

Rule 3002-1. Filing Proof of Claim or Interest in Chapter 7, 12, or 13 Cases.

(A) Chapter 7 No-Asset Cases. Claims Deadline in Cases Converted from Chapter 13 to Chapter 7. The clerk shall not docket any claim filed in a chapter 7 case designated in the § 341 meeting notice as a no-asset case unless the trustee files a “Notice of Assets”. Upon the filing of a “Notice of Assets”, a deadline for filing claims shall be established as provided by Bankruptcy Rule 3002(c)(5) and noticed pursuant to Local Rule 2002-1(C)(7). Claims deadlines in chapter 13 cases converted to chapter 7 cases shall be established as provided by Bankruptcy Rule 3002(c)(5) and Local Rule 1019-1(E).

(B) Modification of Claims Deadline. The deadline in Bankruptcy Rule 3002(c) for filing a proof of claim in a chapter 7, 12 or 13 case is modified in the following circumstances for non-governmental unit claimants:

[Comment: See 11 U.S.C. § 502(b)(9) (claims deadline for governmental units).]

- (1) Meeting of Creditors Untimely Noticed.** If service of the § 341 or post-conversion meeting notice is not timely provided pursuant to Bankruptcy Rule 2002(a) and as a result of this failure to provide notice the § 341 meeting must be rescheduled before another notice can be served, the deadline for filing proofs of claim or interest shall be 90 days after the rescheduled date of the § 341 meeting.
- (2) Case Dismissed and Reinstated.** If a case is dismissed prior to the expiration of the claims deadline and subsequently reinstated:
 - (a)** in a case dismissed before the § 341 meeting is held, the new deadline for filing proofs of claim or interest shall be 90 days after the rescheduled § 341 meeting.
 - (b)** in a case dismissed after the § 341 meeting is held, the new deadline for filing proofs of claim or interest shall be 90 days from execution of the order vacating the order of dismissal. Local Form “Order Vacating Dismissal and Reinstating Case” is required for any reinstated chapter 13 case. Any other proposed order reinstating a case submitted for consideration by the court in chapter 7 or chapter 12 cases must contain the new deadlines prescribed by this rule for reinstated cases. The clerk shall provide notice of the new deadline.

(C) Deadline for Claims Arising from Rejection of Contracts or Leases. Unless otherwise ordered by the court, proofs of claims arising pursuant to 11 U.S.C. § 502(g) from the rejection of an executory contract or unexpired lease must be filed not later than 30 days after the later of (1) the entry of the order compelling or approving the rejection of the contract or lease, or (2) the effective date of the rejection of the contract or lease, if the order contains the notice mandated by Local Rule 6006-1.

[Comment: See Bankruptcy Rule 3002(c)(4) (deadline for claims arising from rejection).]

(D) Deadline for Filing Claims in Chapter 7 Cases Reopened to Administer Assets. Upon the filing by a trustee of a “Notice of Assets” in a reopened chapter 7 case:

- (1) if no claims deadline was established in the original case or if a claims deadline was established and rendered moot by the filing of a “Report of No Distribution” by the trustee in the original case, the court shall set a deadline of 90 days for the filing of claims. For governmental units, the deadline shall be this deadline or 180 days after relief was ordered in the original chapter 7 case, whichever is later. Any claims filed during the pendency of the original case shall be deemed filed in the reopened case.
- (2) if a claims deadline established in the original case expired prior to the filing of a “Report of No Distribution” by the trustee or if a distribution was made to creditors by the trustee subsequent to the expiration of a claims deadline in the original case, no additional claims deadline shall be established. Creditors considered for distributions shall be those creditors who filed claims in the original case.

(E) Service of Proofs of Claim in Chapter 13 Cases. In a chapter 13 case, the party filing a proof of claim shall serve copies of the claim, including all attachments required pursuant to Local Rule 3001-1(A)(3), upon the debtor, the attorney for debtor and the chapter 13 trustee.

[Comment: See Local Rules 1019-1(F) (deadline for filing postpetition claim in reconverted case) and 2083-1(B) (additional review of claims and service of copies by attorney for chapter 13 debtor required).]