

The order below is hereby signed.

Signed: May 27 2014



A handwritten signature in cursive script, reading "S. Martin Teel, Jr.", written over a horizontal line.

S. Martin Teel, Jr.  
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA

**IN RE CLERK'S OFFICE OPERATIONS:**

STANDING ORDER (EFFECTIVE JUNE 1, 2014)

Effective June 1, 2014, this standing order replaces all prior standing and administrative orders, except for the court's administrative order(s) regarding electronic case filing and the court's administrative order relating to deadlines in local rules.

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§ 1 Definition.

Clerk. As used in this order, the term "clerk" includes the clerk of the court and the deputy in charge, and further includes members of the clerk's office who have been delegated from the clerk of court or the deputy in charge authority to handle the matter involved.

Example: In the case of a reference to a form prescribed by the clerk, this means a form prescribed by the Clerk of Court or the Chief Deputy Clerk, or a form prescribed by a Deputy Clerk who has been delegated the authority to prescribe the form to be used: it does not include every Deputy Clerk who utilizes that form in the course of the Deputy Clerk's work.

§ 2 Verification and Recordation of Identity of Entity Presenting Petition for Filing.

- (a) When someone presents for filing a bankruptcy petition for a debtor who is not represented by an attorney, the clerk is authorized to request such individual to produce for photocopying (with the individual's permission):
- (1) a picture identification (preferably a driver's license) of the individual; and
  - (2) in the case of a messenger service, a copy of the messenger log showing for whom the messenger is acting.
- (b) Based on examination of the materials produced and the clerk's other inquiries, the clerk is authorized to make a notation on the docket entry for the petition regarding who presented the petition for filing and on whose behalf the individual was acting. The clerk shall notify the court in the event that it appears that the petition was filed without the debtor's authorization or that the petition was prepared by a petition preparer (as defined in 11 U.S.C. § 110) who has failed to note such capacity on the petition.
- (c) If the individual presenting the petition has no picture identification or refuses to produce an

identification, the clerk is authorized to:

- (1) request, on behalf of the court, that the individual sign a verified statement identifying the individual and acknowledging that the individual presented the petition for filing (and a suggested form is attached hereto);
- (2) docket the verified statement, if one is signed; and
- (3) note on the docket entry for the petition that the individual failed or refused to produce a picture identification, and note any refusal to sign a verified statement as requested pursuant to paragraph (1) of this subsection.

§ 3 Rejecting or Accepting Petition for Filing; Acceptance of Other Papers for Filing Despite Absence of Filing Fee.

- (a) Rejecting Petitions for Filing. The clerk may not mark a petition as filed and must reject the petition for filing if the petition submitted for filing is unaccompanied by one of the following:
  - (1) the payment of the filing fee in full in an acceptable form, as defined in paragraph (b) of this section;
  - (2) an application to pay the filing fee in installments, which the clerk has not rejected for filing under paragraph (d) of this section; or
  - (3) an application to waive the filing fee which the clerk has not rejected for filing under paragraph (e) of this section.
- (b) Acceptable Forms of Payment of Filing Fee. The filing fee may be paid only by:
  - (1) U.S. currency;
  - (2) a cashier's check (or certified check) or money order made payable to "Clerk, U.S. Bankruptcy Court"; or

(3) if an attorney has not been given notice under paragraph (c)(1) below, a check drawn on the account of the attorney for the debtor or on the account of a law firm of which the attorney for the debtor is a member, partner, or associate.

(c) Notification of an Attorney Whose Checks Will no Longer Be Accepted; Maintenance of Records.

(1) The clerk, in the exercise of the clerk's discretion, is authorized to notify an attorney (and is authorized to do so by letter, or by a notice or order prepared, signed, and entered by the clerk in a particular bankruptcy case) that the clerk will not accept for payment of filing fees (and other fees) in any bankruptcy case:

(A) a check drawn on the account of the attorney; and

(B) a check drawn on the account of the law firm of which the attorney is a member, partner or associate.

(2) At the clerk's office's intake counter, the clerk will maintain a log, available for public inspection, of all notifications issued under this paragraph.

(d) Grounds for Rejecting for Filing Applications to Pay the Filing Fee in Installments.

(1) The clerk shall reject for filing any application to pay the filing fee in installments if:

(A) the debtor is not an individual;

(B) the petition is not a voluntary petition;

(C) the application was not signed;

(D) the application was not prepared on the appropriate Official Form; or

(E) the application does not state that the debtor is unable to pay the filing fee except in installments.

(e) Grounds for Rejecting for Filing Requests to Waive the Filing Fee.

- (1) The clerk shall reject for filing any request to waive the filing fee if:
  - (A) the debtor is not an individual;
  - (B) the petition is not a voluntary chapter 7 petition;
  - (C) the application was not signed; or
  - (D) the application was not prepared on the appropriate Official Form.
- (2) If an application to waive the filing fee is not required to be rejected under the foregoing, the clerk shall transmit the application to chambers for a ruling on the application.

(f) Marking and Retaining Rejected Petition. When the clerk rejects a petition for filing, the clerk shall:

- (1) mark on the rejected petition, any rejected application to pay the filing fee in installments, and any rejected application to waive the filing fee the date and time the petition was submitted for filing;
- (2) mark the petition and any accompanying installment payment or waiver application as rejected;
- (3) retain but not file or docket the petition and any accompanying installment payment or waiver application; and
- (4) deliver by hand or by mail a photocopy of the pages of the petition and any accompanying installment payment application or fee waiver application bearing the foregoing marks regarding submission and rejection to the person who tendered the petition and applications.

(g) Accepting Petition for Filing; Marking Time of Filing of Petition Accepted for Filing.

- (1) Unless the clerk is required to reject the petition for filing under paragraph (a), the clerk must accept the petition for filing even if it is defective due to:
  - (A) if the debtor is not an individual, lack of a signature by an attorney who is a member of the bar of the United States District Court for the District of Columbia;
  - (B) lack of a list of creditors signed under penalty of perjury (or notarized);
  - (C) lack of a mailing matrix or a mailing matrix in proper form;
  - (D) lack of a list under F.R. Bankr. P. 1007(d) in a chapter 11 case of the 20 largest unsecured creditors;
  - (E) an order of dismissal of a prior case with prejudice;
  - (F) lack of the debtor's signature;
  - (G) lack of any of the details required by the petition (for example, the debtor's tax identification number); or
  - (H) any other defect.
- (2) The clerk shall mark the accepted petition as filed as of the time the clerk was required to accept it for filing. But the clerk shall promptly address any defect in the petition, in the application to pay the filing fee in installments, or in the application to waive the filing fee.



(h) Accepting Other Papers for Filing. Except for a paper authorized to be rejected for filing under paragraph (a), (d), or (e), the clerk shall not reject any other paper submitted for filing in the clerk's office (as opposed to the courtroom) for lack of an associated fee, including:

- (1) a notice of conversion;
- (2) an adversary proceeding complaint;
- (3) a notice of appeal; and
- (4) an amended schedule, mailing matrix, or list of creditors that adds creditors.

§ 4 Certificates of Credit Counseling.

(a) Failure to File a Certificate of Credit Counseling.

- (1) Order to Show Cause. If a debtor who is an individual fails to either file a certificate of credit counseling or an Exhibit D selecting boxes 3 or 4 with the petition or within 14 days thereafter, the clerk is authorized to:
  - (A) prepare, sign, and enter, on behalf of the court, an order directing the debtor to file a credit counseling certificate or to show cause why the case ought not be dismissed;
  - (B) include in the order a 7-day notice to respond to the order; and
  - (C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(2) Order of Dismissal. If the debtor neither submits a written response to the order nor files a certificate of credit counseling (that is not invalid as too old or as issued postpetition) or an Exhibit D selecting boxes 3 or 4 within 7 days of entry of the order under paragraph (a)(1) of this section, the clerk shall:

(A) prepare a proposed order dismissing the case; and

(B) transmit the proposed order to chambers.

(b) Out of Time and Post-Petition Credit Counseling Certificates.

(1) Order to Show Cause. When a debtor who is an individual files either a credit counseling certificate that is dated more than 180 days before the filing of the petition or a credit counseling certificate that is dated after the petition, and the debtor has not checked box 3 or 4 of Exhibit D to the petition, the clerk is authorized to:

(A) prepare, sign, and enter, on behalf of the court, an order directing the debtor to either file a valid prepetition credit counseling certificate or show cause why the case ought not be dismissed;

(B) include in the order a 7-day notice to respond to the order; and

(C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(2) Order of Dismissal. If the debtor neither submits a written response to the order nor files a valid certificate of credit counseling within 7 days of entry of the order under paragraph (b)(1) of this section, the clerk shall:

(A) prepare a proposed order dismissing the case; and

- (B) transmit the proposed order to chambers.
- (C) If the clerk prepares and enters an order pursuant to paragraphs (a) (1) or (b) (1) of this section in error, the clerk is authorized to enter an order vacating the erroneous order.

§ 5 Clerk's Prescribing Acceptable Amounts that Clerk's Office May Authorize for Payment of the Filing Fee in Installments.

In prescribing acceptable amounts and timing of installment fees under Rule 1006(b) that the clerk's office may authorize, the clerk shall:

- (a) require payment at filing of an initial installment equal to the sum of:
  - (1) the miscellaneous administrative fee imposed by the Bankruptcy Court Miscellaneous Fee Schedule that is an Appendix to 28 U.S.C. § 1930 (**currently \$46.00**, but subject to change);
  - (2) regardless of the chapter of the case, an amount equal to the fee (**currently \$15.00**, but subject to change) imposed in a chapter 7 case by the Bankruptcy Court Miscellaneous Fee Schedule that is an Appendix to 28 U.S.C. § 1930 for payment to a trustee serving in a chapter 7 case as provided in 11 U.S.C. § 330(b) (2); and
  - (3) any additional amount prescribed by the clerk, provided that:
    - (A) in a chapter 7 or 13 case, the prescribed additional amount is the same amount in both a chapter 7 and a chapter 13 case, and
    - (B) in a chapter 11 case, the prescribed amount is at least as much as the additional amount required in a chapter 7 or 13 case;
- (b) assure that the required installments, in the aggregate, equal the total amount of fees required by statute and by the Bankruptcy Miscellaneous Fee Schedule to be paid as a result of the filing of the case;

- (c) require that the final installment be paid by a date that is no later than 120 days after the filing date of the petition;
- (d) require that each installment after the initial installment be paid by a date that is no later than 45 days after the date of the previous installment.  
(Example 1: 2nd installment by Day 30 of the case; 3rd installment by Day 60 of the case; 4th installment by Day 90 of the case. Example 2: 2nd installment by Day 45 of the case; 3rd installment by Day 90 of the case; 4th installment by Day 120 of the case.).

§ 6 Granting and Denying Applications to Pay Filing Fee in Installments.

- (a) The clerk is authorized to prepare, sign, and enter, on behalf of the court, an order granting an application filed by an individual debtor (or joint individual debtors) under F.R. Bankr. P. 1006(b) to pay the filing fee in installments, provided that:
  - (1) the application complies with Rule 1006(b) and with the Official Form;
  - (2) the application provides for making installment payments in the amounts and by the times prescribed by the clerk as acceptable, and as of February 28, 2009 (but subject to further change), the clerk has prescribed the following installments as being acceptable:

<u>Installment</u>	<u>Ch.7</u>	<u>Ch.13</u>	<u>Ch.11</u>
1st Installment pd. with petition	\$61.00	\$61.00	\$365.00
2nd Installment pd. by Day 45 of the case (meaning the 45th day after the pet. date)	\$91.33	\$83.00	\$450.66
3rd Installment pd. by Day 90 of the case	\$91.33	\$83.00	\$450.67
4th Installment pd. by Day 120 of the case	\$91.34	\$83.00	\$450.67;

- (3) the application is accompanied by the fee that must be paid at filing under the preceding paragraph; and
- (4) the clerk is unaware of any prior case in which the debtor failed fully to pay the filing fee, and is unaware of any bar against the debtor filing a new bankruptcy case.
- (b) Denying Application. The clerk is authorized to deny any application that the clerk is not authorized to grant pursuant to paragraph (a).
- (c) Order to Show Cause Based on Denial of Application and Non-Payment of Fee. When the clerk denies an application to pay the filing fee in installments the clerk is authorized to:
- (1) prepare, sign, and enter, on behalf of the court, an order
- (A) if the application is denied due to a defect in the application under paragraphs (a)(1), (a)(2), or (a)(3) of this section, directing the debtor to either pay the filing fee in full, submit an amended application to pay the filing fee in installments accompanied by the required first installment if not

previously paid, or show cause why the case ought not be dismissed, and directing any trustee, and, in a chapter 7 or chapter 11 case, the Office of the U.S. Trustee to show cause why the case ought not be dismissed for failure to pay the filing fee;

- (B) if the application is denied because the debtor was subject to a prior dismissal for failure to pay the filing fee under (a)(4) of this section, directing the debtor to either pay the filing fee in full, submit an application to waive the filing fee, or show cause why the case ought not be dismissed, and directing any trustee, and, in a chapter 7 or chapter 11 case, the Office of the U.S. Trustee to show cause why the case ought not be dismissed for failure to pay the filing fee
- (2) advise that if the case is dismissed based on such non-payment:
- (A) the debtor will not receive a discharge;
  - (B) the debtor will still remain liable for the unpaid portion of the filing fee;
  - (C) that if the debtor fails to pay, the debt could be referred to the Department of Treasury's Financial Management Service for collection;
  - (D) the debtor will not be allowed, absent extraordinary circumstances, in any future case to pay the filing fee in installments if the debtor fails to pay the filing fee in this case;
  - (E) if the debtor files a new case within one year after dismissal of this case, the provisions of 11 U.S.C. § 362(c)(3) or § 362(c)(4) will apply and may lessen or eliminate the protection of the automatic stay of 11 U.S.C. § 362(a) against collection efforts by creditors; and

- (F) if prior to dismissal of the case a motion for relief from the automatic stay is filed, or if the court determines that the failure to pay was willful, the court may make the dismissal a dismissal with prejudice for 180 days.
  - (3) include in the order 14-day notice to respond to the order to show cause; and
  - (4) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.
- (d) Order Dismissing Case After Issuance of Order Under Paragraph (c). If within 14 days of entry of the order under paragraph (c) the debtor fails to either pay the filing fee in full, submit an amended application to pay the filing fee in installments (if order is issued pursuant to (c)(1)(A)) accompanied by the fee that must be paid at filing under paragraph (a)(2) if not previously paid, or submit an application to waive the filing fee (if order is issued pursuant to (c)(1)(B)), or the debtor, an appointed trustee, or the U.S. Trustee fails to file a document attempting to show cause, the clerk is authorized to:
- (1) prepare, sign, and enter, on behalf of the court, an order dismissing the case and providing:
    - (A) that the debtor will not be allowed, absent extraordinary circumstances, in any future case to pay the filing fee in installments unless the filing fee in the dismissed case has been paid in full;
    - (B) that within 60 days of the entry of this order the debtor(s) shall either:
      - (i) pay the outstanding balance due, with interest at a rate of 3% per annum accruing 30 days from the date of this order; or
      - (ii) make arrangements with the clerk of the court to pay the amount due in installments over a period not to exceed

90 days;

(C) that the clerk shall refer such claim on the amount outstanding to the Bureau of Financial Management Services for collection if the debtor fails:

(i) to make payment of the outstanding balance in full, plus interest, within 60 days;

(ii) to make arrangements to pay the outstanding balance within 60 days; or

(iii) to make any payment pursuant to an arrangement made with the clerk of the court; and

(2) provide copies of the order to all entities on the BNC mailing list.

(e) Referral of Outstanding Balance to Financial Management Service. If within 60 days of the order for dismissal under paragraph (d) of this section the debtor has not paid in full any balance outstanding, made arrangements to pay the amount outstanding in installments, or failed to make an installment payment pursuant to an agreement to pay the amount outstanding over 90 days, the clerk shall:

(1) refer the amount due to the Department of Treasury's Financial Management Service for collection; and

(2) provide notice to the debtor of the referral.

(f) If the clerk prepares and enters an order pursuant to paragraph (d) of this section in error, the clerk is authorized within 14 days after entry of the erroneous order to enter an order vacating the erroneous order.



§ 7 Orders Striking Appearances.

- (a) The clerk is authorized to prepare, sign, and enter, on behalf of the court, an order striking the attempted appearance (by filing of a paper bearing that attorney's name and signature) in any case or proceeding of an attorney who is not a member in good standing of the bar of the district court.
  
- (b) Notwithstanding paragraph (a) of this section, the clerk may not strike the attorney if:
  - (1) the attorney is employed or retained by the United States or one of its agencies to represent the United States or the agency as a party;
  - (2) the attorney is a State Attorney General or that official's designee representing the State or any agency of the State;
  - (3) the attorney has filed a certificate that the attorney is providing representation without compensation;
  - (4) the attorney has joined of record a member in good standing of the bar of the district court who has signed the paper in question on behalf of the client (in which event, the clerk shall treat the attorney who is a member of the bar of the district court as the attorney entering an appearance);
  - (5) the appearance is on a notice of appeal, motion to withdraw the reference, or objection to the court's proposed findings of fact (in which event, the clerk shall notify the district court of any improper attempted appearance when the clerk transmits the paper to the district court); or
  - (6) the paper is one of the following types of paper (whose signing shall not be treated as an attempt to enter an appearance):

- (A) a proof of claim;
  - (B) an assignment of a claim;
  - (C) a request under F.R. Bankr. P. 2002(g) to receive notices in the case; or
  - (D) a notice to perfect, or to maintain or continue the perfection of, any interest in property pursuant to 11 U.S.C. § 362(b)(4) and § 546(b)(1).
- (c) If the clerk prepares and enters an order pursuant to paragraph (a) of this section in error, the clerk is authorized to enter an order vacating the erroneous order.
- (d) When an attorney's appearance is stricken, the clerk may proceed to treat as unsigned by the attorney any paper signed by the attorney pursuant to that defective appearance.

§ 8 Unsigned Filings.

- (a) Notice. If a party filing a paper, except:
- a petition;<sup>1</sup>
  - a mailing matrix;<sup>2</sup> or
  - a schedule;<sup>3</sup>
- fails to sign the paper or, if the party is represented by an attorney, the party's attorney (except when the

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<sup>1</sup> See § 13(b)(1) addressing unsigned petitions.

<sup>2</sup> See § 10(a) addressing unsigned mailing matrices (including unsigned mailing matrix under Rule 1007(a)(1) list).

<sup>3</sup> See § 10(b) addressing unsigned schedules.

filing is a petition,<sup>4</sup> list, schedule, or statement, or an amendment thereto) fails to sign the paper, the clerk is authorized to issue a notice advising the party or, if the party is represented by an attorney, the party's attorney that if the party fails to correct the deficiency within 3 days, the submission will be stricken.

(b) Striking Filing. If within 3 days after the clerk issues the notice in paragraph (a) of this section the party does not submit an amended filing that includes the signature of the party or, if the party is represented by an attorney, the party's attorney, the clerk is authorized to:

- (1) prepare, sign, and enter, on behalf of the court, an order striking the unsigned filing;
- (2) transmit copies of the order to the party, the party's attorney, if any, any trustee appointed in the case, and, in a case under chapter 7 or 11, the U.S. Trustee; and
- (3) transmit copies to all counsel of record in an adversary proceeding or contested matter when the filing relates to a previously commenced adversary proceeding or contested matter.

(c) If the clerk prepares and enters an order pursuant to paragraph (b) of this section in error, the clerk is authorized to enter an order vacating the erroneous order.

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<sup>4</sup> When an attorney for a debtor that is not an individual fails to sign the petition see § 13(b)(1). When an attorney for a debtor who is an individual fails to sign the petitions see § 13(a).

§ 9 Failure to File Mailing Matrix, Chapter 13 Plan, and Rule 1007 Documents.

(a) Failure to file a mailing matrix.

(1) Chapters 7 and 11.

(A) Order to Show Cause. If the debtor in a case under chapter 7 or 11 of the Bankruptcy Code fails to file a mailing matrix with the petition, the clerk is authorized to:

(i) prepare, sign, and enter, on behalf of the court, an order attaching a copy of the court's recommended verification form and matrix preparation instructions, and directing the debtor and any other party in interest to show cause within 14 days of the entry of the order why the case ought not be dismissed if the debtor fails to file a mailing matrix within 7 days of entry of the order; and

(ii) transmit copies of the order to all entities on the BNC mailing list.

(B) Transmittal to Chambers. If within 14 days after the entry of the order to show cause issued pursuant to paragraph (a)(1)(A) of this section the debtor has failed to file a mailing matrix and neither the debtor nor any other party in interest has filed a paper to attempt to show cause why the case ought not be dismissed, the clerk shall prepare an order dismissing the case and transmit the order to chambers.

(2) Chapter 13.

(A) Order to Show Cause. If the debtor fails to file a mailing matrix with the bankruptcy petition in a case under chapter 13 of the Bankruptcy Code, the clerk is authorized to:

(i) prepare, sign, and enter, on behalf of the court, an order attaching a copy of the court's recommended verification form and matrix preparation instructions, and directing the debtor, within 7 days of entry of the order, to either file a mailing matrix or show cause why the case ought not be dismissed; and

(ii) transmit copies of the order to the debtor, the debtor's attorney, if any, and the Chapter 13 Trustee.

(B) Dismissal. If within 7 days after entry of the order to show cause issued pursuant to paragraph (a) (2) (A) of this section the debtor fails to either file a mailing matrix or file a paper to attempt to show cause, the clerk is authorized to:

(i) prepare, sign, and enter, on behalf of the court, an order dismissing the case; and

(ii) transmit copies of the order to all entities on the BNC mailing list.

(b) Failure to file a chapter 13 plan.

(1) Notice. In a chapter 13 case, if the debtor does not file a chapter 13 plan with the petition, the clerk is authorized to:

- (A) issue, on behalf of the court, a notice advising the debtor that it must file a plan within 14 days after the debtor files the petition and that if the debtor fails to file the plan by that date, the case may be dismissed; and
  - (B) transmit copies of the notice to the debtor, the debtor's attorney, if any, and the chapter 13 trustee.
- (2) Order. In a chapter 13 case, if the debtor fails to file a plan within 14 days after the filing of the petition, the clerk is authorized to:
- (A) prepare, sign, and enter, on behalf of the court, an order to file the plan, warning the debtor that a continued failure to file may result in dismissal of the case; and
  - (B) transmit copies of the order to the debtor, the debtor's attorney, if any, and to the chapter 13 trustee.
- (c) Failure to file documents required by Fed. R. Bankr. Proc. 1007.
- (1) Notice. If the debtor has not filed the documents required by Fed. R. Bankr. Proc. 1007 with the petition, the clerk is authorized to:
- (A) issue, on behalf of the court, a notice advising the debtor that it must file the documents within 14 days after the debtor files the petition and that if the debtor fails to file the documents by that date, the case may be dismissed; and
  - (B) transmit copies of the notice to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(2) Order. If the debtor fails to file the documents required by Rule 1007 within 14 days after the petition date, the clerk is authorized to:

(A) prepare, sign, and enter, on behalf of the court, an order to file the required documents, warning the debtor that a continued failure to file the missing documents may result in dismissal of the case and alerting the debtor to the automatic dismissal provision of 11 U.S.C. § 521(i); and

(B) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(d) If the clerk prepares and enters an order pursuant to this section in error, the clerk is authorized to enter an order vacating the erroneous order, but not an order of dismissal of the case entered more than 14 days beforehand.

§ 10 Mailing Matrix Verification. This section does not apply to an amended mailing matrix filed after the debtor has filed a properly verified matrix; instead § 11 applies.

(a) Failure to File Verification.

(1) Order to show cause. If a debtor files a mailing matrix (including a combined mailing matrix and Rule 1007(a)(1) list), but fails to include with the matrix a signed verification, the clerk is authorized to:

(A) prepare, sign, and enter, on behalf of the court, an order directing the debtor to file an amended matrix with a signed verification;

(B) include in the order a 7-day notice to respond to the order;

- (C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee; and
  - (D) attach a copy of the court's recommended verification form to the order.
- (2) Order Striking Matrix and to Show Cause. If within 7 days of entry of the order under paragraph (a)(1) of this section the debtor fails to file an amended matrix that includes a verification, the clerk is authorized to:
- (A) prepare, sign, and enter, on behalf of the court, an order striking the matrix, and:
    - (i) in a case under chapter 7 or 11, directing the debtor and any other party in interest to show cause within 14 days of the entry of the order why the case ought not be dismissed if the debtor fails to file a mailing matrix within 7 days of entry of the order; or
    - (ii) in a case under chapter 13, directing the debtor, within 7 days of entry of the order, to either file a mailing matrix or show cause why the case ought not be dismissed; and
  - (B) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.
- (3) Dismissal Order.
- (A) Chapter 7 or 11. If the clerk strikes the debtor's matrix pursuant to paragraph (a)(2) of this section in a case under chapter 7 or 11 and the debtor fails to file a new mailing



matrix and no one files a writing attempting to show cause within the allowed time, the clerk is then authorized to prepare and transmit to chambers an order dismissing the case, providing for copies to be transmitted to the debtor, the debtor's attorney, if any, any trustee appointed in a case, and, in a case under chapter 7 or 11, to the United States Trustee; or

- (B) Chapter 13. If the clerk strikes the debtor's matrix pursuant to paragraph (a)(2) of this section in a case under chapter 13 and the debtor fails to either file a new mailing matrix or file a writing attempting to show cause within the allowed time, the clerk is authorized to prepare, sign, and enter, on behalf of the court, an order dismissing the case and transmit copies of the order to the debtor, the debtor's attorney, if any, and the chapter 13 trustee.

(b) Improper Form of Verification.

- (1) Order to Show Cause. If a debtor files a mailing matrix (including a combined mailing matrix and Rule 1007(a)(1) list) and includes a verification with the matrix, but the verification is not executed under penalty of perjury or does not substantially conform to the recommended verification provided by the court, the clerk is authorized to:

- (A) prepare, sign, and enter, on behalf of the court, an order directing the debtor to file an amended matrix with a verification executed under penalty of perjury and that conforms in substance to the court's recommended form;
- (B) include in the order a 7-day notice to respond to the order;

- (C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee; and
  - (D) attach a copy of the court's recommended verification form to the order.
- (2) Order Striking Matrix. If within 7 days of entry of the order under paragraph (b)(1) of this section the debtor fails to file an amended matrix that includes a verification in proper form, the clerk is authorized to:
- (A) prepare, sign, and enter, on behalf of the court, an order striking the matrix, and:
    - (i) in a case under chapter 7 or 11, directing the debtor and any other party in interest to show cause within 14 days of the entry of the order why the case ought not be dismissed if the debtor fails to file a mailing matrix within 7 days of entry of the order; or
    - (ii) in a case under chapter 13, directing the debtor, within 7 days of entry of the order, to either file a mailing matrix or show cause why the case ought not be dismissed; and
  - (B) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.
- (3) Dismissal Order.
- (A) Chapter 7 or 11. If the clerk strikes the debtor's matrix pursuant to paragraph (b)(2) of this section in a case under chapter 7 or 11 and the debtor fails to file a new mailing

matrix and no one files a writing attempting to show cause within the allowed time, the clerk is then authorized to prepare and transmit to chambers an order dismissing the case, providing for copies to be transmitted to the debtor, the debtor's attorney, if any, any trustee appointed in a case, and, in a case under chapter 7 or 11, to the United States Trustee; or

- (B) Chapter 13. If the clerk strikes the debtor's matrix pursuant to paragraph (b)(2) of this section in a case under chapter 13 and the debtor fails to either file a new mailing matrix or file a writing attempting to show cause within the allowed time, the clerk is authorized to prepare, sign, and enter, on behalf of the court, an order dismissing the case and transmit copies of the order to the debtor, the debtor's attorney, if any, and the chapter 13 trustee.

§ 11 Amended Mailing Matrix Verification.

(a) Failure to File Verification.

- (1) Order to show cause. If a debtor files an amended mailing matrix (including a combined mailing matrix and Rule 1007(a)(1) list) attempting to amend a previous mailing matrix that was in proper form, but fails to include with the amended matrix a verification, the clerk is authorized to:
  - (A) prepare, sign, and enter, on behalf of the court, an order directing the debtor to file an amended matrix with a verification;
  - (B) include in the order a 7-day notice to respond to the order;
  - (C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in

the case, and, in a case under chapter 7 or 11, to the U.S. Trustee; and

(D) attach to the order a copy of the court's recommended verification form that applies (depending on whether the amended matrix adds, or deletes, or changes the name, or changes the address of entities).

(2) Order Striking Matrix and to Show Cause. If within 7 days of entry of the order under paragraph (a)(1) of this section the debtor fails to file an amended matrix that includes a verification, the clerk is authorized to:

(A) prepare, sign, and enter, on behalf of the court, an order striking the amended matrix; and

(B) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(b) Improper Form of Verification.

(1) Order to Show Cause. If a debtor files an amended mailing matrix (including a combined mailing matrix and Rule 1007(a)(1) list) and includes a verification with the matrix, but the verification is not executed under penalty of perjury or does not substantially conform to the recommended verification provided by the court, the clerk is authorized to:

(A) prepare, sign, and enter, on behalf of the court, an order directing the debtor to file an amended matrix with a verification executed under penalty of perjury and that conforms in substance to the court's recommended form;

- (B) include in the order a 7-day notice to respond to the order;
  - (C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee; and
  - (D) attach to the order a copy of the court's recommended verification form that applies (depending on whether the amended matrix adds, or deletes, or changes the names, or changes the addresses of entities).
- (2) Order Striking Matrix. If within 7 days of entry of the order under paragraph (b)(1) of this section the debtor fails to file an amended matrix that includes a verification in proper form, the clerk is authorized to:
- (A) prepare, sign, and enter, on behalf of the court, an order striking the matrix; and
  - (B) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

§ 12 Schedules Not in Proper Form.

(a) Summary of Schedules and Statistical Summary.

- (1) Order to Show Cause. If a debtor fails to file a summary of schedules or statistical summary, or in the case of amended schedules, an amended summary of schedules or amended statistical summary, the clerk is authorized to:
- (A) prepare, sign, and enter, on behalf of the court, an order directing the debtor to either file a summary of schedules, amended summary of schedules, statistical summary, or

amended statistical summary, as the case may be, with a declaration under penalty of perjury (Official Form 6-Declaration) or show cause why the debtor's schedules ought not be stricken;

(B) include in the order a 7-day notice to respond to the order; and

(C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(2) Striking Schedules. If within 7 days of entry of the order under paragraph (a)(1) of this section, the debtor fails to file a summary of schedules, an amended summary of schedules, a statistical summary, or an amended statistical summary, as the case may be, or fails to file a writing attempting to show cause, the clerk is authorized to:

(A) prepare, sign, and enter, on behalf of the court, an order striking the schedules or amended schedules, as the case may be, to which the debtor failed to include a summary of schedules, amended summary of schedules, statistical summary, or amended statistical summary, as the case may be; and

(B) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(b) Declaration.

(1) Order to Show Cause. If a debtor fails to include a signed declaration in proper form when the debtor files schedules or amended schedules, the clerk is authorized to:

(A) prepare, sign, and enter, on behalf of the

court, an order directing the debtor to either file amended schedules that include a signed declaration in proper form or show cause why the debtor's schedules ought not be stricken;

- (B) include in the order a 7-day notice to respond to the order; and
- (C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(2) Striking Schedules. If within 7 days of entry of the order under paragraph (b)(1) of this section, the debtor fails to file amended schedules that include a proper declaration or fails to file a writing attempting to show cause, the clerk is authorized to:

- (A) prepare, sign, and enter, on behalf of the court, an order striking the schedules or amended schedules, as the case may be, which the debtor failed to include a declaration; and
- (B) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(c) LBR 1007-1(a)(3) Statement or Supplemental Matrix

(1) Order to Show Cause. If a debtor files amended schedules but fails to include either a statement under LBR 1007-1(a)(3) or to file a supplemental matrix with a 1009-1(c) certificate, the clerk is authorized to:

- (A) prepare, sign, and enter, on behalf of the court, an order directing the debtor to either submit an LBR 1007-1(a)(3) statement,

submit a supplemental mailing matrix and LBR 1009-1(c) certificate, or show cause why the debtor's amended schedules ought not be stricken;

- (B) include in the order a 7-day notice to respond to the order; and
- (C) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(2) Striking Schedules. If within 7 days of entry of the order under paragraph (c)(1) of this section, the debtor fails either to submit an LBR 1007-1(a)(3) statement, submit a supplemental mailing matrix and LBR 1009-1(c) certificate, or file a writing attempting to show cause, the clerk is authorized to

- (A) prepare, sign, and enter, on behalf of the court, an order striking the amended schedules to which the debtor failed to include either the LBR 1007-1(a)(3) statement or file a supplemental mailing matrix and LBR 1009-1(c) certificate; and

- (B) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(d) If the clerk prepares and enters an order pursuant to this section in error, the clerk is authorized to enter an order vacating the erroneous order.

### § 13 Notices or Orders re Deficient Filings.

(a) Issuing Deficiency Notices. For any deficiency in a filing not covered by §§ 4, 6, 7, 8, 9, 10, 11, 12 or 17, the clerk is authorized to:



- (1) prepare, sign, and enter a notice (including an electronic deficiency notice) directing a party filing a paper (or required to file a paper or pay a fee relating to a filing) to cure, by a specified date (or a period of time after issuance of the notice or order), any specified deficiency regarding that filing;
  - (2) include a warning, if appropriate, that failure to cure the deficiency by the specified deadline may result in the paper being stricken; and
  - (3) transmit copies of the notice to the party, the party's attorney, if any, any trustee appointed in the case, and, in a case under chapter 7 or 11, the U.S. Trustee.
- (b) Types of Notice. The clerk is authorized to issue deficiency notices including, but not limited to, the following:
- (1) failure of an individual debtor to sign the petition or, in the case of a debtor who is not an individual (e.g., a corporation or partnership), failure of the petition to be signed by a member of the bar of the district court;<sup>5</sup>
  - (2) payment of any filing fee not tendered as required;
  - (3) failure to file papers required for an amendment of the schedules not covered by §§ 10 & 11 of this standing order, such as a missing amended schedule (for example, when only the matrix has been amended) or a missing Notice to Creditors;

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<sup>5</sup> Such notices should give notice that if a properly signed petition is not filed within 7 days of entry of the notice (or the notice may specify a date that is 3 business days after issuance of the notice), the petition will be stricken and the case dismissed (but in a joint case, not dismissed as to any debtor who did sign the petition).

- (4) failure to file a proposed order in proper form;  
and
  - (5) correction in the electronic case filing system of any deficiency in the electronic filing of a paper (including correcting mis-docketing of a paper).
- (c) Upon failure of the entity timely to cure the deficiency, the clerk shall, as appropriate, either:
- (1) submit to the court a proposed order, or request the court to issue a minute order, striking the paper;
  - (2) send the matter to chambers for further guidance if the clerk is uncertain whether any of the foregoing steps is appropriate; or
  - (3) decide in the clerk's discretion that the deficiency does not warrant further action.

§ 14 Discharging and Referring Orders To Show Cause.

- (a) Discharging Order to Show Cause. If the clerk issues an order to show cause pursuant to the authority granted by this standing order and the party to whom the order is issued cures the deficiency that prompted the order by filing a corrective entry, the clerk is authorized to:
- (1) prepare, sign, and enter, on behalf of the court, an order discharging the order to show cause;
  - (2) transmit copies of the order to the party, the party's attorney, if any, any trustee appointed in the case, and, in a case under chapter 7 or 11, the U.S. Trustee.
- (b) Referral To Chambers. If the clerk issues an order to show cause pursuant to the authority granted by this standing order and the party to whom the order is

issued files a writing purporting to show cause and the order to show cause is not discharged by the clerk under paragraph (a) above (i.e., the deficiency still remains uncured), the clerk shall refer the matter to chambers for disposition.

§ 15 Bar Date for Filing Proofs of Claims in Chapter 11 Cases.

In chapter 11 cases, the clerk shall set the deadline for the filing of claims as (1) 100 days after the date first set for the meeting of creditors in the case of creditors who are not governmental units, and (2) 180 days after the date of the order for relief in the case of creditors who are governmental units. The clerk shall give notice of such bar dates with the notice of the first meeting of creditors.

§ 16 Order Setting Disclosure Statement Hearing. The clerk is authorized to prepare, sign, and enter an order setting the date and time for hearing on a disclosure statement, including the time for objections to the disclosure statement.

§ 17 Enforcing Payment of Filing Fee Installments.

(a) Order to Show Cause. If a debtor fails to make a timely installment payment of the filing fee pursuant to an order approving the debtor's application to pay the filing fee in installments, the clerk is authorized to:

(1) prepare, sign, and enter, on behalf of the court, an order directing the debtor and any other party in interest to show cause why the case ought not be dismissed for failure to pay the filing fee;

(2) advise that:

(A) the debtor will not receive a discharge;

(B) the debtor will still remain liable for the unpaid portion of the filing fee;

(C) that if the debtor fails to pay the debt

could be referred to the Department of Treasury's Financial Management Service for collection;

(D) the debtor will not be allowed, absent exceptional circumstance, in any future case to pay the filing fee in installments if the debtor fails to pay the filing fee in this case;

(E) if the debtor files a new case within one year after dismissal of this case, the provisions of 11 U.S.C. § 362(c)(3) or § 362(c)(4) will apply and may lessen or eliminate the protection of the automatic stay of 11 U.S.C. § 362(a) against collection efforts by creditors; and

(F) if prior to dismissal of the case, a motion for relief from the automatic stay is filed, or if the court determines that the failure to pay was willful, the court may make the dismissal a dismissal with prejudice for 180 days.

(3) include in the order a 14-day notice to respond to the order; and

(4) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

(b) Order Dismissing Case After Issuance of Order Under Paragraph (a). If within 14 days of entry of the order under paragraph (a) of this section

(A) the debtor (or any other party in interest) fails to make even partial payment of the filing fee installment that was the subject of an order to show cause under paragraph (a);

- (B) the debtor (or any other party in interest) fails timely to respond in writing to that order to show cause (including making a partial payment of the missing installment or requesting more time to make the payment);
- (C) the clerk is unaware of sufficient payments held by the standing chapter 13 trustee under a chapter 13 plan to be a source for making payment within 180 days after the filing of the petition; and
- (D) no motion for relief from the automatic stay has been filed in the case,

the clerk is authorized to:

- (1) prepare, sign, and enter, on behalf of the court, an order dismissing the case and providing:
  - (A) that, absent exceptional circumstances, the debtor will not be allowed in any future case to pay the filing fee in installments unless the filing fee in the dismissed case has been paid in full;
  - (B) that within 60 days of the entry of this order the debtor(s) shall either:
    - (i) pay the outstanding balance due, with interest at a rate of 3% per annum accruing 30 days from the date of this order; or
    - (ii) make arrangements with the clerk of the court to pay the amount due in installments over a period not to exceed 90 days;
  - (C) that the clerk shall refer such claim on the amount outstanding to the Bureau of Financial

Management Services for collection if the debtor fails:

- (i) to make payment of the outstanding balance in full, plus interest, within 60 days;
  - (ii) to make arrangements to pay the outstanding balance within 60 days; or
  - (iii) to make any payment pursuant to an arrangement made with the clerk of the court; and
- (2) transmit copies of the order to all entities on the BNC mailing list.
- (c) Referral to Chambers When Order of Dismissal Not Authorized. When the clerk is not authorized by paragraph (b) of this section to issue a dismissal order and the filing fee installment still remains delinquent, the clerk should transmit the matter to chambers. Examples of these instances include:
- (1) if the debtor makes only a partial payment of the delinquent installment of the filing fee, and the clerk views that payment as insufficient cause to justify not dismissing the case;
  - (2) if the debtor makes a response that the clerk views as stating insufficient cause to justify not dismissing the case; or
  - (3) if a motion to lift the automatic stay has been filed in the case.
- (d) Order in Chapter 13 Case for Trustee to Pay Fee. At the outset of a chapter 13 case (or upon conversion of a case to chapter 13), the clerk is authorized to prepare, sign, and enter, on behalf of the court an order directing the standing chapter 13 trustee in due

course to pay to the clerk, from funds paid to the trustee under the debtor's plan, the unpaid balance of the filing fee required by F.R. Bankr. P. 1006(a) (even if the debtor is not in default in making timely payment of an installment).

(e) Order Vacating Order in Chapter 13 Case for Trustee to Pay Fee. The clerk is authorized to prepare, sign, and enter, on behalf of the court an order partially or fully vacating an order under paragraph (d) above to the extent that the debtor makes payment of the filing fee.

(f) Order To Pay Filing Fee if Case is Dismissed with Portion of Filing Fee Unpaid. If a case is dismissed while the debtor(s) still owes a portion of the filing fee and the order dismissing the case does not contain the language provided by paragraphs (b)(1)(A), (B), and (C) of this section (e.g., case is dismissed on motion of the trustee and judge signs trustee's proposed order), the clerk is authorized to:

(1) prepare, sign, and enter, on behalf of the court, an order providing:

(A) that, absent exceptional circumstances, the debtor will not be allowed in any future case to pay the filing fee in installments unless the filing fee in the dismissed case has been paid in full;

(B) that within 60 days of the entry of this order the debtor(s) shall either:

(i) pay the outstanding balance due, with interest at a rate of 3% per annum accruing 30 days from the date of this order; or

(ii) make arrangements with the clerk of the court to pay the amount due in installments over a period not to exceed 90 days;

- (C) that the clerk shall refer such claim on the amount outstanding to the Bureau of Financial Management Services for collection if the debtor fails:
  - (i) to make payment of the outstanding balance in full, plus interest, within 60 days;
  - (ii) to make arrangements to pay the outstanding balance within 60 days; or
  - (iii) to make any payment pursuant to an arrangement made with the clerk of the court; and
- (2) transmit copies of the order to the debtor, the debtor's attorney, if any, any trustee appointed in the case, and, in cases under chapters 7 or 11, to the United States Trustee.

§ 18 Dismissal or Conversion.

(a) Chapter 7.

- (1) Conversion to chapter 11. Upon the filing by the debtor of a motion to convert a chapter 7 case **that was not previously converted to chapter 7 from another chapter** to a case under chapter 11, the clerk is authorized to prepare and transmit to chambers a proposed order:
  - (A) granting the debtor's motion to convert the case to a case under chapter 11;
  - (B) directing the debtor(s) to file the list required by Fed. R. Bankr. Proc. 1007(d), Official Form B 22B (Chapter 11 Statement of Current Monthly Income) if the debtor is an individual, and, if not previously filed, the other schedules, lists, and statement of financial affairs required by Fed. R. Bankr. Proc. 1007;



- (C) directing the chapter 7 trustee to file and serve on the debtor(s) and counsel for the debtor(s) and the United States Trustee, a final report and account, and to turn over to the debtor(s) in possession (or to the chapter 11 trustee, if appointed) all records and property of the estate in the chapter 7 trustee's custody, possession or control;
  - (D) directing the debtor to pay the additional fee required by 28 U.S.C. § 1930(a); and
  - (E) providing on the order for transmittal of copies of the order to all entities on the BNC mailing list.
- (2) Conversion to chapter 13. Upon the filing by the debtor of a motion to convert a chapter 7 case **that was not previously converted to chapter 7 from another chapter** to a case under chapter 13, the clerk is authorized to prepare and transmit to chambers a proposed order:
- (A) granting the debtor's motion to convert the case to a case under chapter 13;
  - (B) providing that within 14 days of the order, the debtor shall:
    - (i) file a form 22C;
    - (ii) if not previously filed, file, as required by Fed. R. Bankr. Proc. 1007(b)(1), schedules, statement of financial affairs, payment advices, and a record of any interest that the debtor has in an account or program of the type specified in 11 U.S.C. § 521(c);
    - (iii) file, if after the conversion of the case the debtor files schedules or any amended schedules, a supplemental

mailing matrix and LBR 1009 statement;  
and

(iv) file and serve a chapter 13 plan in conformance with LBR 3015-1, with service to be evidenced by a certificate of service complying with LBRs 5005-1(h)(3) and 3015-1; and

(C) providing for transmittal of copies of the order to the debtor, the debtor's attorney, if any, the chapter 7 trustee, the chapter 13 trustee, and the office of the United States Trustee.

(b) Chapter 11: Conversion to Chapter 7. Upon the filing by the debtor of a motion to convert a chapter 11 case to a case under chapter 7, the clerk is authorized to prepare and submit to chambers a proposed order that shall:

(1) grant the debtor's motion to convert the case to a case under chapter 7;

(2) provide that pursuant to Fed. R. Bankr. Proc. 1019 and 11 U.S.C. § 521(a)(4) that after qualification of, or assumption of duties by the chapter 7 trustee, whichever occurs earlier, the debtor shall turn over to the chapter 7 trustee, upon request, all records and property of the estate in the debtor's possession or control;

(3) provide that within 14 days of the entry of the order, the debtor shall, in conformance with Fed. R. Bankr. Proc. 1019(5)(A) and LBR 1009-1:

(A) file a schedule of unpaid debts incurred after the filing of the original petition to the date of conversion (or a statement that no such debts were incurred or that they are reflected on original schedules filed after the conversion of the case);

- (B) file with the schedule a dated supplemental mailing matrix, as required by LBR 1007-2(e), clearly titled as such, which includes the names and correct mailing addresses of all newly scheduled creditors;
  - (C) serve the schedule (or the statement that there are no additional creditors not already scheduled) on the chapter 7 trustee and the United States Trustee;
  - (D) serve on each creditor added by the schedule a copy of any Notice of Commencement of Case issued in the chapter 7 case, or, if the Notice has not yet been issued, a copy of the schedule; and
  - (D) file a certificate of service complying with LBR 5005-1(h)(3) reflecting service of the paper(s) required to be served; and
- (4) provide that the debtor shall file, if not previously filed, the schedules and the statement of financial affairs required by F.R. Bankr. P. 1007, and the copies and supplemental mailing matrix required by LBR 1007-1(a).
  - (5) provide that within 30 days of the entry of the order the debtor shall file and transmit to the United States Trustee a final report and account; and
  - (6) provide on the order for transmittal of copies of the order to the debtor, the debtor's attorney, if any, and the U.S. Trustee.
- (c) Chapter 13.
- (1) Dismissal. Immediately upon the filing by the debtor of a motion to dismiss a chapter 13 case that was not converted to chapter 13 from another chapter,

- (A) the clerk is authorized to prepare, sign, and enter, on behalf of the court, an order granting the debtor's motion to dismiss, **except when the motion seeks to condition the dismissal (for example, by requesting that the dismissal be without prejudice)**. The order may:
    - (i) direct that if the debtor fails to pay any unpaid filing fee in full, the debtor will not be allowed in any future case, absent exceptional circumstances, to pay the filing fee in installments; and
    - (ii) recite, when applicable, that "The clerk has ascertained that a motion for relief from the automatic stay was filed on a date prior to the filing date of the debtor's motion which will make the voluntary dismissal one with prejudice for 180 days pursuant to 11 U.S.C. § 109(g) (2)" and decree that it is "ORDERED that this case be and it hereby is DISMISSED and the dismissal is with prejudice for 180 days pursuant to 11 U.S.C. § 109(g) (2) to the extent that provision applies," and
  - (B) the order shall transmit copies of the order to all entities on the BNC mailing list.
- (2) Conversion to chapter 7. Immediately upon the filing by the debtor of a motion to convert a chapter 13 case to a case under chapter 7, the clerk is authorized to:
- (A) prepare, sign, and enter, on behalf of the court, an order granting the debtor's motion to convert, effective as of the date of the debtor's filing of the motion (which shall be treated as a notice of conversion);

(B) transmit copies of the order to the debtor, the debtor's attorney, if any, and the office of the U.S. Trustee.

(d) Vacate. The clerk is authorized to prepare and enter an order vacating any of the foregoing orders under this section if the clerk determines that the order was issued in administrative error and if the erroneous order was entered no more than 14 days beforehand.

§ 19 Locking Down Docket Entry When it Includes Matter That Should Have Been Redacted; Order to File Redacted Material.

(a) When an attorney or a party files a document that includes material that should have been redacted in accordance with the Judiciary's policy re preserving privacy under the E-Government Act, the clerk is authorized to:

(1) issue a notice advising the party or, if the party is represented by an attorney, the party's attorney, that if the party fails to file an amended document with the offending material redacted within 3 days, the submission will be stricken; and

(2) lock down the docket entry containing that document (making it inaccessible by the public).

(b) If the party filing the document that includes material that should have been redacted in accordance with the Judiciary's policy re preserving privacy under the E-Government Act does not file an amended document with the offended information within 3 days of the deficiency notice issued pursuant to paragraph (a) (1) of this section, the clerk is authorized to

(1) prepare, sign, and enter, on behalf of the court, an order striking the document, containing the unredacted information; provided, however, that the clerk shall not issue the order if the document containing the information is the

petition; and

- (2) transmit copies of the order to the party, the party's attorney, if any, any trustee in the case, and, in a case under chapter 7 or 11, to the U.S. Trustee.

§ 20 Miscellaneous Orders of Discharge or Closing Case. The clerk is authorized to prepare, sign, and enter:

- (a) an order closing the case and discharging the trustee in the following circumstances, unless a contested matter (such as a motion to avoid lien), an adversary proceeding, or an appeal from an order in the main case is still pending:
  - (1) in a chapter 13 case, upon the trustee's filing a final report after the completion of plan payments or the dismissal of the case, and after expiration of the time for the debtor to file any papers required to obtain a discharge;
  - (2) in a no-asset chapter 7 case, upon the trustee filing a report that insufficient assets are available to make a distribution to creditors,
  - (3) in an asset chapter 7 case, upon the trustee filing a Report of Final Account and Application for Order Discharging Trustee and Closing the case that includes a statement of the U.S. Trustee's Office indicating "Trustee's Final Distribution reviewed by the United States Trustee's Office."
- (b) an order granting the debtor a discharge upon the debtor becoming entitled to a discharge; and
- (c) an order vacating any order entered under the paragraphs above if the clerk determines that the order was entered in administrative error (e.g., vacating a discharge that was entered before the time for objections had expired or before a ruling on a pending objection to discharge).

§ 21 Returned Mail.

- (a) Using Debtor's Attorney's Return Address on Mailing of Rule 2002 Notices. The clerk is authorized to cause the debtor's attorney's or pro se debtor's return address to be placed on the envelopes containing notices mailed to creditors and other interested parties pursuant to the requirements of F.R. Bankr. P. 2002, including (but not limited to) the following which are mailed to all creditors:
- (1) a notice (whether the first or a later notice) of a meeting of creditors;
  - (2) a notice of a bar date for filing a claim (including any order setting such a bar date);
  - (3) a notice of a bar date for filing a complaint objecting to discharge or a complaint to determine the dischargeability of a debt;
  - (4) a notice (or an order to show cause which includes such notice to all creditors) of an opportunity to object to the dismissal or conversion of a case;
  - (5) a notice of the granting or denial of a discharge;
  - (6) an order that dismisses a case and that is mailed to all creditors as notice of the dismissal; and
  - (7) a notice of the conversion of the case.
- (b) Destroying Returned Mail After Docketing the Returning of the Mail. Any mailed copy of an item entered on the docket, and the envelope containing the same, which are returned to the clerk as the return addressee may be destroyed by the clerk after making a notation in the docket reflecting the return of the mailed item. The clerk may, but is not required, to note any notation that was placed on the envelope by the U.S. Postal

Service.

- (c) Destroying Returned Mail Received Prior to April 1, 2005. Any mailed copy of an item entered on the docket on or after October 6, 2003 (when this court converted to a paperless Case Management/Electronic Case Filing system without placing documents filed after that date in a paper file for the case or adversary proceeding or miscellaneous matter), and the envelope containing the same, which have been returned to the clerk as the return addressee and received prior to April 1, 2005 may be destroyed by the clerk without making any notation in the docket.

[Signed and Dated Above.]  
S. Martin Teel, Jr.  
United States Bankruptcy Judge



UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF COLUMBIA

STATEMENT OF INDIVIDUAL PRESENTING PETITION FOR FILING WITHOUT  
PRESENTING A PHOTOGRAPHIC IDENTIFICATION OF THE INDIVIDUAL

I, \_\_\_\_\_, state that I  
[Print Full Name]

am the individual who this day, the \_\_\_\_\_ day of \_\_\_\_\_,  
\_\_\_\_\_, has presented for filing a petition for the debtor or  
debtors named:

\_\_\_\_\_.  
[Print the name of the debtor(s) appearing on the petition]

I declare under penalty of perjury that the foregoing statement  
is true and correct.

\_\_\_\_\_  
[Signature of Individual]

Executed on \_\_\_\_\_.  
[Insert date.]