

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
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In Re:

Administrative Order 2017-04

**Adoption of Interim Local Rules
1019-1(J)(1), 1073-1(B)(3)(a),
3002-1(B), and 9013-1(D)(3)**

The United States Supreme Court approved certain amendments to the Federal Rules of Bankruptcy Procedure to take effect on December 1, 2017. The Court has determined that amendments to these Bankruptcy Rules necessitate amendments to certain of this court's existing Local Rules.

In light of the foregoing, the court **ORDERS**, effective December 1, 2017, as follows:

(1) Local Rule 1019-1 is amended in section (J)(1) by substituting the following text (which also includes corrections to scrivener's errors in local rule cites in the current Rule) as Interim Local Rule 1019-1(J)(1):

(J) *Deadline for Filing Postpetition Claims.*

(1) *In Converted Cases.* Pursuant to Bankruptcy Rule 1019(6), the deadline for filing by a non-government unit of a request for payment of an administrative expense or a claim filed pursuant to §348(d) of the Bankruptcy Code, shall be 70 days from the date of the post-conversion meeting. This deadline shall be subject to modification, as applicable, by the provisions of subdivisions (I) or (J)(2) of this rule, and Local Rules 3002-1, and 3003-1.

(2) Local Rule 1073-1 is amended in section (B)(3)(a) by substituting the following text as Interim Local Rule 1073-1(B)(3)(a):

B) *Judicial Assignment.*

(3) Assignment to a specific judge without regard to divisional classification shall be considered by the court on motion by a party in the following cases upon the filing of a motion:

(a) all cases with individuals and their spouses, whether filed jointly or severally; and

(3) Local Rule 3002-1 is amended in section (B) by substituting the following text as Interim Local Rule 3002-1(B):

(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:*

(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), the deadline for filing a proof of claim or interest shall be 70 days after the service date of the §341 or post conversion meeting notice.*

(2) Case Dismissed and Reinstated. *If a case is dismissed prior to the expiration of the claims deadline and subsequently reinstated the new deadline for filing a proof of claim or interest shall be 70 days from entry of the order reinstating the case.*

Local Form "Order Reinstating Chapter 13 Case" is required for any reinstated chapter 13 case and Local Form "Order Reinstating Chapter 7 Case" is required for any reinstated chapter 7 case.

(4) Local Rule 9013-1 is amended as Interim Local Rule 9013-1(D)(3):

(A) to add a new subsection (l) as follows,

(l) a motion filed under Bankruptcy Rule 5009(d) for an order declaring a lien satisfied.

And:

(B) to correct scrivener's errors in the existing rule by removing the word "and" after subsection (i) and replacing the period after subsection (j) with a semi colon.

(5) All cross-references in the Local Rules to Local Rules 1019-1(J)(1), 1073-1(B)(3)(a), 3002-1(B), and 9013-1(D)(3), including any references contained in the official comments thereto, and in all court forms, guidelines, and clerk's instructions, shall be deemed to refer, respectively, to Interim Local Rule 1019-1(J)(1), 1073-1(B)(3)(a), Interim Local Rule 3002-1(B) and Interim Local Rule 9013-1(D)(3).

(6) The Clerk is directed to provide notice of entry of this Order and to update the Local Rules as published by this court to reflect Interim Local Rule 1019-1(J)(1), Interim Local Rule 1073-1(B)(3)(a), Interim Local Rule 3002-1(B) and Interim Local Rule 9013-1(D)(3).


Laurel Myerson Isicoff
Chief U.S. Bankruptcy Judge

c: All SD Bankruptcy Judges
Clerk of Court