

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA

IN RE:)
)
LOCAL RULES OF PRACTICE)
)

ORDER AMENDING LOCAL BANKRUPTCY RULES

It is ORDERED that, effective immediately the local rules of this court are amended as follows:

1. Paragraph (c)(2) of N.D. Ind. L.B.R. B-5005-1 is deleted. Paragraph (c)(1) of this rule is re-designated as paragraph (c).

2. Local rule N.D. Ind. L.B.R. B-5005-2(d) is amended to read as follows:

(d) In all instances, pleadings, motions and other papers will be filed only upon completion of the electronic filing transaction in the court's ECF System.

3. Paragraph (e) of N.D. Ind. L.B.R. B-5005-2 is abrogated.

4. N.D. Ind. L.B.R. B-9011-1 is abrogated.

5. Paragraph (a) of N.D. Ind. L.B.R. B-9013-4(a) is amended by adding the following sentence to the end of the paragraph:

Where service is made through the court's ECF System, the manner of service and the address to which service was directed may be provided by identifying the individuals so served and stating that they were electronically served through the court's ECF System.

Dated: October 28, 2003

/s/

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

/s/

Robert E. Grant, Judge
United States Bankruptcy Court

/s/

J. Philip Klingeberger, Judge
United States Bankruptcy Court

/s/

Kent Lindquist, Judge
United States Bankruptcy Court

B-5005-1
Form and Style of Papers; Number of Copies

(a) All papers presented for filing shall be flat and unfolded. All filings (except accompanying exhibits) shall be on white paper of good quality, 8½" x 11" in size, printed on one side of the paper only, and shall be plainly typewritten, printed, or prepared by a clearly legible duplication process and double spaced, except for quoted material. The filings shall have no covers or backs and shall be fastened together at the top left corner and at no other place. The title of each filing must be set out on the first page. Each page shall be consecutively numbered and shall be pre-punched with two holes at the top with sufficient top margin allowed so that neither caption nor text is destroyed or obscured.

(b) Computer generated versions of the official forms shall be prepared so that they read from top to bottom of the page rather than laterally.

(c) For any document presented for filing in a hard copy format by any party - including the bankruptcy petition, statements, schedules and lists and any amendments thereto - the original and one copy of the document will be required.

(d) Any attorney presenting (or having presented on their behalf), an affidavit or any other document signed under oath or penalties of perjury for filing in a hard copy format - including a bankruptcy petition, statement, schedule or list or any amendment thereto - shall retain the originally signed document for no less than three (3) years following the closing of the case and shall promptly produce the originally signed document upon request. The failure to do so may result in the imposition of sanctions, on the court's own initiative or upon the motion of the case trustee, United States Trustee, United States Attorney, or other appropriate party.

B-5005-2
Requirements and Place of Filing

(a) All petitions, schedules, statements, pleadings and other documents required by the bankruptcy court to commence a case shall be filed with the clerk for the division of the district where the domicile, residence, or principal assets of the debtor have been located for such a period of time as required by 28 U.S.C. § 1408. All papers tendered for filing after the commencement of a case shall be filed with the office of the clerk in the division where the case is pending.

(b) The office of the clerk may refuse to accept for filing any petition, complaint, motion or other pleading because of venue considerations.

(c) The clerk may refuse any filing not accompanied by the appropriate required filing fee, if any.

(d) In all instances, pleadings, motions and other papers will be marked as filed only upon completion of the electronic filing Transaction in the court's ECF System.

(e) [Abrogated October 28, 2003.]

(f) Fax filings shall not be permitted or accepted. If such a transmission is received, it shall be of no effect and may be ignored.

B-9011-1
Signing of Papers

[Abrogated October 28, 2003.]

B-9013-4
Proof of Service

(a) In addition to identifying the pleading, motion or other paper served and showing the date upon which service was made, every proof of service or certificate of service shall state the name of every entity served and the address to which service was directed, together with the manner in which service was made. Where service is made through the court's ECF System, the manner of service and the address to which service was directed may be provided by identifying the individuals so served and stating that they were electronically served through the court's ECF System.

(b) Proof of service by facsimile machine may be made by the person causing the paper to be transmitted. Such proof of service shall indicate the telephone number to which the paper was transmitted and the method of confirmation that the transmission was received.

(c) Proof of service of all papers required or permitted to be served may be made by certificate of the person serving the same or by written acknowledgment of service, unless some other method of proof is expressly required by these rules or by the Federal Rules of Bankruptcy Procedure.

(d) The court may take no action with regard to any pleading, objection, motion or other paper required to be served upon any other party, including motions initiating contested matters, unless accompanied by a proper proof or certificate of service. Any such pleading, objection, motion or paper may be stricken, *sua sponte*, following eight (8) days notice.