

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA

IN RE)
LOCAL RULES OF PRACTICE)
)

ORDER AMENDING LOCAL BANKRUPTCY RULES

The court notes that the wording of Local Bankruptcy Rule B-4004-2 and the associated Local Bankruptcy Form LBF-4004-2 does not clearly restate the discharge requirement for Chapter 13 cases. Accordingly, the court finds that this local rule and associated local form should be amended so that they conform to the statutory provisions of 11 U.S.C. § 1328. Given that these amendments avoid conflicting with the Bankruptcy Code, they do not require an opportunity for public comment before being adopted. Therefore, effective immediately, Local Bankruptcy Rule B-4004-2 and the associated Local Bankruptcy Form LBF-4004-2 are amended as follows.

1. Paragraph (b)(1)(C) of Local Bankruptcy Rule B-4004-2 is amended to read:

(C) that the debtor did not receive a discharge in a case filed under Chapter 7, 11, or 12 of the United States Bankruptcy Code during the four years prior to the date of the order for relief under Chapter 13 in the case (11 U.S.C. § 1328(f)(1));

2. Paragraph (b)(1)(D) of Local Bankruptcy Rule B-4004-2 is amended to read:

(D) that the debtor did not receive a discharge in a case filed under Chapter 13 of the United States Bankruptcy Code during the two years prior to the date of the order for relief under Chapter 13 in the case (11 U.S.C. § 1328(f)(2));

3. Paragraph 3 of Local Bankruptcy Form LBF-4004-2 is amended to read:

3. I did not receive a discharge in a case filed under Chapter 7, 11, or 12 of the United States Bankruptcy Code during the four years prior to the date of the order for relief under Chapter 13 in this case.

4. Paragraph 4 of Local Bankruptcy Form LBF-4004-2 is amended to read:

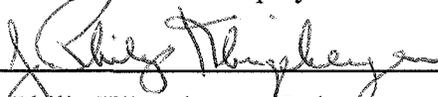
4. I did not receive a discharge in a case filed under Chapter 13 of the United States Bankruptcy Code during the two years prior to the date of the order for relief under Chapter 13 in this case.

SO ORDERED.

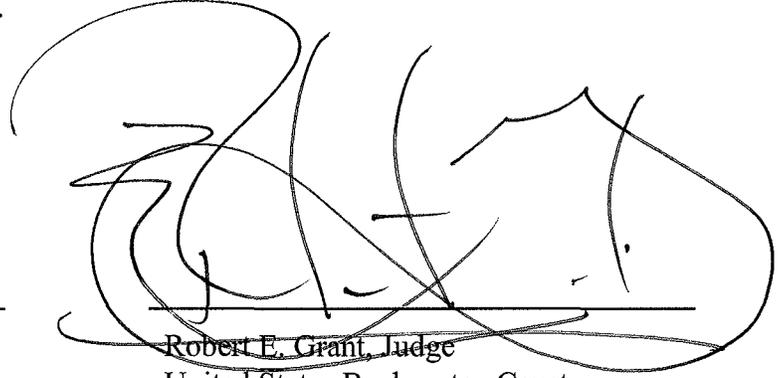
Dated: December 1, 2009



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



J. Philip Klingeberger, Judge
United States Bankruptcy Court



Robert E. Grant, Judge
United States Bankruptcy Court



Kent Lindquist, Judge
United States Bankruptcy Court