

**Bankruptcy Court Liaison and Local Rules  
General Rules Revision (Including Chapter 12 Issues)  
Subcommittee Meeting**

January 15, 2020

1. Call to order, introduction of General Rules Revision subcommittee members.
2. Overview:
  - a. General matters common to all chapters
  - b. Chapter 12 matters
3. Forms: court is reviewing forms on its website. Ideas for revisions or additional forms invited.
4. General Rule Revisions:
  - a. Add requirement to file amended schedules I/J together:
    - Issue: debtor files one of the budget schedules and the carry-over information does not match
    - Proposal for a new Local Rule 1009.1 that would require a debtor who is filing an amended schedule I, or an amended schedule J, to file both amended schedule I and J at the same time unless the court specifically authorizes otherwise.
  - b. Motions for Relief From Stay: Objection Deadline
    - Problem: movants sometimes notice an objection period greater than 14 days. This results in little time to schedule a hearing given sec. 362(e)'s 30-day deadline when the motion seeks relief as to estate property, and sec. 1301(d)'s 20-day termination period for some requests for co-debtor relief.

- Potential solution: Local Rule requiring 14-day notice period for motions for relief and prohibiting a creditor from providing a longer notice period.
- c. Objections to motions, plans, etc.: Revise Local Rule 9013 to require objections (as well as motions) to state a factual and legal basis.
- d. Cases commenced by non-debtors on behalf of debtors:
- Local Rule to implement a procedure under Rule 1004.1 to demonstrate proof that a debtor is incapacitated or a minor when seeking to file bankruptcy.
- e. Text Searchable Filings:
- LR 5005(b) clarified: documents should be filed in PDF text searchable format whenever possible.
- f. Change requirement to maintain wet-ink signatures?
- LR 5005.1 requires a party that e-files a document that requires an original signature to keep the wet ink original for five years. In the age of mandatory e-filing and electronically signed notes, mortgages and other documents, is this rule necessary or even relevant?
  - Proposal: remove this rule entirely. There doesn't appear to be a similar requirement in the Federal Rules, the Western District or Wisconsin statutes.
- g. Creditor Matrix:
- Incorporate the recent revision to Section II.F of the Administrative Procedures into Local Rule 1007.
  - Section II.F of the Administrative Procedures states as follows:  
**Creditor Matrix.** Whether filed conventionally or electronically, the creditor matrix must be prepared and filed in accordance with LR

1007 and the Appendix to the Local Rules - Requirements for Filing a Master List (Matrix). A debtor who amends Schedules D or E/F to add or change creditors or creditor addresses must also file a supplemental matrix, listing only the new creditors and addresses. Paper matrices are only accepted in extenuating circumstances in accordance with the Appendix to the Local Rules.

h. Restrictions on audio and video recordings in and around the courtrooms:

- New Local Rule limiting audio and video recording. The new Rule would be broader than District Court Local Rule 83(a)(1).
- District Court Local Rule 83(a)(1) provides as follows:
  - (1) Photographing, Broadcasting, and Recording, No one may take any photographs of, make any recordings in, or make any broadcasts from any of the courtrooms, jury rooms adjacent to the courtrooms, libraries, the grand jury room and adjacent areas, or the corridors located on the second, third and fourth floors of the Federal Courthouse in Milwaukee or the court-occupied space in Green Bay, without first obtaining written permission from the person in charge of those offices. These prohibitions do not apply to ceremonial proceedings.
- Change L.R. to similarly restrict recording by non-court personnel in and around the first-floor bankruptcy courtrooms, clerk's office, and adjacent areas.

5. Other general rules issues?

6. Chapter 12 Cases:

- a. Formalize by rule some or all of the matters covered in case management orders or standardize the case management orders?

- E.g., process for confirmation without an evidentiary hearing.
  - Adopt common case management order?
  - Change how the court (by case management order or otherwise) handles motions to value collateral?
- b. Limit plan amendments that immediately precede confirmation hearings?
- Adopt a rule or case management order provision that would govern the timing of pre-confirmation amendments in Chapter 12 cases? Impractical?
  - Some other way to ameliorate the problem of the court preparing for hearing on confirmation of a plan that is then substantially changed on the day of or immediately preceding the confirmation hearing?
- c. Other chapter 12 issues?
7. Need to schedule another meeting?