

United States Bankruptcy Court
Western District of Missouri



SUMMARY OF REVISIONS TO LOCAL RULES OF PRACTICE
POSTED FOR COMMENT: AUGUST 19, 2019
COMMENT PERIOD EXPIRES: SEPTEMBER 20, 2019

The Court has posted new Local Rules of Practice for comment. These Rules incorporate local rule amendments adopted individually by Order of the Court after June 1, 2016 until the present and incorporate additional itemized revisions. All new changes are shown in red in the body of the Local Rules and all deletions are marked through. A summary of the major rule changes is found below. Minor wording changes are not included herein.

LOCAL RULE CHANGES PER GENERAL ORDERS ALREADY IN EFFECT

- 1. Local Rule 2016 – 1(D) and (F) Related to Attorney Fees in Chapter 13 Cases.** This rule was adopted per General Order entered November 16, 2016 and effective December 1, 2016. This rule was revised to increase the “no look” fee for debtor’s counsel from \$3,600 in below median family income cases and \$4,100 in above median family income cases when a Rights and Responsibilities Agreement is executed. The rule was further revised to include an increase in certain flat fee schedule items for post-confirmation services.

The rule provides in part:

D. When Application Unnecessary. If debtor’s attorney’s total fee in a below median family income case is ~~\$3,000~~ **\$3,600** or less, or if the total fee in an above median family income case is ~~\$3,500~~ **\$4,100** or less, and if the attorney and the debtor(s) have signed the applicable Rights and Responsibilities Agreement (See Local Forms MOW 2016-1.3 or 2016-1.4), the disclosure of fees in initial filings is sufficient and it is unnecessary to file an application under subpart C of this rule.

F. Post-Confirmation Attorney Fees in Chapter 13 Cases. Additional attorney fees, if any, for post-confirmation services may be allowed according to the flat fee schedule set out in this rule. Any deviation from this schedule shall be by motion made to the Court, supported by detailed time and expense records.

Amendments to Schedules - ~~\$150~~ **\$200**

Amendments to Schedules I & J with Business Attachments - ~~\$200~~ **\$250**

~~Appearance at Hearing Due to Trustee’s Request for Hearing Based on Debtor’s Failure to Cooperate—\$125~~

Case closing fees and expenses - \$250

(to be held in trust pending performance of the work – see paragraph below)

~~Certificate of Service Regarding State Tax Returns—\$100~~

~~Defense of Motions for Relief from the Automatic Stay - \$350~~

Defense of Motions to Dismiss - ~~\$200~~ **\$250**
 Filing Proofs of Claim on behalf of creditors - ~~\$125~~ **\$200**
 Motions for Emergency Hearing - ~~\$100~~ **\$150**
Motion for Order requesting substantive relief - \$250
 Motions for Payoff of Chapter 13 Plan - ~~\$75~~ **\$150**
 Motions for Relief from Stay (divorce) - ~~\$200~~ **\$250**
 Motions to Approve Permanent Home Mortgage Modification (no hearing) - \$250
~~Motions to Approve Permanent Home Mortgage Modification (with hearing) - \$350~~
 Motions to Approve Settlement/Allow Use of Settlement - ~~\$175~~ **\$250**
 Motions to Approve Trial Home Mortgage Modification (no hearing) - \$250
~~Motions to Approve Trial Home Mortgage Modification (with hearing) - \$350~~
 Motions to Avoid Lien or Avoid Judgment - ~~\$200~~ **\$250**
 Motions to Distribute Insurance Proceeds - ~~\$125~~ **\$250**
 Motions to Employ Counsel/Professional - ~~\$175~~ **\$250**
 Motions to Incur Additional Debt - ~~\$150~~ **\$350**
 Motions to Retain Tax Refund Greater than \$2,500 - ~~\$150~~ **\$250**
 Motions to Suspend or Abate Payments - ~~\$200~~ **\$250**
 Motions to Sell Property - ~~\$200~~ **\$350**
 Motions to Vacate or Set Aside Order - ~~\$125~~ **\$250**
Notice of additional creditors - \$250
 Objections to a Notice of Payment Change or a Notice of Fees, Expenses, and Charges (Local Rule 3094-1.C.3.) (no hearing) - \$250
~~Objections to a Notice of Payment Change or a Notice of Fees, Expenses, and Charges (Local Rule 3094-1.C.3.) (with hearing) - \$350~~
 Objections to Proofs of Claim (no hearing) - ~~\$125~~ **\$250**
~~Objections to Proofs of Claim (with hearing) - \$225~~
 Obtaining Confirmation of Amended Plan - ~~\$250~~ **\$350**
Response to Trustee's Motion (not listed above) - \$150
 Review of a Notice of Payment Change or a Notice of Fees, Expenses, and Charges (Local Rule 3094-1.C.3. (without filing an objection) - \$50
Review of and providing income tax returns to the trustee - \$150
With hearing (when any of the authorized menu items require a hearing) - \$200
 At any time after the plan is confirmed but before the case is closed, the debtor's attorney may apply for \$250 in case closing fees and expenses pursuant to L.R. 2016-1(F). The \$250 must be held in counsel's trust account until it is earned. If the case is converted or dismissed, debtor's attorney must either (1) promptly refund the \$250 to the debtor(s) and certify to the Court that the funds have been returned; provided that if there is the possibility that the case will be reinstated, the attorney may hold the \$250 for up to 30 days pending reinstatement; (2) in a case converted to a Chapter 7, if the attorney is owed unpaid fees, and the debtor(s) has agreed, the attorney is to certify that the \$250 has been applied to the outstanding balance and file an amended Disclosure of Compensation of Attorney for Debtor(s) to show the \$250 has been applied; or (3) in a case that is dismissed, if the attorney is owed unpaid fees, and the debtor(s) has agreed, apply to the Court for approval of the \$250 to be applied to the outstanding balance.

2. **Local Rule 3083-1 Related to the Chapter 13 plan.** This rule was adopted per General Order entered November 28, 2016 and effective December 1, 2016. This rule relates to changes to the Chapter 13 Plan form effective December 1, 2016.

A. Plan. Each Chapter 13 plan and amended plan must be filed using the Local Form (See Local

Forms - MOW 3083-1.1) Notwithstanding the foregoing, if the only amendment to a plan is to change the plan payment, the Local Form need not be used; instead, a statement of the change in plan payment is sufficient. Debtor shall serve the plan on all creditors when the plan is filed and shall serve amended plans on all affected creditors.

B. Service of the Plan on the United States. The plan or summary shall be served on the United States Attorney and the appropriate agency when the United States is a party in interest. Appendix 1-9 contains a list of standard addresses of government agencies.

C. Plan Percentages. For plans or amended plans filed on or after October 1, 2008, the debtor may use 8.0% of receipts rather than the statutory maximum of 10%, for trustee fees when calculating plans. The actual percent, set by the United States Attorney General pursuant to statute, may vary during the life of the plan and may require the plan payment to be increased during the life of the plan to accommodate the percentage then in effect in order for the plan to comply with §§1322(a)(1) and 1322(d).

D. Objections to Plans. It is the duty of affected creditors and not the trustee to file objections to confirmation of plans and amended plans on all grounds for non-confirmation. The trustee may also object. Unless otherwise noticed, objections to plan confirmation must be filed within 21 days after conclusion of the § 341 meeting of creditors. Absent timely objections, the plan may be confirmed without further notice.

E. Objections to Amended Plans. Objections to amended plans are due 21 days after the amended plan is filed.

F. Wage Order to Employer.

1. Issuance of Wage Order. The Chapter 13 trustee may cause a wage order to be issued to the debtor's employer in a Chapter 13 case at any time the plan payments are more than 30 days delinquent. The 30-day delinquency is measured pursuant to § 1326 (a)(1). The debtor shall provide on Schedule I the full address for the debtor's payroll department to which the Chapter 13 trustee may cause a wage order to be issued, and shall amend Schedule I if their employment changes.

2. Vacating a Wage Order. In the event the debtor wants a wage order to the employer vacated, the debtor must file a motion to vacate the order and demonstrate that appropriate circumstances exist for the debtor's direct remittance of plan payments.

- 3. Local Rule 1073-1 Related to Assignment of Cases.** This rule was adopted per General Order entered August 31, 2017, and effective the same date. This rule was revised to reflect new judge assignments.

In pertinent part, the rule provides:

1. Division 3 (Judge ~~Federman~~ Norton): Cedar, Christian, Dade, Dallas, Douglas, Greene, Howell, Laclede, Oregon, Ozark, Polk, Pulaski, Taney, Texas, Webster, and Wright;

3. Division 1 (Judge ~~Norton~~ Fenimore): Andrew, Atchison, Barton, Barry, Buchanan, Caldwell, Clinton, Daviess, DeKalb, Gentry, Grundy, Harrison, Holt, Jasper, Lawrence, Livingston, McDonald, Mercer, Newton, Nodaway, Platte, Putnam, Stone, Sullivan, Vernon, and Worth;

- 4. Local Rule 3083-1 Related to the Chapter 13 plan.** This rule was adopted per General Order entered November 20, 2017 and effective December 1, 2017. This rule relates to changes to the Chapter 13 Plan form effective December 1, 2017.

The rule now provides (as updated from the changes in #2 above):

A. Plan. Each Chapter 13 plan and amended plan must be filed using the Local Form. (See Local Forms- MOW 3083-1.1) Notwithstanding the foregoing, if the only amendment to a plan is to change the plan payment, the Local Form need not be used; instead, a statement of the change in plan payment is sufficient and must be filed using the designated CM/ECF event (Amended Chapter 13 Plan – Stmt of Plan Payment Change ONLY). Debtor shall serve the plan on all creditors when the plan is filed and shall serve amended plans on all affected creditors; and shall file a certificate of service with service pursuant to all applicable federal and local rules.

B. Service of the Plan on the United States. The plan shall be served on the United States Attorney and the appropriate agency when the United States is a party in interest. Appendix 1-9 contains a list of standard addresses of government agencies.

C. Plan Percentages. The debtor may use 8.0% of receipts rather than the statutory maximum of 10% of receipts when calculating plans. The actual percent, set by the United States Attorney General pursuant to statute, may vary during the life of the Plan.

D. Objections to Plans. It is the duty of affected creditors to file objections to confirmation of plans and amended plans on all grounds for non-confirmation. The trustee may also object to the confirmation of a plan.

1. The Court will conduct a confirmation hearing only upon the filing of a timely objection to confirmation, or a response is filed to the trustee's motion to deny confirmation of a Chapter 13 plan. Unless otherwise noticed, objections to plan confirmation must be filed within 21 days after conclusion of the § 341 meeting of creditors.
2. If neither a timely objection to confirmation nor a trustee's motion to deny confirmation is filed, the Court may confirm the plan without a hearing or reviewing any evidence.
3. If no response is filed to a Chapter 13 trustee's motion to deny confirmation, the Court may deny confirmation of a plan without a hearing.

E. Objections to Amended Plans. Objections to amended plans must be filed on or before 21 days after the amended plan is filed and served on the trustee and affected parties. If no timely objection to confirmation is filed and the Chapter 13 trustee does not file a timely motion to deny confirmation, the Court may confirm the amended plan without a hearing or reviewing any evidence.

F. Wage Order to Employer.

1. **Issuance of Wage Order.** The Chapter 13 trustee may cause a wage order to be issued to the debtor's employer upon a written request from the debtor or the debtor's attorney; the written request must provide the full address for the employer's payroll department. The Chapter 13 trustee may cause a wage order to be issued to the debtor's employer at any time the plan payments are more than 30 days delinquent as measured pursuant to §1326 (a)(1). The Court may require the issuance of a wage order for cause shown on motion by the chapter 13 trustee or other party in interest or as a condition to granting or denying other relief. The debtor shall amend Schedule I and provide the full address for the employer's payroll department if the employment changes.
2. **Cancelling an Employer Wage Order.** In the event the debtor wants a wage order to the employer cancelled, the debtor must send a written request to the trustee and demonstrate to the trustee that appropriate circumstances exist for the debtor to remit plan payments directly to the trustee. If the trustee does not agree to the cancellation of the Employer Wage Order, the debtor may

file a motion with the Court to vacate said order demonstrating to the Court that appropriate circumstances exist for the debtor to remit plan payments directly to the trustee.

5. Local Rule 3084-1 Related to Chapter 13 Proofs of Claims and Objections to Claims. This rule was adopted per General Order entered November 20, 2017 and effective December 1, 2017. This rule was revised to update treatment of Chapter 13 proofs of claims and objections thereto.

A. Filing and Service. Chapter 13 claims may be filed electronically with the Clerk **either through the ECF System or ePOC (link is on Court's web site)**. Legible exhibits in support of the claim, if any, shall be properly redacted and filed in their entirety. Debtor's attorney and **the Chapter 13 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).

B. Claims Register. The Court will maintain the claims register electronically.

C. Classification. **Each claim must state if it is a secured, priority unsecured, or an unsecured non-priority claim; or what portion of the claim is secured, priority unsecured, or unsecured non-priority.** If a claim does not state whether it is secured, priority **unsecured**, or unsecured non-priority, **the portion of the claim not identified as secured, priority unsecured, or unsecured non-priority** will be deemed an unsecured non-priority claim. Unsecured priority claims shall provide the amount of the claim entitled to priority treatment and provide the Title 11 reference which entitles it to priority treatment. If the plan does not provide for the priority treatment and the statutory reference is not provided on the face of the claim for the alleged priority portion of the claim, the alleged priority portion of the claim shall be deemed allowed as an unsecured non-priority claim absent a timely written objection filed with the Court.

D. Secured Claim. A secured claim must state a fair market value for each item of collateral.

1. The debtor may request to value the collateral in the plan as authorized by Fed. R. Bankr. P. 3012(b). For non-governmental secured claims, the value listed in the plan controls even if the holder of the claim files a contrary proof of claim and regardless of whether an objection to the claim has been filed. For secured claims of governmental units, the value of the collateral listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed in the plan.

2. If the debtor does not request to value the collateral in the plan, the trustee will use the creditor's fair market value if the fair market value is clearly provided on the face of the proof of claim; if the creditor does not provide a fair market value on the face of the claim, then the trustee will use the value contained in the debtor's plan. If neither the proof of claim nor the plan states a value, the trustee shall use the value set out in the debtor's schedules. If neither the debtor nor the creditor has provided a fair market value, the trustee shall load the proof of claim as unsecured non-priority. Listing the amount of debt on the "secured" line of the claim or stating that the fair market value is more than the amount owed (or a similar statement) shall not constitute providing the fair market value. It is unnecessary for a governmental taxing entity to include a fair market value on the face of its claim when filing a secured claim; if a governmental taxing entity files a secured claim, it shall be deemed a secured claim absent a timely written objection filed with the Court. Pursuant to § 511, if the governmental taxing entity is entitled to interest (present value) on its secured claim, the governmental taxing entity shall provide the Chapter 13 trustee with the appropriate interest rate (discount rate) **on its proof of claim under applicable non-bankruptcy law. Absent such rate being provided to the trustee, the § 511 rate shall be deemed to be the "CHAPTER 13 RATE" applicable to the case at bar. See Local Rule 3084-1 G.**

E. Present Value on Secured Claims (other than claims secured by debtor's principal residence). Absent a Court order to the contrary, all filed and allowed secured claims entitled to present value will be paid present value at the "**CHAPTER 13 RATE**" (referenced below) unless the plan specifically provides for "zero" interest. Filed and allowed **over-secured** claimants shall receive their contract rate of

interest, if provided on or with the proof of claim, from the date of the petition up to the date of confirmation. From the date of confirmation forward, filed and allowed **over-secured** claimants shall receive the posted "**CHAPTER 13 RATE.**" If the contract rate is not provided on the face of the proof of claim, such a claimant will receive the posted "**CHAPTER 13 RATE**" from the date of the petition forward. An **over-secured** claim is one in which the fair market value of the collateral exceeds the total amount of the claim.

F. Interest on Claims Secured by Debtor's Principal Residence. Unless otherwise set forth in the Plan, a claim secured only by real estate which is the debtor's principal residence, shall receive its contract rate of interest on its arrearage claim, or on any claim which is being fully satisfied within the life of the plan from the date of the petition forward. Interest shall be paid at the specific rate provided in the plan. If the debtor does not want interest paid on the claim, then the plan must clearly provide for "zero" interest. If a specific interest rate is not provided in the plan or on the face of the proof of claim, and is not readily discernible from the **Official Form 410A** attached to the proof of claim, it will receive the posted "**CHAPTER 13 RATE.**"

1. Adjustable Rate Mortgage. For adjustable rate mortgages, the trustee shall use the interest rate provided in the plan. If no specific rate is provided in the plan, the trustee shall use the appropriate posted "**CHAPTER 13 RATE**" unless the plan specifically provides for "zero" interest, in which case no interest shall be paid. If the plan does not specifically provide for "zero interest" and does not provide a specific interest rate, the trustee shall use the interest rate provided on the face of the proof of claim **or on the Official Form 410A attached to the proof of claim** if one is provided, rather than the appropriate posted "CHAPTER 13 RATE."

2. Changes to Adjustable Rate. If the adjustable rate changes, it is the responsibility of the debtor or the creditor to notify the trustee of the new interest rate so that the claim can be adjusted accordingly. **The change shall be filed pursuant to Fed. R. Bankr. P. 3002.1(C).**

G. Chapter 13 Rate.

1. Calculation. The posted "**CHAPTER 13 RATE**" shall be determined by the standing Chapter 13 trustee for the Western District of Missouri semi-annually as follows:

- a. July 1 to December 31: For cases with the initial plan filed between July 1 and December 31, the interest rate shall be the 5 year treasury note rate as of the preceding June 1, plus 3% nominal interest rate per annum. The standing Chapter 13 trustee shall make the rate for the ensuing six-month period available to the Clerk of the Bankruptcy Court for posting for the first business day following June 10.
- b. January 1 to June 30: For cases with the initial plan filed between January 1 and June 30, the interest rate shall be the 5 year treasury note rate as of the preceding December 1, plus 3% nominal interest per annum. The standing Chapter 13 trustee shall make the rate for the ensuing six-month period available to the Clerk of the Bankruptcy Court for posting for the first business day following December 10 of the preceding year.

2. Duration. The posted "**CHAPTER 13 RATE**" in effect at the time of filing of the initial plan shall remain in effect throughout the entire life of the case.

3. Exception. The posted "**CHAPTER 13 RATE**" is, absent evidence to the contrary, presumed to be the applicable rate. Parties may introduce evidence to determine what the applicable market rate of interest might otherwise be, on a case-by-case basis.

H. Objections. The debtor has a duty to file objections to claims. If a purpose would be served and the trustee, or another party in interest, has sufficient information, the trustee, or another party in interest, also may object to proofs of claim. Objections to proofs of claim must be served pursuant to Fed. R. Bankr. P. 3007, including on the debtor, if the debtor is pro se, and is not the objecting party. Objections shall reference the Court's claim register number rather than the trustee's payee record number.

I. Claims Allowed. All Chapter 13 claims will be allowed as filed absent timely objection. The trustee will pay claims according to the notice allowing claims, which is filed after the bar dates in Fed. R. Bankr. P. 3002 and the initial confirmation of a Chapter 13 plan. However, the finality of a notice allowing claim, or notice allowing additional, amended or adjusted claims does preclude any subsequent objection to a claim which could have been raised in an objection to confirmation. See Rule 3085-1.

J. Claim Amount. If the face of the filed proof of claim does not clearly state an amount owed, the trustee will load the payee record in the trustee's database as zero.

K. Present Value and Interest Calculations. Present value and interest calculations on claims being paid by the trustee shall be calculated on the unpaid principal balance based on a monthly interest calculation (unpaid principal balance times the discount/interest rate divided by 12).

L. Equal Monthly Payments. For creditors to whom the plan proposes to pay an Equal Monthly Amount (e.g., a specific monthly payment), the trustee shall only distribute, as funds are available, a full Equal Monthly Amount, or a multiple thereof, unless it is the final payment to be paid as a result of the dismissal of the case, or it is the final payment which satisfies the claim. This includes payments to attorneys who are being paid through the Chapter 13 trustee. However, if disbursements to payees receiving Equal Monthly Amounts are past due and additional funds are available for disbursement over and above the amounts needed to pay a multiple of the Equal Monthly Amount, the trustee may distribute more than a multiple of the Equal Monthly Amount to the current debtor's attorney until that attorney's monthly payments are current.

6. Local Rule 3096-1 Related to Chapter 13 Responses and Immediate Orders to Follow. This rule was implemented per General Order entered January 14, 2019 and effective February 1, 2019. This rule relates to contents of Chapter 13 responses and orders that may be entered.

A. Motions to Dismiss for Default in Plan Payments

1. If a response is non-responsive, the court will enter an order granting the motion to dismiss. To be considered responsive, the response should admit or deny the allegations in the motion or propose a specific solution, such as cure with a lump sum, periodic payments not to exceed six (6) months, a suspension, or contain a combination of the above.

2. If a response recites that a motion to suspend will be filed, the court will enter an order granting the motion to dismiss if the motion to suspend is not filed at the same time as the response as a separate entry.

3. If a response recites that an amended plan and motion to suspend will be filed, the court will enter an order denying the motion to dismiss on the condition an amended plan and motion to suspend are filed within 21 days.

4. If a response recites a specified repayment plan that will take six (6) months or less to cure the existing default, the court will enter an order denying the motion to dismiss on the condition on-going

monthly plan payments are made in the interim in addition to the specified repayment plan set forth in the response.

5. If a response recites that the default in plan payments will be cured with a tax refund, the response shall state the basis for debtor's reasonable belief that a refund will be realized in an amount sufficient to cure the default, such as a prior history of refunds. If the response contains a reasonable belief, the court will enter an order directing the debtor to cure the default in plan payments with the tax refund on or before March 1 of the year following the tax year for which the refund is claimed with the condition that on-going monthly plan payments are made in the interim and copies of the tax returns are provided to the trustee on or before March 1. An extension of the March 1 deadline may be requested for cause shown.

B. Motions to Dismiss for Violation of Section 1322(d)

1. If a response recites that an amended plan will be filed, the court will enter an order denying the motion to dismiss on the condition an amended plan is filed within 21 days.

2. If the debtor needs time to file an objection to claim or take other steps to resolve the motion aside from amending the plan, the response shall recite the same and request a hearing be set within a specified amount of time.

C. Motions to Deny Confirmation

1. If a response recites that an amended plan will be filed, the court will enter an order denying confirmation and granting debtor 21 days to file an amended plan.

2. If the debtor believes the court needs to hear and determine any confirmation issue, the debtor must identify all such issues and request a hearing as part of the response.

3. If the debtor needs time to file an objection to claim, adversary action, or take other steps to resolve the motion aside from amending the plan, the response shall recite the same and request a hearing be set within a specified amount of time.

D. Motions for Extension of Time.

If the debtor needs additional time to comply with any order entered pursuant to subsections A, B, or C, the debtor must file a motion for extension of time setting forth the cause for the request before the deadline set forth in the order has passed.

NEW LOCAL RULE MAJOR CHANGES

- 7. Local Rule 1002-3(C) and Local Rule 2015-2(C).** Deadline is changed from the 15th of the month to the 20th of the month.
- 8. Local Rule 1007-1.**
 - A. Part (A) contains updated information on the required initial forms.
 - B. Part (B) clarifies the employer pay requirement.
 - H. Part (H) deleted as the designation of agency language is now deleted from the local form.
- 9. Local Rule 1017-1(E).** Deadline in reinstated or reopened case is changed from 30 days from reinstatement or reopening to **sixty days from the first new date set for the meeting of creditors.**
- 10. Local Rule 1019-1.** Deadline is changed from the 10 to **14** days to comply with the 7-day increment requirement.

11. **Local Rule 2015-2(E).** Subsection is added to reference new Local Rule 3071-1 for debtors who operate a business in Chapter 13.
12. **Local Rule 2016-1 is now Local Rule 2016-1, 2016-2, and 2016-3.** The rule was rewritten again after the standing order into three separate sections for fees in Chapter 7, Chapter 13, and Chapter 11 and 12. For review purposes, this entire rule should be treated as revised in full.
13. **Local Rule 3001-1(D).** This is a new provision that explains when disbursement will occur on transferred claims in Chapter 13.
14. **Local Rule 3080-1.** Language is added to clarify how the Chapter 13 trustee and the debtor's attorney receive service of the Chapter 13 plan.
15. **Local Rule 3081-1.** Language is added to clarify that the trustee may retain fees collected prior to the date of dismissal or conversion.
16. **Local Rule 3083-1(A) and (B).** Language is added to clarify service requirements of original and amended plans and deadline for filing the certificate of service.
17. **Local Rule 3083-1(F)(3).** Language is added to the prior standing order to explain the new Immediate wage order in this district.
18. **Local Rule 3085-1(B).** Language is added to clarify that an objection to claim is needed in lieu of an objection to notice to allow claims.
19. **Local Rule 3086-1.**
 - A. Part (C) - Lease adequate protection provision modified, and omitted language now found in Local Rule 3092-1.
 - B. Part (D) – Personal property adequate protection provision modified throughout.
 - C. Part (E) – Real property adequate protection provision modified to remove reference to pre and post September 30, 2008 cases and otherwise modified throughout.
20. **Local Rule 3088-1(D).** For emergency requests to borrow, the threshold is increased to \$3,500.00 before a motion must be filed with court.
21. **Local Rule 3091-1(D).** For request to retain insurance proceeds, the threshold is increased to \$3,500.00 before a motion must be filed with court.
22. **Local Rule 3092-1.**
 - A. Part (A) was added to address Executory Contracts and Leases on Personal Property.
 - B. Part (B) was added to address Executory Contracts and Leases on Real Property.
 - C. Part (C) was added to address pre-petition arrearages on Executory Contracts and Leases.
23. **Local Rule 3093-1.** The prerequisites and content for a motion for payoff were modified.
24. **Local Rule 3094-1.**
 - A. Part (A) Assumed Leases and Part (B) Assumed Contracts for Deed were moved to Local Rule 3092-1.

- B. All other parts of this local rule were moved up accordingly; therefore, all prior references to Local Rule 3094-1(C)(2) throughout the Local Rules are changed to Local Rule 3094-1(A)(2).
- C. This Local Rule was further revised to include reference to Fed. R. Bankr. P. 3002.1.

- 25. Local Rule 4001-1(A) and (F).** Service of a motion for relief and order setting the answer and hearing date shall be served in accordance with Fed. R. Bankr. P. 7004, 9006 and 9014. The Declaration of Electronic Filing no longer appoints the attorney as the agent for service of process.
- 26. Local Rule 6004-1.** This local rule was amended to increase the value from \$2,500.00 to \$3,500.00.
- 27. Local Rule 7001-1.** This local rule was deleted in its entirety.
- 28. Local Rule 7004-1.** This local rule was deleted in its entirety as Rule 7004-1 addresses all issues and the reference to the designation in the Declaration Re: Electronic Filing was removed.
- 29. Local Rule 8001-1(B).** The combined Notice of Appeal and Election Form is now referenced.
- 30. Local Rule 9060-1.**
- A. Part (H)(3) – the majority of this local rule was removed as practitioners have not been following the outlined process.
 - B. Part (H) – the following pleadings were added to the 21-day notice requirement section:
 - a. Debtor’s application to employ
 - b. Trustee’s application to employ special counsel
 - c. Objection to Notices of Post-Petition Fees & Costs
 - d. Motion for Chapter 11 Final Decree
 - e. Motion to Withdraw the Reference
 - C. Part (J) – a trustee’s application to employ (unless special counsel or Chapter 11) will be ruled on sua sponte.
- 31. Local Rule 11002-1(A).** A new subsection was added to include eSR as a Chapter 7 option to pro se debtors.
- 32. Local Rule 11002-2.** This section was revised to clarify when an emergency filing in an outlying office will be approved. It further clarifies what pleadings may be filed in the Springfield and Jefferson City District Court Clerks’ Offices with prior approval.