

Local Rules of the United States Bankruptcy Court for the Western District of Missouri

**Rule 1073-1. Assignment of Cases**

**A. Jurisdiction.** Judges of this Court have concurrent jurisdiction. When necessary or desirable, one judge may act in a case assigned to another judge.

**B. Assignment.** Cases shall be assigned to judges based on the county in which debtor's domicile, residence, principal place of business, or principal assets were located for the greater part of the 180-day period preceding commencement of the case as follows:

- 1. Division 3 (Judge Norton):** Cedar, Christian, Dade, Dallas, Douglas, Greene, Howell, Laclede, Oregon, Ozark, Polk, Pulaski, Taney, Texas, Webster, and Wright;
- 2. Division 2 (Judge Dow):** Benton, Boone, Callaway, Camden, Cole, Cooper, Hickory, Howard, Miller, Moniteau, Morgan, Osage, and Pettis;
- 3. Division 1 (Judge 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. Random Assignment:** Bates, Carroll, Cass, Clay, Henry, Jackson, Johnson, Lafayette, Ray, Saint Clair, and Saline shall be randomly assigned to all judges presiding in this Court.

**C. Case After Prior Case.** A case filed for a debtor who has had a prior case in this District will be assigned to the judge or division where the prior case was last assigned if the new case is filed within a year after the date the prior case was closed or dismissed or debtor discharged, whichever occurred later.

**D. Related Cases.** Other related cases, whether filed simultaneously or over a period of time, shall be assigned in accordance with Section B above and, if appropriate, transferred to a single judge as provided below.

**E. Transfer.** Bankruptcy cases and proceedings may be transferred from the judge to whom the matter was originally assigned to any other judge of this Court. Transfer of a case or proceeding may be granted sua sponte by the Chief Judge or upon motion of any party or of the transferor judge, for good cause appearing, and with the consent of the transferee judge. Cause to transfer may include, but is not limited to, convenience of the parties or witnesses, and in the interest of justice; convenience of counsel alone is not sufficient cause.

**F. Recusal.** In the event a judge recuses from a case, that case shall be randomly assigned to another judge, provided that cases outside the Kansas City Division shall be reassigned to the judge holding court closest to the division to which the case was originally assigned.

**G. Jointly Administered or Consolidated Cases.** Cases that are jointly administered under Fed. R. Bankr. P. 1015 or otherwise consolidated pursuant to order, if assigned to different judges, shall be transferred to the judge with the lowest numbered case.

**H. Platte County.** Cases filed for Platte County residents in the St. Joseph Division will be automatically transferred to Kansas City on debtor's motion if a motion is filed with the petition, served on the U.S. Trustee, and states that debtor resides in Platte City or Platte County south of U.S. Highway 92. A motion for transfer not meeting the above criteria must be served on all creditors and other parties in interest. If the debtor fails to file the motion to transfer with the petition, such motion will not be considered prior to the § 341 meeting of creditors.

**I. Stone County.** Cases filed for Stone County residents in the Southwestern Division will be automatically transferred to the Southern Division on debtor's motion if a motion is filed with the petition, served on the U.S. Trustee, and states that debtor resides in Stone County and resides geographically closer to Springfield than Carthage. A motion for transfer not meeting the above criteria must be served on all creditors and other parties in interest. If the debtor fails to file the motion to transfer with the petition, such motion will not be considered prior to the § 341 meeting of creditors.