

**SUMMARY OF 2018 LOCAL RULE AMENDMENTS  
U.S. BANKRUPTCY COURT – DISTRICT OF ARIZONA**

Rule Or Form	Title	N E W	Note / Explanation of Proposed Change
1000-1	Prohibition of Bias		Adds references for sex, national origin, genetic information, marital status, and veteran status for consistency with protections provided under federal law.
1001-1	General Scope		Incorporates new section containing definitions (formerly located in LR 9001-1).
1002-1	Commencement of Chapter 11 Cases – Status Conferences	X	New LR replacing former General Order re first day motion procedures and relief – Ch 11 Status Hearing preferably set on same day as the 341 meeting.
1005-1	Caption		Adds requirement to include trade names or DBAs in petition caption.
1005-2	Petition		Requires petitioner to list an e-mail address to facilitate noticing; minor text changes.
1005-3	Business Chapter 7	X	Imposes duty on debtor to inform trustee when business cases are filed and to initiate turnover.
1006-1	Filing Fee		Clarifies that in a represented case, the attorney is responsible for paying the filing fee; Makes clear that only individual debtors may pay filing fees in installments or obtain a fee waiver; Applications for fee waiver by a debtor represented by counsel may be filed only after counsel files a FRBP 2016(b) disclosure; Increases the minimum payment to \$80.00; Other technical changes and language corrections.
1007-1(g)	Lists, Schedules and Statements		New form required by LR 1007-1(g) mandating pro se debtors to declare whether they paid anyone to assist in completing their bankruptcy documents, and if so, who they paid and how much they paid.
1015-1	Consolidation or Joint Administration of Cases		Clarifies filings in jointly administered cases and substantively consolidated cases.
1017-1	Dismissal of Case		Clarifies grounds for dismissal and notice period for objections; Overhauled to be in compliance with FRBP 1017 and 2002 and to institute a provision for reinstatement; Includes new requirement for debtors to waive certain deadlines as condition for reinstatement.
1071-1	Places of Filing; Hearing Sites		Rule updated by consolidating former LR 1071-1 (Divisions – Bankruptcy Court) and 1072-1 (Places of Holding Court).

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DISTRICT OF ARIZONA – CONTINUED**

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1073-1	Assignment of Cases		Minor text changes.
2002-1	Notices to Creditors		Changes “creditors” to “all parties;” Other technical revisions to address grammar issues; comments notes that service via ECF may be proper under LR 5005-5.
2002-2	Procedures for 21-Day Negative Notice	X	New LR specifying matters for which negative notice is acceptable and cross-references 9013-1(k); Judges may alter through individual procedures; Notice must include information on the time to respond.
2003-1	Meeting of Creditors		No substantive change; language simplified.
2004-1	Time Limits to Compel Examination or Production of Documents	X	New LR establishes 21-day notice period for exams and RFPs; presumptive limits remain subject to Court modification.
2014-1	Compensation of Professionals on a Fixed or Contingent Basis		Adds new sub-section (b) requiring prompt disclosure of any professionals retained by other estate professionals or third parties for the benefit of the estate; Such disclosure may be made under seal, if appropriate.
2015-1	Interim Reports		Comment adds reference to U.S. Trustee’s Guidelines and website.
2090-1	Attorneys – Admission to Practice		LR updated and language simplified; Creates presumption that an attorney of record appears in all matters except APs; Reiterates that a non-individual must have counsel; Changes format for disqualification for Pro Hac Vice; Expands disclosure of previous applications in this district from one year to three years.; Specifically excepts federal and state government attorneys from rule; Change of address procedure now covered by 9010-1(f).
2090-2	Bankruptcy Petition Preparers		Adds section concerning disciplinary authority of the Court.

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DISTRICT OF ARIZONA – CONTINUED**

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3003-1	Filing Proof of Claim or Equity Security Interest in Ch 9 & Ch 11 Cases	X	New LR establishes procedure for giving notice of bar date for filing proofs of claim and interest in chapter 9 and chapter 11 cases; Requires use of Form 3003-1 for setting claims bar date and Form 3003-2 for setting hearing on approval of Disclosure Statement.
3007-1	Claims – Objections		Extends the notice period to respond to a claim objection from 14 to 21 days; Clarifies negative notice procedure and CNO deadline; Expands to all cases the duty to identify claimant and claim number in caption.
3018-1	Acceptance or Rejection of Plans		Language simplified and requirements for Ballot Report modified.
4001-1	Automatic Stay – Relief From or Absence Of		Former LR 4001-2 Titled Motion for Entry of Order Confirming Termination or Absence of Stay incorporated into LR 4001-1; Clarifies procedures for stipulations for stay relief (comment confirms that no fee shall be charged when stipulation is filed without motion); Eliminates 3 day mailing period as duplicative to 3 day rule of FRBP 9006
4001-2	Cash Collateral		Renumbered from 4001-3; Adds a provision for cash collateral motions and to clarify that first day cash collateral relief is controlled by LR 4001-4.
4001-4	First Day Motions		Clarifies procedures for first-day motions; Requires hearings for first day motions; Provides guidance on advance notice to the UST and establishes notice to parties for service of first-day orders.
4003-2	Lien Avoidance		Clarifies that lien avoidance may be through a plan; Minor language edits.
4008-1	Reaffirmation		Minor technical edits
5001-1	Clerk’s Office		Modified to reflect change in Clerk’s Office hours.
5005-1	Discovery Documents and Exhibits		Title of LR updated to better reflect content; Requires a “Notice of Service” to be filed for all disclosures; Procedures concerning “Sealed Documents” now found at new LR 5005-6; Other minor text edits.

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DISTRICT OF ARIZONA – CONTINUED**

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5005-4	Electronic Court Filing System		Renumbered from LR 5005-2; Makes electronic filing mandatory in all cases except for pro se filers; For registered users, eliminates /s/ signatures and requires /s/Name, Bar Number; Establishes /s/Name with permission signature when registered user is not the filer; Requires email address on filed documents; Clarifies five-year original signature retention requirements; Establishes procedure for conversion of paper documents to electronic format prior to filing and for disposal of same 14 days after docketing.
5005-5	Electronic Service	X	New LR adopted to conform to FRBP and District Court amendments; Sets forth procedure for electronic service of documents, including the Notice of Electronic Filing issued by the ECF system for service on a registered participant; Service by e-mail is effective upon consent so long as it includes a .pdf attachment of the document as filed in the case.
5005-6	Filings Under Seal	X	New LR for filing documents under seal incorporating amended procedures previously found in LR 5005-1(c); Procedures updated to require filing of sealed documents on the ECF system instead of delivering hard copy of sealed documents to Clerk for storage in Court's vault; Establishes procedure for disposition of any hard copies of sealed documents.
5011-1	Withdrawal of Reference Procedure		Renumbered from 5011-2 as former 5011-1 Referral of Bankruptcy Cases and Proceedings is withdrawn; Modified to delete subsection (c) referencing applicable rules for withdrawn matters.
5095-1	Deposit of Funds in the Registry Account		Modified to reflect changes to procedures for investing court registry funds and to clarify that interpleader funds deposited meet the IRA definition of a DOF.
6004-1	Sales Not in Ordinary Course of Business		Clarifies that sales of property not in the ordinary course of business may only be sold on motion, notice and opportunity for hearing; Expands information to be provided in notice of sale including providing copies of all applicable public record searches (e.g., title reports, secretary of state records); Requires sale report to be filed within 21 days.
6006-1	Executory Contracts and Unexpired Leases		The substance of the rule did not change; language updated.
6007-1	Abandonment of Property		LR amended to require a form of order for abandonment.

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6008-1	Redemption		No substantive changes made to this rule, only minor text changes.
7008-1	Pleading Consent Entry of Final Order or Jdgmt	X	New LR added to address jurisdictional issues created by the holding in <i>Stern v. Marshall</i> , 564 U.S. 2, 131 S.Ct. 2594, 180 L.ed.2d 475 (2011), as clarified by <i>Wellness International Network Ltd. v. Sharif</i> , 575 U.S. ___ (2015) – requires parties to consent to BKC jurisdiction to enter final orders/judgments.
7012-1	Objection to Bankruptcy Court Jurisdiction or Authority	X	New LR addresses the procedure when an objection to jurisdiction is filed and directs compliance with Rule 12(b).
7016-1	Joint Pre-Trial Statement		Expands information to be included; Requires direct testimony of experts to be via declaration; Requires electronic presentation of all exhibits, except for pro se litigants; Mandates that Pre-Trial Statement conform to Local Form 7016-1 Joint Pre-Trial Statement.
7037-1	Discovery Disputes in Adversary Proceedings	X	New LR imposes duty to contact chambers for informal conference prior to filing any discovery related motion; Imposes duty to make good faith efforts to resolve discovery dispute prior to bringing before Court and provides guidance on what constitutes “personal consultation.”
7054-1	Costs - Taxation		Simplified language for obtaining costs after entry of judgment.
8001-1	District Court Appellate Rules		Withdrawn.
9001-1	Definitions		Content revised and moved to LR 1001-1 titled General Scope and Definitions; withdrawn and marked “reserved.”
9004-1	Papers – Caption and Form; General		Prohibits submitting parties from including identifying information on form of order; Orders must be capable of being edited in PDF and must explicitly state the relief granted (may not incorporate by reference a stipulation or motion); Requires a uniform signature block substantially similar to “DATED AND SIGNED ABOVE;” Clarifies that unless ordered otherwise, no document may exceed fifteen (15) pages exclusive of attachments, except chapter 11 disclosure statements/plans and objections.

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Rule Or Form	Title	N E W	Note / Explanation of Proposed Change
9009-1	Forms		Rule simplified.
9010-1	Attorney – Appearance, Withdrawal, Substitution and Change of Contact Information		Revised to make clear that an attorney who files a bankruptcy petition for a debtor, or that files a notice of appearance on behalf of a debtor, creditor or interested party is the attorney on all matters, other than adversary proceedings; Now incorporates requirement to maintain contact information (formerly found in 2090-1).
9011-1	Attorneys – Ethical Obligations		Rule simplified.
9013-1	Motion Practice		Establishes 15 page limit for all motions, responses, and replies; Provides non-exclusive list/guideline for motions that can be filed <i>ex parte</i> ; Imposes duty to contact chambers for informal conference prior to filing any discovery related motion; Provides guidance on what constitutes “personal consultation;” Provides comprehensive list of all matters for which negative notice is allowed and not identified in any other LR.
9014-1	Applicability of Federal Rules		Withdrawn.
9014-2	Consent and Objection to Bankruptcy Court Jurisdiction or Authority	X	LR 9014-2 was added to address jurisdictional issues created by the holding in <i>Stern v. Marshall</i> , 564 U.S. 2, 131 S.Ct. 2594, 180 L.ed.2d 475 (2011), as clarified by <i>Wellness International Network Ltd. v. Sharif</i> , 575 U.S. (2015), related to contested matters; Former LR 9014-2 now found at 9014-3.
9014-3	Hearing on Contested Matters	X	Renumbered from LR 9014-2; Language simplified; no substantive changes.
9014-4	Under Advisement	X	Text of new LR formerly found in 9010-1(d); Parties may inquire as to status of ruling if under advisement more than 60 days.
9022-1	Judgments or Orders		Amended to establish procedure for consent to jurisdiction and procedure to object in light of recent Supreme Court rulings; Requires uniform signature blocks in all orders; Prohibits lodged order from (1) providing greater relief than that requested in the related motion or stipulation, (2) including submitter’s identifying

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			information, (3) incorporating information by reference.
9023-1	Motion for New Trial; Amendment of Judgments	X	Establishes procedure for filing relevant motions within 14 days of entry of the subject order or judgment; Establishes content for motion; Directs that no response is necessary unless requested by Court.
9027-1	Removal and Remand		Simplified language.
9071-1	Stipulations		Simplified language.
<i>Form 1007-1</i>	<i>Declaration of Electronic Filing</i>		<i>Form required by LR 1007-1(c).</i>
<i>Form 1007-2</i>	<i>Declaration of Evidence of Payments</i>		<i>Form required by LR 1007-1(f).</i>
<i>Form 1007-3</i>	<i>Declaration Under Penalty of Perjury for Debtors Without An Attorney</i>	X	<i>New form required by LR 1007-1(g) mandating pro se debtors to disclose whether they paid anyone to assist in completing their bankruptcy documents, and if so, who they paid and how much they paid.</i>
<i>Form 1017</i>	<i>Motion to Vacate Order of Dismissal and to Reinstate Case</i>	X	<i>New form required by LR 1017-1(f)(2) requires debtors to waive timeliness objections to certain complaints, motions, claims, etc. as a condition of reinstatement.</i>
<i>Form 3003-1</i>	<i>Order Setting Claims Bar Date</i>	X	<i>New form required by LR 3003-1(a) for giving notice of bar date for filing proofs of claim and interest in chapter 9 and chapter 11 cases.</i>
<i>Form 3003-2</i>	<i>Order Setting Initial Hearing on Approval of Disclosure</i>	X	<i>New Form required by LR 3003-1(b) for setting hearing on approval of Disclosure Statement.</i>

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DISTRICT OF ARIZONA – CONTINUED**

Rule Or Form	Title	N E W	Note / Explanation of Proposed Change
<i>Form 3003-3</i>	<i>Order Giving notice of approval of Disclosure Statement, Setting initial Confirmation Hearing, and fixing deadlines</i>	<i>X</i>	<i>New Form order giving notice of approval of Disclosure Statement and setting initial Confirmation Hearing. (General Order).</i>
<i>Form 7016(b)</i>	<i>Notice of Scheduling Conference</i>	<i>X</i>	<i>New Form Notice of Scheduling Conference and Order re: Rule 7016(b) of FRBP. (General Order).</i>
<i>Form 7016-1</i>	<i>Joint Pre-Trial Statement</i>	<i>X</i>	<i>New form required by LR 7016-1(a) for standard Joint Pre-Trial Statement.</i>
<i>Form DS</i>	<i>Chapter 11 Disclosure Statement for Individuals and Small Business</i>	<i>X</i>	<i>New Form for Chapter 11 Disclosure Statement - not mandatory but strongly encouraged for individuals and small businesses. (General Order).</i>
<i>Form 11 Plan</i>	<i>Ch 11 Plan for Indivs and Sm Business</i>	<i>X</i>	<i>New Form for Chapter 11 Plan – not mandatory but strongly encouraged for individuals and small businesses. (General Order)</i>