

United States Bankruptcy Court  
Western District of Missouri



**NOTICE OF AMENDMENTS TO LOCAL RULES OF PRACTICE  
RELATED TO EXHIBIT FILING**

On April 30, 2015, the Court published for comment six proposed local rule changes requiring exhibits to be filed via CM/ECF in their entirety. One comment pertaining to Local Rules 9013-1B and 19013-1C was received and adopted as noted below.

The new rules are now final and are effective immediately. General Orders revising the rules are attached hereto, and are posted to the Bankruptcy Court's website under the Local Rules, Procedures & Fees section.

A summary of the rule changes follow:

1. **Local Rule 3001-1 *Proofs of Claim*.** The revised rule removes the five page exhibit limit and clarifies that legible, properly redacted exhibits shall be filed in their entirety. It also clarifies that if the debtor is pro se, the claim and exhibits shall be served by the filing party conventionally.
2. **Local Rule 3084-1A *Chapter 13 Proofs of Claim; Objections to Claims*.** The revised rule removes the five page exhibit limit and clarifies that legible, properly redacted exhibits shall be filed in their entirety. It also clarifies that if the debtor is pro se, the claim and exhibits shall be served by the filing party conventionally.
3. **Local Rule 7016-1 *Pre-Trial Procedures*.** The revised rule clarifies that not later than three business days before trial, or as set forth in a pretrial order, parties shall electronically file and serve an exhibit index, and mark, redact and electronically file and serve all trial exhibits (in their entirety). While the rule requires that all exhibits be filed in their entirety, such filings are subject to the redaction rules pursuant to Fed. R. Bankr. P. 9037, or other applicable law. The rule further allows parties to move the Court for a waiver of the electronic filing requirement for exhibits unsuitable for such filing.
4. **Local Rule 9013-1B *Motion Practice*.**
  - Please note that based on a comment the rule was changed from the way it was originally published, as follows:
  - **B. Supporting Documents.** When allegations of fact not appearing of record are relied on in support of a motion, affidavits and other pertinent documents ~~shall~~ **may** be filed as exhibits to the motion. Opposing counsel and trustee will receive service by electronic

means. If the debtor is pro se, paper copies of affidavits and other pertinent documents shall be served by the filing party conventionally.

- **The revised rule clarifies that when allegations of fact not appearing of record are relied on in support of a motion, affidavits and other pertinent documents *may* be filed (in their entirety) as exhibits to the motion. It also removes the five page exhibit limit and clarifies that if the debtor is pro se, copies of affidavits and other pertinent documents, with exhibits, shall be served by the filing party conventionally.**

**5. Local Rule 9040-1 *Exhibits and Attachments*. The revised rule removes the five page exhibit limit and clarifies that if the debtor is pro se, copies of exhibits or attachments shall be served by the filing party conventionally.**

**6. Local Rule 19013-1C *Motion Practice and Service* [Regarding Pro Se Filers]**

- Please note that based on a comment the rule was changed from the way it was originally published, as follows:
- **C. Supporting Documents.** When allegations of fact not appearing of record are relied on in support of a motion, affidavits and other pertinent documents ~~shall~~ **may** be filed as exhibits to the motion. Opposing counsel and trustee will receive service by electronic means. If an opposing party is pro se, paper copies of affidavits and other pertinent documents shall be served by the filing party conventionally.
- **The revised rule clarifies that when allegations of fact not appearing of record are relied on in support of a motion, affidavits and other pertinent documents *may* be filed (in their entirety) as exhibits to the motion. It also clarifies that if the opposing party is pro se, paper copies of affidavits and other pertinent documents shall be served by the filing party conventionally.**

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**



**2015 GENERAL ORDER AMENDING LOCAL RULE 3001-1  
RELATED TO PROOFS OF CLAIM**

For good cause shown, and pending revision to this Court's local rules, it is hereby ORDERED that Local Rule 3001-1 is amended to read:

**Rule 3001-1. Proofs of Claim**

**A. Form.** Proofs of Claim may be filed with the Court electronically and shall conform substantially to the Official Form. Legible exhibits in support of the claim, if any, shall be properly redacted and filed in their entirety.

**B. Service of Proofs of Claim.**

**1. Proofs of Claim – with Exhibits.** Debtor's attorney and trustee will receive service by electronic means. If the debtor is pro se, the claim and exhibits shall be served by the filing party conventionally.

**2. Proofs of Claim in Chapter 13 cases.** Proofs of Claim in Chapter 13 cases are subject to the requirements of Local Rule 3084-1.

**C. Transferred Claims.** Any assignment or evidence of transfer of a claim filed after a Proof of Claim has been filed must include:

1. the amount of the claim;
2. the name of the original creditor (transferor);
3. the name and address of the transferee; and
4. a waiver of notice by the transferor if applicable.

This General Order is effective immediately for all pending and new cases and shall remain in effect until further order or notice of this court.

/s/ Arthur B. Federman  
Arthur B. Federman, Chief Bankruptcy Judge

/s/ Dennis R. Dow  
Dennis R. Dow, Bankruptcy Judge

Kansas City, Missouri

/s/ Cynthia A. Norton  
Cynthia A. Norton, Bankruptcy Judge

Dated: June 11, 2015

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**



**2015 GENERAL ORDER AMENDING LOCAL RULE 3084-1A  
RELATED TO CHAPTER 13 PROOFS OF CLAIM; OBJECTIONS TO CLAIM**

For good cause shown, and pending revision to this Court's local rules, it is hereby ORDERED that Local Rule 3084-1A is amended to read:

**Rule 3084-1. Chapter 13 Proofs of Claim; Objections to Claim**

**A. Filing and Service.** Chapter 13 Proofs of Claim may be filed electronically with the Clerk. Legible exhibits in support of the claim, if any, shall be properly redacted and filed in their entirety. Debtor's attorney and trustee will receive service by electronic means. If the debtor is pro se, the claim, with attachments, shall be served by the filing party conventionally, including any notice of transfer of claim, as required by Fed. R. Bankr. P. 3001(e).

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This General Order is effective immediately for all pending and new cases and shall remain in effect until further order or notice of this court.

/s/ Arthur B. Federman  
Arthur B. Federman, Chief Bankruptcy Judge

/s/ Dennis R. Dow  
Dennis R. Dow, Bankruptcy Judge

Kansas City, Missouri

/s/ Cynthia A. Norton  
Cynthia A. Norton, Bankruptcy Judge

Dated: June 11, 2015

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**



**2015 GENERAL ORDER AMENDING LOCAL RULE 7016-1  
RELATED TO PRE-TRIAL PROCEDURES**

For good cause shown, and pending revision to this Court's local rules, it is hereby ORDERED that Local Rule 7016-1 is amended to read:

**Rule 7016-1. Pre-Trial Procedures**

- A. Trial Date.** The trial date is generally set when the adversary complaint is filed and will be stated on the summons. Parties may request an earlier trial date.
- B. Pretrial Period.** In an adversary action, parties generally will be given 60 days to complete pretrial procedures which may be adjusted for cause.
- C. Pretrial Conference; Scheduling Order.** Discovery and pretrial conferences, and orders scheduling discovery may be set by the Court or on request of a party. If the Court determines that the Conference of Parties and Discovery Plan specified in Fed. R. Civ. P. 26(f) should be required in a particular proceeding, the Court shall enter a scheduling order as contemplated by Fed. R. Civ. P. 16(b). Plaintiff shall serve the pretrial order, summons, and complaint on all parties unless otherwise ordered. The attorney who will handle the trial shall participate in all conferences unless excused by the Court. Counsel must have authority to agree to uncontroverted facts and to the scope and scheduling of discovery.
- D. Witnesses.** Not later than three business days before trial, or as set forth in a pretrial order, parties shall electronically file and serve a witness list.
- E. Exhibits.** Not later than three business days before trial, or as set forth in a pretrial order, parties shall electronically file and serve an exhibit index, and mark and electronically file and serve all trial exhibits.
1. **Paper copies.** Unless otherwise ordered, it is not necessary to provide paper copies of the exhibit index or exhibits to the Court. However, paper copies should be available for use by witnesses at trial.
  2. **Filing order.** The exhibit index shall be filed first as the main document, using the approved Local Form (See Local Form MOW 7016-1.1). Individual marked and redacted exhibits shall then be filed, in their entirety, as attachments to the exhibit index. The exhibit index shall describe all exhibits with sufficient detail to allow for easy identification during trial.

3. **Marking and redaction.** All exhibits shall be marked before filing. Plaintiff/movant exhibits will be marked with numbers, and defendant/respondent exhibits will be marked with letters. All exhibits shall also be properly redacted before filing pursuant to Fed. R. Bankr. P. 9037, or other applicable law.
4. **Exhibits unsuitable for electronic filing.** Parties may move the Court for a waiver of the electronic filing requirement for exhibits unsuitable for such filing.
5. **Non-Compliance.** The Court may exclude evidence not filed in accordance with this rule.

This General Order is effective immediately for all pending and new cases and shall remain in effect until further order or notice of this court.

/s/ Arthur B. Federman  
Arthur B. Federman, Chief Bankruptcy Judge

/s/ Dennis R. Dow  
Dennis R. Dow, Bankruptcy Judge

Kansas City, Missouri

Dated: June 11, 2015

/s/ Cynthia A. Norton  
Cynthia A. Norton, Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**



**2015 GENERAL ORDER AMENDING LOCAL RULE 9013-1B  
RELATED TO MOTION PRACTICE**

For good cause shown, and pending revision to this Court's local rules, it is hereby ORDERED that Local Rule 9013-1B is amended to read:

**Rule 9013-1. Motion Practice**

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**B. Supporting Documents.** When allegations of fact not appearing of record are relied on in support of a motion, affidavits and other pertinent documents may be filed as exhibits to the motion. Opposing counsel and trustee will receive service by electronic means. If the debtor is pro se, paper copies of affidavits and other pertinent documents shall be served by the filing party conventionally.

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This General Order is effective immediately for all pending and new cases and shall remain in effect until further order or notice of this court.

/s/ **Arthur B. Federman**  
Arthur B. Federman, Chief Bankruptcy Judge

/s/ **Dennis R. Dow**  
Dennis R. Dow, Bankruptcy Judge

Kansas City, Missouri

Dated: June 11, 2015

/s/ **Cynthia A. Norton**  
Cynthia A. Norton, Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**



**2015 GENERAL ORDER AMENDING LOCAL RULE 9040-1  
RELATED TO EXHIBITS AND ATTACHMENTS**

For good cause shown, and pending revision to this Court's local rules, it is hereby ORDERED that Local Rule 9040-1 is amended to read:

**Rule 9040-1. Exhibits and Attachments**

Except as otherwise provided or permitted by these Rules, documents and proofs of claim shall be filed in their entirety. Opposing counsel and trustee will receive service by electronic means. If the debtor is pro se, paper copies of exhibits or attachments shall be served by the filing party conventionally. For service requirements on Proofs of Claim, see Local Rules 3001-1B and 3084-1A.

This General Order is effective immediately for all pending and new cases and shall remain in effect until further order or notice of this court.

/s/ Arthur B. Federman  
Arthur B. Federman, Chief Bankruptcy Judge

/s/ Dennis R. Dow  
Dennis R. Dow, Bankruptcy Judge

Kansas City, Missouri

Dated: June 11, 2015

/s/ Cynthia A. Norton  
Cynthia A. Norton, Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF MISSOURI**



**2015 GENERAL ORDER AMENDING LOCAL RULE 19013-1C  
RELATED TO MOTION PRACTICE**

For good cause shown, and pending revision to this Court's local rules, it is hereby ORDERED that Local Rule 19013-1C is amended to read:

**Rule 19013-1. Motion Practice and Service**

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**C. Supporting Documents.** When allegations of fact not appearing of record are relied on in support of a motion, affidavits and other pertinent documents may be filed as exhibits to the motion. Opposing counsel and trustee will receive service by electronic means. If an opposing party is pro se, paper copies of affidavits and other pertinent documents shall be served by the filing party conventionally.

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This General Order is effective immediately for all pending and new cases and shall remain in effect until further order or notice of this court.

/s/ Arthur B. Federman  
Arthur B. Federman, Chief Bankruptcy Judge

/s/ Dennis R. Dow  
Dennis R. Dow, Bankruptcy Judge

Kansas City, Missouri

Dated: June 11, 2015

/s/ Cynthia A. Norton  
Cynthia A. Norton, Bankruptcy Judge