


The order below is hereby signed.

Signed: December 1 2023




Elizabeth L. Gunn
U.S. Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF COLUMBIA**

In re

**ORDER ADOPTING REVISIONS TO
THE LOCAL BANKRUPTCY RULES**

GENERAL ORDER NO 2023-02

ORDER ADOPTING REVISIONS TO THE LOCAL BANKRUPTCY RULES

Pursuant to the entry of this General Order, the Court adopts the following revision to the Local Bankruptcy Rules of the United States Bankruptcy Court for the District of Columbia: amendments to Local Bankruptcy Rules 1001-1, 1006-1, 2003-1, 2016-1, 2016-2, 9009-1, and 9013-1.¹ This revision to the Local Bankruptcy Rules shall take effect on December 1, 2023 and shall govern procedures in all cases pending on that date or filed thereafter.

The Court's adoption of the above-described revision follows a public comment period, with any such comments received having been reviewed and considered.

[Signed and dated above.]

¹ A version of those Local Bankruptcy Rules discussed with the changes so noted is attached hereto as Exhibit A.

Exhibit A

RULE 1001–1 SCOPE OF RULES; TITLE

- (a) Scope of Rules and Title. Federal Rule of Bankruptcy Procedure 9029 provides that courts may adopt local rules that are not inconsistent with the Federal Rules of Bankruptcy Procedure (the “Bankruptcy Rules” and each individually a “Bankruptcy Rule”). These rules shall be known as the “Local Bankruptcy Rules” of the United States Bankruptcy Court for the District of Columbia (the “Court”) and are hereby prescribed and promulgated as Local Bankruptcy Rules governing practice and procedure before the Court. They are to be cited as the “Local Bankruptcy Rules” except that individual rules may be cited as “Local Bankruptcy Rule ____” or “LBR ____.” The Local Bankruptcy Rules apply to all cases pending in the Court except (a) as otherwise provided in these Local Bankruptcy Rules and (b) the rules governing bankruptcy proceedings in the United States District Court for the District of Columbia (the “District Court”) are set forth in the D.Ct.LBRs found in **Appendix A**.
- (b) Any amendment to these Local Bankruptcy Rules shall be published in The Daily Washington Law Reporter before its adoption. The notice shall state that the proposed amendment will be adopted unless modified or withdrawn after receiving comments from organized bar associations, members of the bar, and the public. Such comments shall be submitted in writing within 45 days of publication. If the Court determines there is an immediate need for a particular local rule or amendment to an existing local rule, it may proceed without public notice and opportunity for comment, but the Court shall promptly thereafter afford such notice and opportunity for comment.

RULE 1006–1 FEES – INSTALLMENT PAYMENTS

- (a) Payment of Filing Fee. Any document filed on paper must be accompanied by the appropriate fee in the form of cash, cashier’s check, certified check, or money order. The Clerk may not accept personal, non-certified checks or credit cards from *pro se* parties.
- (b) Attorney Required to Pay Filing Fee Triggered by Filing of a Paper. Unless the attorney’s client obtains a waiver or deferral of the fee or authorization to pay the fee in installments, an attorney (subject to any right of reimbursement from the client or the estate) is responsible for payment of any fee triggered by the filing of a paper.
- (c) Nonpayment.
- (1) If a complaint or other document is not accompanied by the proper filing fee or, if applicable, an application to waive the filing fee or pay the same in installments, the Clerk shall give notice to cure the filing fee deficiency by the close of business on the next day after the notice to cure is given. The payment cure period commences for mailed notices three (3) days after the notice is mailed and for electronic notices when the electronic notice is served. The Clerk shall notify the party of the deficiency.
- (2) If a petition is filed without a filing fee, a request to pay in installments, or a waiver per Bankruptcy Rule 1006, the Clerk may reject the petition.

(3) If a debtor's case is dismissed prior to the payment in full of a filing fee, the debtor shall remain liable for the unpaid balance of the filing fee. If the debtor remains liable for an unpaid fee in a dismissed case at the time of filing a new case, a request to pay in installments or an application for a waiver of a filing fee will not be granted without a hearing and showing of exceptional circumstances.

RULE 2003-1 MEETING OF CREDITORS & EQUITY SECURITY INTEREST HOLDERS

- (a) Notice of Rescheduled Meeting of Creditors. If the United States Trustee and/or the appointed trustee agree prior to the meeting of creditors to reschedule the meeting, then within three (3) days of receiving the new date and time for the meeting of creditors, the party obtaining the continuance must serve written notice of the rescheduled meeting of creditors on all creditors and other parties in interest and file a certificate of such service conforming to [Local Bankruptcy Rule 9013-1\(f\)](#). Notice must be given in the form, if any, approved by the Clerk.
- (b) Possible Dismissal for Failure to Appear.
- (1) Possible Dismissal of Case; Notice. Notice of possible dismissal for failure to attend the meeting of creditors shall be provided in the notice of § 341 meeting.
- (2) Possible Dismissal of Case; Order. Upon certification by the United States Trustee, [chapter 13 trustee, and/or chapter 7 trustee](#) that either debtor or debtor's attorney has not appeared at a meeting of creditors, the Clerk shall issue an order for the debtor to appear and show cause why the case should not be dismissed.

RULE 2016-1 COMPENSATION OF PROFESSIONALS

- (a) Attorney's Disclosure Statement. An attorney representing a debtor under any chapter of the Bankruptcy Code shall file a [Bankruptcy Rule 2016\(b\) Disclosure of Compensation, substantially in the form of Local Form 102](#) (the "Attorney Disclosure Statement"), irrespective of the amount of fees received or requested, if any. The Attorney Disclosure Statement, if not filed with the petition, shall be filed no later than fourteen (14) days after the later of the filing of the petition or the date that an attorney is engaged.

RULE 2016-2 COMPENSATION FOR DEBTOR'S ATTORNEY IN CHAPTER 13 CASES

- (a) Presumptively Reasonable Fee. Debtor's attorney in a chapter 13 case is relieved from filing a detailed application for compensation as required by 11 U.S.C. § 330 and Bankruptcy Rule 2016 if the attorney complies with all the conditions and requirements set forth herein.
- (1) Rule 2016 Disclosure. Debtor's attorney shall file a Bankruptcy Rule 2016(b) Disclosure of Compensation [substantially in the form of Local Form 102 \(the "Attorney Disclosure Statement"\)](#) reflecting that the attorney will perform all required and necessary services for the debtor as set forth in subsection (2)(A). If

the attorney's Rule 2016(b) Disclosure of Compensation clearly states the specific exceptions, debtor's attorney may except from representation under this Rule the following: adversary proceedings, appeals, and United States Trustee audits. An attorney may make separate arrangements for such representation with a debtor.

RULE 9009-1 LOCAL BANKRUPTCY FORMS

The Local Official Forms prescribed in these Rules are set out on the Court's website and [attached hereto at Appendix F](#). They should be used and may be altered only if appropriate under the circumstances. Parties should use the Local Forms or a pleading containing substantially the same information as found in the Local Forms.