 Trustee to the secured creditor.

(c) Deficiency Proofs of Claims.

(1) Chapter 7 Cases.

Deficiency claims arising from the disposition of secured collateral shall be filed no later than one hundred and ~~twentyeighty~~ [\(120180\)](#) days following the order of the Court granting relief from the automatic stay, but in no event later than the ~~approval~~ [submission](#) of a final report. Such time period may be enlarged only upon motion made within the one hundred and ~~twentyeighty~~ [\(120180\)](#) day time period and only for cause shown.

(2) Chapter 12 and 13 Cases.

- (~~a~~i) Deficiency claims arising from the disposition of secured collateral shall be filed no later than one hundred and ~~twentyeight~~ (~~120~~180) days following the order of the Court granting relief from the automatic stay. Such time period may be enlarged only upon motion made within the one hundred and eighty (180) day time period and only for cause shown. This rule shall have no applicability to stay relief granted in plans of reorganization, confirmation orders, or in the debtor's motions to amend or modify a plan of reorganization.
- (~~b~~ii) Counsel for the debtor shall have thirty (30) days from the date of the filing of the creditor's deficiency proof of claim to file an objection to such claim. Failure to file a timely objection shall result in such claim being deemed allowed.
- (~~e~~iii) Following allowance of the claim, the debtor's counsel shall have thirty (30) days in which to file a supplemental schedule of allowed claims.

(3) **Chapter 11 Cases.**

Deficiency claims arising from the disposition of secured collateral shall be filed no later than one hundred and ~~twentyeight~~ (~~120~~180) days following the order of the Court granting a creditor's motion for relief from the automatic stay, ~~or by such date set in any other order setting the bar date for such claims.~~ This rule shall have no applicability to stay relief granted in plans of reorganization, confirmation orders, or in the debtor's motions to amend or modify. Such time period may be enlarged only upon motion made within the one hundred and ~~twentyeight~~ (~~120~~180) day time period and only for cause shown.

RULE 3012-1 VALUATION OF COLLATERAL

- (~~a~~) ~~A Chapter 13 debtor may file a motion which must be entitled "Motion to Strip Off a Junior Lien" and a proposed order in a format that substantially complies with Motion to Strip Off a Junior Lien, Local Form M.~~
- (~~b~~) ~~The motion, at a minimum, must specifically identify:~~
 - (~~1~~) ~~the name of the creditor;~~
 - (~~2~~) ~~the subject real property;~~
 - (~~3~~) ~~the legal description of the property;~~
 - (~~4~~) ~~state clearly and unequivocally that the debtor intends to strip off the creditor's lien and treat the creditor's claim as unsecured; and~~
 - (~~5~~) ~~state that the basis for the lien stripping is alleged lack of equity in the encumbered property.~~
- (~~c~~) ~~The motion should be filed with the proposed plan or no later than twenty one (21) days prior to the scheduled confirmation hearing in order for the motion to be heard in conjunction with the confirmation hearing.~~

RULE 3070-1 CHAPTER 13 - PAYMENTS

- (a) Every debtor represented by counsel must make proposed plan payments required by [11 U.S.C. § 1326](#) to ~~the~~ debtor's attorney's escrow account from the date of filing the plan.
- (b) Proposed plan payments must be paid to the ~~standing~~ [Chapter 13](#) trustee ~~at the Section 341 meeting~~ [within ten \(10\) days after confirmation of the plan.](#)

RULE 4001-1 AUTOMATIC STAY - RELIEF FROM

- (a) **Requirement of Proof of Claim.**
Any motion for relief from the automatic stay shall be filed with a copy of the proof of claim and specify whether the movant seeks to terminate, annul, modify, or condition the stay.
- (b) **Service.**
~~Parties for the purpose of service in connection with~~ [Service of a motion for](#) relief from [the automatic](#) stay ~~proceedings~~ shall include, but ~~are~~ [is](#) not limited to:
 - (1) the debtor or debtor-in-possession and the debtor's or debtor-in-possession's attorney;
 - (2) any applicable co-debtor where relief is sought from the co-debtor stay under [11 U.S.C. § 1201](#) or [§ 1301](#);
 - (3) the trustee, if any, appointed in the case;
 - (4) the chairperson and counsel for any committee appointed in the case; and
 - (5) any party known to the movant holding or claiming an interest in the property.

(c) **Requirements for Motion.**

Except as provided in ~~Local Rule~~ W.D. Ky. L.B.R. 9013-1, a motion for relief from the automatic stay shall be filed separately and not combined in the same motion with any other requests for relief.

(d) **~~Effect of No Response to Motion in Chapter 7 Case~~ Cases.**

(1) In a Chapter 7 case, if no response to the stay motion is filed within fourteen (14) days, the relief requested ~~will~~ may be granted.

(e) **~~Hearing for Good Cause in Chapter 7 Case~~**

~~A hearing will be scheduled within thirty (30) days of the date of filing the motion if:~~

~~(1) the response is filed within fourteen (14) days of the date of service of the stay motion; and~~

~~(2) good cause for~~ If a response is filed, a hearing is stated in on the response stay motion will be scheduled. Additional time to obtain reaffirmation agreements does not constitute good cause to object to a stay motion.

~~(f)~~ (e) **Chapter 13 Motions.**

(1) Upon filing a motion to terminate, annul, or modify the stay, the Court will set a hearing ~~no earlier than twenty (20) and no later than thirty (30) days from the date filed on the motion.~~

(2) All motions ~~to terminate or modify the~~ for relief from the automatic stay that involve real property mortgage arrearages must include a payment history in a format similar to Appendix to Motion for Relief From Stay - Chapter 13 Real Property, Local Form A. The payment history will begin from the later of either the filing of the petition or the month the arrearage started. The following must be included:

~~(A)~~ i the month the first delinquent payment was due;

~~(B)~~ ii whether any payments were paid subsequent to the date of the first default and how the payment was applied; and

~~(C)~~ iii the amount of the payment.

(3) Failure to include the payment history will result in the motion being denied.

(4) The debtor will have until seven (7) days prior to the hearing to respond. If no response is filed, the relief requested will be granted.

(5) If a response is filed, the hearing will proceed as originally scheduled.

~~(46)~~ The debtor will have fourteen (14) days to respond to the motion. Any A

response that contests the amount of arrearage must contain a payment history in a format similar to Appendix to Motion for Relief From Stay - Chapter 13 Real Property, Local Form A. The payment history shall contain:

~~(A)~~ i the date the payment was tendered;

~~(B)~~ ii the amount of the payment;

~~(C)~~ iii the check or money order number;

~~(D)~~ iv the month(s) the payment was intended to cover; and

- (Ev) copies of the checks or money order receipts or a statement as to why those checks or receipts are not available and when they can be furnished.

RULE 4070-1 INSURANCE

(a) Required Proof of Insurance.

- (1) ~~Proof~~ Upon request, proof of insurance against physical damage and loss must be furnished to the trustee and the creditor ~~at or before the Section 341 meeting whenever a debtor elects—either by making payments through a plan or by making adequate protection payments or by entering into a reaffirmation agreement—to retain a motor vehicle which is subject to the lien of a creditor holding an allowed secured claim, or a vehicle subject to a lease.~~ within ten (10) days of such request.
- (2) Failure to furnish proof of insurance within ten (10) days of any request will be presumed to mean no insurance is in effect.
- (3) The proof of insurance must state that coverage will continue for at least ninety (90) days from the date of the Section 341 meeting.
- (4) If there is already a ninety (90) day policy in effect at the time of the Section 341 meeting, the debtor must ensure that there are ninety (90) days remaining on the policy at the time of the Section 341 meeting.
- (5) However, if the debtor presents proof of paid coverage for the ninety (90) day period immediately preceding the policy in effect at the time of the Section 341 meeting, as well as proof of payment for the ninety (90) day policy currently in effect, the debtor may extend the policy at its normal renewal date.
- (6) If the debtor fails to furnish proof of insurance at the 341 meeting as requested, the stay shall be deemed terminated upon the filing of a certification of non-insurance.

(b) Proof of Insurance Lapse on Motor Vehicles Defined.

~~If prior to or subsequent to the Section 341 meeting, but during the pendency of a case, insurance lapses on any motor vehicle subject to the provisions of this rule, the following procedures shall be followed:-~~

“Proof of Insurance” shall mean:

- (1) ~~A creditor with an allowed claim secured on the motor vehicle for which insurance has lapsed shall notify, in writing, the debtor and the debtor’s attorney of such lapse of insurance. Service of such notice upon the debtor and the debtor’s attorney shall be in the manner specified in Fed.R.Bankr.P. 7004(b)(9).~~ a certificate of insurance or such other written evidence of sufficient reliability from an insurance carrier;
- (2) ~~The debtor shall be enjoined from using the motor vehicle for which insurance has lapsed as long as the motor vehicle remains uninsured.~~ that states that collision and liability insurance is in force for a minimum of ninety (90) days from the meeting of creditors;
- (3) ~~If the debtor fails to provide proof of reinsurance for a minimum period of ninety (90) days to the creditor within seven (7) days following mailing of~~

- ~~the notice provided in subsection 4070-1(b)(1) of this rule, the stay shall be deemed terminated upon the filing of a certification of non-insurance that states the amounts and types of coverage; and~~
(e4) **Waiver of Required Insurance by Creditor** lists the secured party as loss payee.

~~Notwithstanding the above, the requirement for property collision insurance may be waived by a creditor, but such waiver must be in writing and signed by the creditor or its representative to be effective.~~

RULE 5001-1 COURT ADMINISTRATION

- (a) These rules shall apply to all cases and proceedings filed on or after ~~July 9, 2009~~ the Effective Date of these rules.
(b) These rules shall be cited as “W.D. Ky. L.B.R. ~~insert~~ [Rule Number, ~~such as 1002-1~~].”].

RULE 5005-1 FILING PAPERS - REQUIREMENTS - ATTACHMENTS

- (a) **Requirements.**
All attachments must be filed in electronic form unless the Court permits otherwise.
(b) **Attachments in Excess of ~~forty~~Forty (40) ~~pages~~Pages.**
For attachments in excess of forty (40) pages in length, a filer shall submit only those excerpts of the referenced documents that are directly germane to the matter under consideration by the Court.
(c) **Excerpted Material.**
Excerpted material must be clearly and prominently identified as such. Filing parties who file excerpts of attachments under this rule do so without prejudice to their right to timely file additional excerpts or the complete document.
(d) **Response to Excerpted Material.**
Responding parties may timely file additional excerpts or the complete document that they believe are directly germane.
(e) **Request for Complete Attachments.**
Parties to a case or adversary proceeding may request persons who file an excerpt to provide a complete copy of the attachment within seven (7) days of receipt of the request.

RULE 5005-4 ELECTRONIC FILING

- (a) **Scope of Electronic Filing.**
(1) **Electronic Filing Required.**
All pleadings and documents ~~filed with the Court~~ must be filed electronically – except as ~~expressly~~ provided below ~~in 5005-4(a)(2) and (a)(3).~~
(2) **Pro Se Debtor Filing.**

~~Parties~~Debtors without legal representation (~~pro se debtors~~) are not required to file pleadings and other papers in a case electronically.

(3) **Creditor ~~Filing.~~**

~~(A)~~ Creditors that are not represented by counsel (~~pro se creditors~~) are not required to file documents electronically, unless the number of documents filed by ~~an individual~~such creditor exceeds ~~twenty-five~~twenty-five (25) filings with this Court in a one year period.

~~(B)~~ Subject to ~~1074-1~~, ~~pro se creditors are permitted to file only certain documents without legal representation, including but not limited to reaffirmations agreements, proofs of claims and transfers of claims.~~

(b) **Consequences of Electronic Filing.**

(1) **What Constitutes “Filing”.**

Electronic transmission of a document to the Case Management Electronic Filing System (CM/ECF) consistent with these rules, together with the transmission of a notice of electronic filing from the Court, constitutes filing of the document and entry of the document on the docket.

(2) **What Constitutes the Official Record.**

When a document has been filed electronically, the official record is the electronic recording of the document as stored by the Court. ~~The filing party is bound by the document as filed.~~

(3) **Calculating Date & Time of Filing.**

~~Except for pro se filings, a~~A document filed electronically is deemed filed at the date and time stated on the notice of electronic filing ~~from the Court.~~

(c) **Electronic Signatures.**

(1) **What Constitutes an Electronic Signature.**

The log-in and password required to submit documents to CM/ECF serve as the filer’s signature on all electronic documents filed with the ~~Court~~Clerk.

(2) **Documents Signed by Multiple Parties.**

Documents ~~requiring~~containing the signatures of ~~more than one party~~multiple parties (i.e. agreed orders, joint motions, etc.) must be electronically filed showing the consent of all parties either by:

~~(A)~~ Submitting a scanned document containing copies of all ~~necessary~~wet ink signatures of counsel;

(ii) Indicating all persons’ signatures on the original document by including the designation “s/” followed by the attorneys’ name in the signature block; or

~~(B) Representing the consent of the other parties on the document;~~

~~(C) Identifying on the document the parties whose signatures are required and by the submission of a notice of endorsement by the other parties; or~~

~~(D)~~iii In any other manner approved by the Court.

RULE 5071-1

CONTINUANCE

(a) All motions to continue hearings must:-

~~(13)~~ be in writing; and Original Signatures of Non-Attorneys.

- (i) Signatures of a non-attorney, including a debtor, on an electronically filed document must be in the following or substantially similar format: ‘/s/ Debtor.’
 - (ii) If an attorney electronically files a document requiring the non-attorney’s signature, then the attorney must obtain the non-attorney’s signature before filing the document. By affixing the electronic signature of a non-attorney and filing the document, the attorney is confirming that it has the signature of the non-filer in the attorney’s records.
- ~~(2) filed at least seven (7) days before the scheduled hearing date.~~
- ~~(b) Each motion filed by a debtor must contain an affidavit specifying the reason for the continuance.~~

RULE 5072-1 COURTROOM DECORUM

- (a) Persons Permitted Inside the Bar of the Courtroom.**
Only the following persons shall be permitted inside the bar of the courtroom, unless otherwise ordered by the Court:
 - (1) the parties;
 - (2) the witnesses when actually testifying;
 - (3) the attorneys duly admitted to practice before the Court and their paralegals working under their direction;
 - (4) the Court Security Officers and/or U. S. Deputy Marshals; and
 - (5) other officers or employees of the Court.
- (b) Possession and Use of Certain Equipment.**
The operation or possession of the following equipment is strictly prohibited in any courtroom, hall, corridor, or foyer of any building used as a place of holding Court, whether or not Court is actually in session:
 - (1) recording devices;
 - (2) radio or television broadcasting devices; and
 - (3) equipment for taking photographs.
 - (4) Possession of cellular phones is not prohibited, but the use of cellular phones is prohibited in any courtroom. All cellular phones should be turned off or should be prevented from ringing in a courtroom.
- (c) Exceptions.**
The presiding Judge may, however, permit the use of electronic or photographic means for the presentation of evidence or the perpetuation of a record or other circumstances as ordered.
- ~~(d) **Children**
No child under the age of twelve (12) years will be allowed in any courtroom.~~
- ~~(e) **Sanctions**
Any person violating this rule shall be subject to punishment for contempt.~~
- ~~(f) **Notice**
Notice of this rule shall be posted in a conspicuous place in all federal court buildings in the Western District of Kentucky.~~

(gd) Business Attire.

All persons who appear before the U.S. Bankruptcy Court – including attorneys, debtors, creditors and witnesses – shall wear attire that is appropriate for a court setting—~~business type clothing that is modest and professional. No halter tops, no soiled clothing, no mini-skirts, no spandex, no athletic wear, no hats, etc. will be tolerated.~~ The Court may refuse to hear a case if a party is wearing inappropriate clothing.

RULE 5080-1 FEES - GENERAL

The Court will dismiss, overrule, or refuse for filing any petition, complaint, motion, agreed order, or other paper under Title 11, regardless of the chapter under which it is filed, if it is not accompanied by a filing fee, an installment application, or an application for waiver of the ~~Chapter 7~~ filing fee.

RULE 6007-1 ABANDONMENT

(a) Notice of Abandonment Contained in the Section 341 Meeting Notice.

The ~~section~~Section 341 meeting notice states that the trustee, upon the filing of a report of no distribution with the ~~Court~~Clerk, proposes to abandon all property which is of no value to the estate. All property of the estate will, therefore, be deemed abandoned if:

- (1) A report of no distribution is filed by the trustee; and
- (2) No objections are filed within thirty (30) days from the ~~section 341-meeting~~report of no distribution.

(b) Creditor Motion for Abandonment.

When the above two conditions are not met and a creditor wishes to move for abandonment of property, these procedures shall be followed:

- (1) **Service.** A motion for a proposed abandonment by a party in interest shall be served on:
 - (~~A~~i) the trustee;
 - (~~B~~ii) the debtor or debtor-in-possession;
 - (~~C~~iii) the debtor's or debtor-in-possession's attorney;
 - (~~D~~iv) ~~members of any creditors' committee and its~~any committees' attorney;
 - (~~E~~v) any person or entity claiming an interest in or lien against the property to be abandoned; and
 - (~~F~~iv) ~~any creditor requesting specific notice of proposed~~abandonmentsall creditors.
- (2) A motion for a proposed abandonment shall contain:
 - (~~A~~i) security interest information formatted similar to Motion By Secured Creditor for Abandonment of Property, Local Form E;
 - (~~B~~ii) a certificate of notice for filing objections; and
 - (~~C~~iii) a copy of the proof of claim.

- ~~(3) Where the trustee or debtor in possession proposed abandonment of property at the request of a party in interest, such party shall give notice as required.~~

RULE 6070-1 TAX RETURNS AND TAX REFUNDS

(a) Offset of Income Tax Refund.

The Internal Revenue Service is authorized:

- (1) to make income tax refunds, in the ordinary course of business to the debtors in Chapter 7 and Chapter 13 cases, unless directed otherwise in writing by the trustee or the Court, and
- (2) the Internal Revenue Service is authorized to offset any refund against any taxes due to the United States.

(b) IRS Duty to Notify Court and Trustee.

Where the Internal Revenue Service has on file with the Bankruptcy Court a proof of claim covering tax liabilities of the debtor, the IRS must – in letter form, or by amended claim – notify the Bankruptcy Court and the trustee of any and all offsets made pursuant to authorization in all such cases.

(c) IRS Assessment of Tax Liabilities.

The Internal Revenue Service will assess tax liabilities which are due in all cases on voluntarily filed tax returns.

(d) Modification of Stay.

The stay afforded by [11 U.S.C. Section § 362](#) is modified to the extent provided by this rule.

- (e) **Delivery of Tax Returns and Tax Refunds in Confirmed Chapter 13 Cases.**
All debtors having plans confirmed that provide for less than full payment to holders of unsecured claims shall by May 15 of each year:
- (1) submit to the standing trustee copies of federal and state income tax returns filed during the pendency of the case;
 - (2) deliver federal and state income tax refunds to the standing trustee for distribution to creditors; and
 - ~~(3) annually submit a current income and expense statement to the standing trustee who will determine whether all disposable income is being paid into the plan.~~
 - (43) If an extension of time for filing income tax returns is filed in lieu of a tax return:
 - (Ai) a copy of the extension request shall be ~~filed with the~~ standing submitted to the Chapter 13 trustee no later than May 15 of each year a case is pending; and
 - (Bii) ~~a copy~~ copies of the returns shall be ~~filed with the~~ standing submitted to the Chapter 13 trustee when filed with the taxing authorities.

RULE 7007.1-1 CORPORATE OWNERSHIP STATEMENT TO BE FILED BY EACH NON-INDIVIDUAL PARTY TO AN ADVERSARY PROCEEDING

The Corporate Ownership Statement required to be filed under Fed. R. Bankr. P. 7007.1 shall also be filed by each non-individual party to an adversary proceeding that is not a governmental unit, including those that seek to intervene. Such statement shall identify any person owning ten percent (10%) or more of its equity interests.

RULE 7007-1- MOTION PRACTICE RULE 7026-1 INITIAL DISCLOSURES IN ADVERSARY PROCEEDINGS

- (a) Unless otherwise ordered by the Court sua sponte or on a party's timely request, a party to an adversary proceeding or contested matter is not required to make the disclosures required by Fed. R. Civ. P. 26(a)(1) – (3) as made applicable by Fed. R. Bankr. P. 7026.
- (b) Unless otherwise ordered by the Court, the provisions of Fed. R. Civ. P. 26(f) as made applicable by Fed. R. Bankr. P. 7026 do not apply in adversary proceedings or contested matters.
- ~~(a) Requirements~~
 - ~~(1) The Clerk will not accept any motion for filing unless accompanied by a separate proposed order.~~
 - ~~(2) Motions may not request more than one form of relief.~~
- ~~(b) Motion for Expedited Relief or for an Emergency Hearing~~
 - ~~(1) The moving party of a motion for expedited relief or a motion for an emergency hearing must:~~
 - ~~(A) call the Clerk's office to notify the Court that a motion, pleading or other matter requires immediate attention; and~~

~~(B) include in the heading of the motion one of these two phrases—
“EMERGENCY MOTION TO . . .” or “REQUEST FOR
EXPEDITED HEARING.”~~

- ~~(2) Upon receipt of the motion, the Clerk’s office will bring the motion,
pleading or other matter to the attention of the Court as soon after it is
filed as is practicable.~~
- ~~(3) If a hearing is to be set without sufficient time for notice, the parties will
be notified by telephone of the hearing time and date.~~
- ~~(4) All inquiries regarding these motions should be directed to the Clerk’s
office.~~

RULE 9001-1 DEFINITIONS

(a) Meaning of references to “Court” and “Clerk”

- ~~(1) “Court” shall mean the United States Bankruptcy Court for the Western
District of Kentucky; and~~
- ~~(2) “Clerk” shall mean the Clerk of the United States Bankruptcy Court for
the Western District of Kentucky.~~

(b) Motor Vehicle Defined

~~“Motor Vehicle” shall include, but is not limited to:~~

- ~~(1) any automobile or truck;~~
- ~~(2) motorcycle or motorbike;~~
- ~~(3) mobile home or house trailer designed for travel on the public highways
and/or capable of travel on the public highways; and~~
- ~~(4) any other vehicle licensed by any state for travel on the public highways.~~

(c) Proof of Insurance Defined

~~“Proof of Insurance” shall mean:~~

- ~~(1) a certificate of insurance or such other written evidence of sufficient
reliability from an insurance carrier;~~
- ~~(2) that states that collision and liability insurance is in force for a minimum
of ninety (90) days from the meeting of creditors;~~
- ~~(3) that states the amounts and types of coverage ~~with a maximum
deductible of \$500; and~~~~
- ~~(4) lists the secured party as loss payee.~~

RULE 9004-1 PAPERS - REQUIREMENTS OF FORM

All motions, pleadings, tendered orders, and other related matters shall be typewritten and shall include the address ~~and~~, telephone number, and email address of the person filing the document.

RULE 9006-1 TIME PERIODS - DEADLINES

Filing a document electronically does not alter the filing deadline for that document. Filing must be completed before midnight (12:00 a.m.), Eastern Standard Time, in order to be considered timely filed that day.

RULE 9010-1 ATTORNEYS-NOTICE OF APPEARANCE

Unless otherwise permitted by the Court, an attorney will be deemed to be an attorney of record in all actions by:

- (a) filing an entry of appearance; or
- (b) signing a pleading as attorney for a party.

RULE 9011-1 ATTORNEYS - DUTIES

(a) Extent of an Attorney's Duty to Represent.

- (1) Any attorney who files a bankruptcy petition for or on behalf of a debtor will remain the responsible attorney of record for **all** purposes, including ~~the representation of the debtor in all proceedings, but not limited to, Rule 2004 examinations, reaffirmation hearings, and motion practice,~~ that arise in conjunction with the bankruptcy case, excluding adversary proceedings.
- ~~(2) An attorney is relieved of his or her duties when the debtor's case is closed, or when the attorney is specifically relieved after notice and a hearing upon motion and order of this Court.~~
- (2) An attorney who contracts to limit the scope of their services may be subject to having their fees examined for reasonableness. Such examination may be initiated by the Office of the United States Trustee or by the Bankruptcy Court sua sponte.
- (3) In either the bankruptcy case or an adversary proceeding, an attorney remains the responsible attorney of record until the case is closed, dismissed, or upon motion and order of the Court.

(b) Retention Requirements for Documents Requiring an Original Signature.

- (1) Electronically filed documents that require original signatures – other than that of the filer – must be maintained in paper form by the filer for two (2) years following the expiration of all time periods for appeals.
- (2) On request of the Court, the United States Trustee, the standing or panel trustee or a party in interest, the filer must provide original documents for review.
- (3) Filing a document with an image of a signature (instead of the required original signature) shall act as a representation and certification by the filer that it:
 - (i) transmitted the entire final document to the signer for review and approval;
 - (ii) communicated with the signer regarding the substance and purpose of the document;
 - (iii) received the entire document back with a signature that is believed to be the authorized signature of the signer;
 - (iv) is in possession of the entire original document; and
 - (v) has express authorization from the signer to file the document electronically.

RULE 9011-2 ARTIFICIAL INTELLIGENCE

If the lawyer, in the exercise of his or her professional judgment, believes that the client is best served by the use of AI technology (e.g., ChatGPT, Google Bard, Bing AI Chat, or generative artificial intelligence services), then the lawyer is cautioned that certain technologies may produce factually or legally inaccurate content and should never replace the lawyer's most important asset – the exercise of independent legal judgment. By presenting to the Court any pleading, written motion, or other paper – whether by signing, filing, submitting, or later advocating it – self-represented parties and attorneys acknowledge they will be held responsible for its contents, including any portion generated with artificial intelligence. See Fed. R. Bankr. P. 9011. Use of ChatGPT or other such AI tools is not prohibited, but counsel is confirming the accuracy of any content generated by these tools.

RULE 9011-3 SANCTIONS

Failure to comply with the Local Rules may be considered cause for ~~Court~~ sanctions, including, but not limited to, reduction of fees or dismissal of the case.

RULE 9011-4 SIGNATURES

The Court will dismiss, overrule, deny, or refuse for filing any petition, complaint, motion, agreed order, or other paper – except reaffirmation agreements and proofs of claim – under Title 11, regardless of the chapter under which it is filed, if it is not properly signed.

RULE 9013-1 MOTION PRACTICE IN CASES AND ADVERSARY PROCEEDINGS

(a) Requirements.

- (1)** The Clerk will not accept any motion for filing unless accompanied by a separate proposed order.
- (2)** Redemption rights cannot be waived in any motion or proposed order.
- (3)** Motions may not request more than one form of relief unless:

(Ai) Chapter 7 Case Exception for Combined Motion for Relief and Abandonment.

In a Chapter 7 case, it is acceptable to combine into one motion a request for relief from the automatic stay and proposed abandonment.

(Bii) Chapter 11 Case Exception.

In a Chapter 11 case, it is acceptable for a motion to request more than one form of relief only if it adheres to the following requirements:

- (1)** the caption of the motion clearly sets forth the different forms of relief requested;
- (2)** if the motion requests alternative relief, appropriate alternative orders are tendered with the motion; and

- (3) the different forms of relief requested are directly related to one another.

(iii) In a case filed under Chapter 11, a motion may seek both conversion or dismissal.

(b) Motion for Expedited Relief or for an Emergency Hearing.

- (1) The moving party of a motion for expedited relief or a motion for an emergency hearing must:

(A*i*) call the Clerk's office to notify the Court that a motion, pleading or other matter requires immediate attention; and

(B*ii*) include in the heading of the motion one of these two phrases – "EMERGENCY MOTION TO . . ." or "REQUEST FOR EXPEDITED HEARING-"; and

(iii) explain the basis for the expedited or emergency relief.

- (2) Upon receipt of the motion, the Clerk's office will bring the motion, pleading or other matter to the attention of the Court as soon after it is filed as is practicable.
- (3) If a hearing is to be set without sufficient time for notice, the parties will be notified by telephone of the hearing time and date.
- (4) All inquiries regarding these motions should be directed to the Clerk's office.

RULE 9019-1 MOTIONS TO APPROVE COMPROMISE OR SETTLEMENT

(a) A motion to compromise a controversy must be filed in the main bankruptcy case and must include a list of any adversary proceedings involved, include the material terms of the settlement, and must state how each adversary will be affected. The movant shall include a copies of the signed settlement documents with the motion filed in the main bankruptcy case.

(b) At the same time as the motion referenced in subpart (a) is filed, the movant must file a Notice of Pending Settlement in each affected adversary proceeding. If the motion is granted in the main bankruptcy case, parties to the adversary proceeding are still required to file an agreed order of dismissal, consent judgment, or other document resolving the adversary proceeding.

(c) All deadlines and other obligations in an adversary proceeding affected by a motion to compromise will remain in effect until the Court orders otherwise.

RULE 9022-1 JUDGMENTS & ORDERS - NOTICE OF

The debtor's attorney is responsible for sending resulting orders to the debtor at the last known address. Resulting orders include the following:

- (a) orders from hearings;
- (b) orders related to motions and applications that were noticed for objection;
- (c) orders allowing payment of a filing fee in installments; and
- (d) all other orders from motions and applications that were considered by the Judge.

RULE 9029-1 LOCAL RULES - GENERAL

- (a) These Local Rules of ~~practice~~Practice for the United States Bankruptcy Court for the Western District of Kentucky provide standardized procedures for the convenience of the bench and bar, and they:
- (1) supplement the Federal Rules of Bankruptcy Procedure and the Joint Local Rules for the Eastern and Western Districts of Kentucky;
 - (2) shall be construed to be consistent with the above-mentioned rules;
 - (3) shall be construed to secure the just, efficient and economical determination of bankruptcy cases and proceedings; and
 - (4) ~~supereedes~~supersede all previous Local Rules and General Orders.
- (b) For additional information, refer to the Clerk's Office Administrative Manual.

RULE 9036-1 NOTICE BY ELECTRONIC TRANSMISSION

- (a) **What Constitutes Service or Notice.**
Electronic transmission of the notice of electronic filing constitutes service or notice of the filed document.
- (b) **Notice or Service for Non-Electronic Filers.**
Parties not deemed to have consented to electronic notice or service are entitled to receive a paper copy of any electronically filed pleading or other document, not to include resulting orders which are available through PACER.
- (c) ~~**Faesimile Notice by Attorneys**~~
~~Service by faesimile is equivalent to hand delivery of such copies.~~

RULE 9074-1 TELEPHONE & VIDEO CONFERENCES

- (a) **Conference and Hearings**
The Court may schedule any matter in a bankruptcy case, contested matter, or adversary proceeding to be heard by telephone or video conference. Any party in interest affected by or involved in such case, matter, or proceeding may request the Court to hear the matter in-person with all parties present. Requests for all-party, ~~in-person~~in-person hearings shall be made by separate motion in substantial conformity with W.D. Ky. L.B.R. 9013-1, and may be granted at the discretion of the Court. The video conference/hearing constitutes an official Court proceeding.
- (b) **Technical Requirements**
~~Any video conferencing system utilized under this rule must meet the following minimum requirements:~~
- ~~(1) All participants must be able to see, hear, and communicate with each other simultaneously during the proceeding.~~
 - ~~(2) All participants must be able to see, hear, and otherwise observe any physical evidence or exhibits presented during the proceeding, either by video, faesimile, or other method.~~
 - ~~(3) Video quality must be adequate to allow the court and the participants to observe each other's demeanor and nonverbal expressions.~~

- ~~(4) Video conference facilities must provide for confidential communication between the attorneys and their client.~~
- ~~(5) Video conference facilities must provide telephonic access for bench conferencing.~~

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Delete	387
Move From	11
<u>Move To</u>	11
<u>Table Insert</u>	0
Table Delete	0
<u>Table moves to</u>	0
Table moves from	0
Embedded Graphics (Visio, ChemDraw, Images etc.)	0
Embedded Excel	0
Format changes	0
Total Changes:	805