

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA

IN RE:)
)
LOCAL BANKRUPTCY RULES)
)

**ORDER ADOPTING INTERIM BANKRUPTCY RULES
AND AMENDING LOCAL BANKRUPTCY RULES**

Whereas the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (the Act) was enacted into law on April 20, 2005; and

Whereas, the Advisory Committee on Bankruptcy Rules has prepared Interim Bankruptcy Rules to help implement the Act, which have been approved and recommended for adoption by the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States; and

Whereas, changes to the court's local bankruptcy rules are needed in order to better implement the provisions of the Act; and

Whereas, the general effective date of the Act does not provide sufficient time to promulgate rules after appropriate public notice and an opportunity for comment;

NOW THEREFORE, pursuant to 28 U.S.C. § 2071, Rule 83 of the Federal Rules of Civil Procedure, Rule 9029 of the Federal Rules of Bankruptcy Procedure and L.R. 200.1(h) of the Local Rules of the United States District Court for the Northern District of Indiana:

A. The Interim Bankruptcy Rules promulgated by the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States are adopted, effective October 17, 2005, and, until further order of the court, shall apply to all cases filed on or after that date, except that Rule 4003(b)(2) shall read as follows:

(2) An objection to a claim of exemption based on § 522(q) shall be filed before the case is closed.

B. Subparagraph (a)(2) of Local Bankruptcy Rule B-1002-1 is amended to read:

(2) The appropriate filing fee, or, in an individual case, an application to either pay the filing fee in installments or, if the case is filed under Chapter 7, to waive that fee. (Fed. R. Bankr. P. 1006, Interim Bankruptcy Rule 1006(c));

C. Subparagraph (a)(15) of Local Bankruptcy Rule B-2002-2 is amended to read:

(15) Motions to approve transactions outside the ordinary course of business, except motions for the sale or lease of personally identifiable information.

D. Subparagraph (a)(16) of Local Bankruptcy Rule B-2002-2 is amended to read:

(16) Motions to sell free and clear of liens, except motions to sell or lease personally identifiable information.

E. Local Bankruptcy Rule B-4008-1 is amended to read:

(a) The court will not hold hearings concerning any reaffirmation agreement unless a motion to do so, signed by the debtor and, if the debtor is represented by counsel, debtor's counsel, is filed with the court.

(b) A motion for a hearing concerning any reaffirmation agreement shall be filed as a separate document and not incorporated into any other filing.

Dated: October 14, 2005

/s/ Harry C. Dees, Jr.

Harry C. Dees, Jr., Chief Judge
United States Bankruptcy Court

/s/ Robert E. Grant

Robert E. Grant, Judge
United States Bankruptcy Court

/s/ J. Philip Klingeberger

J. Philip Klingeberger, Judge
United States Bankruptcy Court

/s/ Kent Lindquist

Kent Lindquist, Judge
United States Bankruptcy Court