

First Amendment to Interim Local Rules, Forms, ECF and Court Procedures
Dated: April 15, 2003

Modifications to Local Rules

Rule 1002-2 SEQUENCE OF FILINGS - Paragraph A. has been modified:

A. All filings shall be made electronically. An executed DECLARATION RE: ELECTRONIC FILING, Local Form No. 1, must be filed in paper copy within 15 days of the electronic filing of the petition. The original signed petition and related documents must be kept by the debtor's attorney for the six year retention period specified in the Court's Electronic Case Filing Procedures. (Added text is underlined.)

Rule 1002-2 SEQUENCE OF FILINGS - Paragraph B. has been modified:

B. Order of Filing: Schedules of Assets and Liabilities, Statements of Financial Affairs, and other related documents (the "Petition Documents") filed in connection with a petition for relief shall be filed in the following sequence:

Petition
Summary of Schedules
Schedules A through J
Declaration Concerning Debtor Schedules
Statement of Financial Affairs
Disclosure of Compensation Paid or Promised to Attorney
Statement of Intentions (if applicable)
Mailing Matrix

(Added text is underlined.)

Rule 2002-2 REQUESTS FOR NOTICES; AFFIDAVIT REQUIRED

Paragraph A.1. has been modified as follows: "the request supersedes any prior request for notice by this creditor and there is no other request to receive notices for the ~~spec~~ specified creditor, or"

(Deletion is lined through. Added text is underlined.)

Rule 3015-1 USE OF PLAN FORM IN CHAPTERS 12 AND 13 CASES has been modified as follows:

Rule 3015-1 USE OF PLAN FORM IN CHAPTER ~~S-12 AND~~ 13 CASES

In ~~Chapter 12 and~~ Chapter 13 cases the plan must be filed in substantial conformity to Local Form No. 9. (Deletion is lined through)

Rule 3015-1 WAGE ORDERS IN CHAPTER 13 CASES has been modified to reflect a new rule number:

Rule 3015- 2 WAGE ORDERS IN CHAPTER 13 CASES

Rule 7065-1 TEMPORARY RESTRAINING ORDERS

Parties filing an application for a temporary restraining order with an attached proposed order and any party filing a response must deliver a paper copy to chambers. The front page of the pleading shall note that it is a courtesy copy. The filing party may call chambers to arrange for alternative transmission of the document.

(Note: This is a new rule.)

Rule 9013-2 PROCEDURE FOR EXPEDITED HEARINGS - Paragraph D. has been modified:

D. ~~A paper copy shall be delivered to chambers.~~ Parties filing a motion for expedited hearing with an attached proposed order and any party filing a response must deliver a paper copy to chambers. The front page of the pleading shall note that it is a courtesy copy. The filing party may call chambers to arrange for alternative transmission of the document.

(Added text is underlined. The deletion is lined through)

Local Form No. 19, Motion for Relief from Stay and Order, has been abrogated. **Local Rule 9013-3 A.4.** has been modified to delete the reference to a local form:

A. 4. relief from stay. ~~in a form that substantially complies with Local Form No. 19;~~

(Deletion is lined through)

Rule 9013-3 PLEADING SPECIAL MATTERS IN MOTIONS -Paragraph C has been added:

C. In addition, a motion for relief from stay shall include:

1. an itemized statement of:

a. the amount and date of the loan;

- b. the principal balance owed as of the date the bankruptcy case was filed;
 - c. the interest accrued to the date of filing of the case and the *per diem* rate thereafter;
 - d. all charges and fees added to the balance alleged to be owed;
 - e. the amount necessary to cure as of the bankruptcy filing date; and
 - f. postpetition defaults.
2. an averment that an appropriate proof of claim has been filed.

Modification to Electronic Case Filing Procedures

ECF Procedure #1 - Scope of Electronic Filing

The following paragraph has been deleted from ECF Procedure #1:

A courtesy copy of any document electronically filed which requires action on the part of the Bankruptcy Judge shall be delivered to the Clerk through July 30, 2003. The "Notice of Electronic Filing" that is automatically received when the document is accepted for electronic filing must be affixed to the paper copy that is filed. Paper copies must be filed for the following types of documents: amendments, motions, applications, complaints, objections, answers, briefs and any other pleading requesting the Court to provide relief.

The following paragraphs have been added to ECF Procedure #1:

A paper copy of a motion for expedited hearing or an application for a temporary restraining order and any response shall be delivered to chambers. The front page of the pleading shall note that it is a courtesy copy. The filing party may call chambers to arrange for alternative transmission of the document.

In Chapter 7 cases, a paper copy of the voluntary bankruptcy petition, schedules and statements must be delivered by debtor's attorney to the Chapter 7 trustee no more than five business days after the documents are electronically filed with the Court.

ECF Procedure # 5 - Attachments and Exhibits

The following paragraph has been added to ECF Procedure #5:

Exhibits attached to the following pleadings are not subject to the ten page limitation: Application for Compensation and Reimbursement, Trustee's Final Report and Account, Plan of Reorganization, and Disclosure Statement.

ECF Procedure #8 - Signatures

The following paragraph of ECF Procedure # 8 has been modified:

~~Documents requiring signatures of more than one party must be electronically filed either by: (1) submitting a scanned document containing all necessary signatures; (2) identifying on the document the parties whose signatures are required and by the certification by the Filing User of the endorsement, consent or signature by the other parties; or (3) in any other manner approved by the Court.~~

When a document that requires signatures from more than one party is filed electronically, the document bearing all the necessary signatures: (1) may be scanned; (2) may be filed in a PDF format provided that the filing user certifies that all parties whose signatures are required have consented to the document and endorsed the filing; or (3) in any other manner approved by the Court. Local Form No. 23, Certification of Counsel, must be filed with the document attached.

(Added text is underlined and deleted text is lined through)

Amendment to PDF Files with Full Text Search Capability

The following amendment has been made to the first paragraph of the Court Procedure for PDF Files with Full Text Search Capability:

~~All documents filed electronically using the Court's Case Management/Electronic Case Filing System (CM/ECF) must be filed in a Portable Document Format (PDF). Documents drafted by a person who has been issued a login and password for CM/ECF must be created using software that allows the Court to perform a full text search. Supporting documents not drafted by the filing party may be scanned into a PDF format and filed as a document that will not be full text searchable.~~ Documents must be filed in a format that allows the Court to perform a full text search, except that documents received by the filing party from an outside source may be scanned into a PDF format and filed as a document that will not be fully text searchable.

(Added text is underlined and deleted text is lined through)

Amendment to Local Forms 6, 19, 22, and 23

Local Form No. 6 - Certificate of Service

The caption of the certificate of service form has been modified to include a designation of the hearing date and time. The words "To Parties In Interest" in the caption has been deleted. A copy of Local Form No. 6 is attached.

Local Form No. 22 - Certificate of No Objection

The caption of the form has been modified to include a designation of the hearing date and time.

Local Form No. 19 - Motion for Relief from Stay and Order

Local Form No. 19 has been abrogated.

Local Form No. 23 - Certification of Counsel

The Certification of Counsel Form has been substantially revised. A copy of Local Form No. 23 is attached.

LOCAL BANKRUPTCY FORM NO. 23

**IN THE UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF PENNSYLVANIA**

In Re:	:	Bankruptcy No.
	:	
Debtor	:	
	:	
	:	Chapter
Movant	:	
	:	Docket No.
	:	
	:	Hearing Date and Time:
Respondent	:	

v.

**CERTIFICATION OF COUNSEL REGARDING
(Insert Pleading Title)**

The undersigned hereby certifies that agreement has been reached with the respondent(s) regarding the [Application/Motion] filed on _____. (State "None" if no prior Motion or Application.)

The signature requirements of ECF Procedure #8 have been followed in obtaining the agreement of all parties and is reflected in the attached document.

The undersigned further certifies that:

The undersigned further certifies that:

9 An agreed order and a black-lined version showing the changes made to the order originally filed with the court as an attachment to the motion is attached to this Certificate of Counsel. Deletions are signified by a line in the middle of the original text (strikeout) and additions are signified by text in italics. It is respectfully requested that the attached order be entered by the Court.

9 No other order has been filed pertaining to the subject matter of this agreement.

9 The attached document does not require a proposed order.

Dated: _____

By: _____

Signature

Typed Name

Address

Phone No.

List Bar I.D. and State of Admission