

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF INDIANA

**PROPOSED AMENDMENTS TO LOCAL RULES:
PUBLIC COMMENT PERIOD**

The Court is proposing amendments to its local rules to be effective December 1, 2026. A complete set of the proposed revisions accompanies this notice. While several edits are made for style uniformity and clarity, the following substantive changes are proposed:

B-1009-1: Subparagraph (b)(2) details the process a debtor who files an amended Statement of Social Security Number must follow to address the consequences of a bankruptcy filing being reported under the Social Security Number of a non-debtor.

B-2016-1: New subparagraph (c)(4) directs filers seeking compensation in Chapter 13 cases converted to Chapter 7 to use the Application for Payment of Administrative Expenses Pursuant to Sec. 503 ECF event and to attach time records in unconfirmed cases.

B-3002.1-1: New subparagraph (d) requires a Certificate of Service to accompany a Trustee's Notice of Disbursements Made, a Motion Under Rule 3002.1(f)(1) to Determine the Status of the Mortgage Claim, a Motion Under Rule 3002.1(g)(4) to Determine Final Cure and Payment of the Mortgage Claim, and responses thereto.

B-4001-3 and B-4001-4: Rule B-4001-4 is deleted and consolidated into a new Rule B-4001-3, titled "Incurring or Modifying Debt in Chapter 13 Cases." Parties seeking relief under the rule are to use one ECF event, the Motion to Incur/Modify Debt. The dollar limit for incurring non-emergency consumer debt without trustee approval or Court order is increased from \$2,500.00 to \$5,000.00.

B-4004-1: New subparagraph (b)(2) requires that, in joint Chapter 13 cases involving a deceased debtor, the Motion for Entry of Discharge identifies by name the debtor or debtors for whom the discharge is sought.

B-4004-2: Amended B-4004-2(b) sets out the sequence and deadlines of the pleadings required to obtain a discharge in a Subchapter V case confirmed under 11 U.S.C. §1191(b).

B-9018-1: New subparagraph (b) requires parties to serve sealed documents non-electronically, as sealed documents cannot be served through the Bankruptcy Noticing Center or CM/ECF, in light of the Court's new procedures for the storage and management of sealed cases and documents.

INCORPORATION OF GENERAL ORDERS: The provisions of Amended General Order 25-0002, General Order 26-0001 and General Order 26-0002 will be incorporated into those rules identified in the attachment and as of December 1, 2026 effective date, be rescinded.

Comments to or questions about the proposed rules edits can be made by sending an email to Local_Rules_Comments@insb.uscourts.gov. The deadline to submit comments is 5:00 p.m. Eastern on Friday, November 13, 2026.

October 19, 2026

/s/ Eric Kleis
Clerk of Court

B-1007-1. LISTS, SCHEDULES, AND STATEMENTS; TIME LIMITS

(a) Additional Requirements

All schedules and statements, in addition to complying with the Federal Rules of Bankruptcy Procedure and Official Forms, shall:

- (1) contain a response to each request for information on the statement of affairs and the schedules, even if the response is “no,” “none,” or “not applicable;”
- (2) specifically describe and itemize all property claimed as exempt, and state the statutory reference and section number of the statute under which the exemption is claimed;
- (3) list the creditors on each schedule in alphabetical order, including the full mailing address and zip code for each listed creditor, or include a statement that the address is unknown;
- (4) provide on Schedule E/F the name and address of an entity holding a domestic support obligation, and identify that entity as the holder of a domestic support obligation, even if the Debtor is current on that obligation when the case is filed;
- (5) be accompanied by one of the following:
 - (A) pay advices as required by 11 U.S.C. §521(a)(1)(B)(iv);
 - (B) a certification that the Debtor has not been employed by an employer within the 60 days before filing of the petition; or
 - (C) a certification that the Debtor’s employer does not issue pay advices and the Debtor has no other evidence of payment received within the 60 days before filing; and
- (6) list a state court or administrative agency only if that entity is the actual creditor and not just the tribunal for a claim, debt, or lawsuit.

(b) Providing Creditor Information for Cases Filed Non-Electronically

All cases and an amendment that adds creditors, filed non-electronically, shall be accompanied by a ~~CD, diskette, DVD, flash drive, or other acceptable medium~~ typed list of creditors with the complete names and addresses of the creditors listed in the filing. In Chapter 11 cases, the list shall include equity security holders, if applicable. An exception to the requirement will be considered by the Court if a request for waiver is filed with the petition. ~~The Clerk may accept a typed list of creditors if the information cannot be submitted in an electronic format.~~

(c) Extensions of Time

(1) Motions Generally

The Court shall treat the first motion for an extension of time to file the initial lists, schedules, statements, and other documents required to commence a new case as a request for an extension to a date 30 days from the petition date and the Clerk will provide notice except as described in subparagraph (2) of this rule. The Debtor shall serve a subsequent motion for an extension of time on any trustee, the UST, any examiner, and any committee, and that service shall constitute the notice required by Fed.R.Bankr.P. 1007(c)(7).

(2) Presumption of No Objection

The UST and any trustee, examiner, or committee are deemed to have no objection to the first motion for extension of time within which to file schedules or related documents. The Clerk is not required to give notice of the first motion for extension of time.

(3) The Debtor's Waiver of Objection to Timeliness of Notice of Presumed Abuse

If the new date for filing documents is extended beyond the deadline in 11 U.S.C. §704(b)(1), the Debtor is deemed to have waived any objection to the timeliness of a notice of presumed abuse which is filed no later than 14 days after the missing documents are filed or after the Meeting of Creditors has been concluded, whichever is later.

Comment

For network security purposes, the amendment to subparagraph (b) limits the method by which creditor information is provided to the Court, in cases filed non-electronically, to a typed list.

B-1009-1. AMENDMENTS OF VOLUNTARY PETITIONS, LISTS, SCHEDULES, AND STATEMENTS OF FINANCIAL AFFAIRS

(a) Form of Amendments

(1) Generally

Amendments to voluntary petitions, lists, schedules, statements, and other documents shall:

- (A) comply with Fed.R.Bankr.P. 1009 and S.D.Ind. B-1007-1;
- (B) be verified and signed by the Debtor under penalty of perjury;
- (C) note the information that has changed in the document, either by highlighting or description;
- (D) include all information from the original document that remains accurate; and
- (E) be accompanied by an amended summary of schedules and an amended statistical summary of certain liabilities, if the amendment changes the total on a schedule.

(2) Amendments Adding Creditors

An amendment that adds a creditor shall state the date the debt was incurred, and if filed non-electronically, shall be accompanied by a ~~CD, diskette, DVD, flash drive, or other acceptable medium~~ typed list of creditors listing only the added creditors.

(b) Notice Requirements

(1) Amendments Adding or Changing Status of Creditors

- (A) If an amendment adds creditors, the Debtor shall ~~also~~ upload creditor information at the time of filing or, if filed non-electronically, shall provide a ~~new CD, diskette, DVD, flash drive, or other acceptable medium~~ typed list of creditors under S.D. Ind. B-1007-1(~~eb~~).

- (B) The Debtor shall give notice to added creditors and provide copies of notices and documents in the case, including the notice of the Meeting of Creditors with full SSN or ITIN, notice of possible assets, the most recent plan or amended plan, and confirmation hearing notice and shall file a Certificate of Service. If the Debtor asserts that no notice is required, the Debtor shall file a statement in lieu of notice. A sample form is available on the Court's website.
- (C) If a Chapter 11 Debtor amends a schedule and changes the status of a claim to contingent, disputed, or unliquidated, or changes the scheduled amount of a claim, the Debtor shall give notice to the affected creditor of the change in status or amount and of the bar date for the creditor to file a claim which is the later of the current deadline for filing claims or 45 days after the notice. A sample form is available on the Court's website.

(2) Amendments to SSN or ITIN

If the ~~entirety or the last four digits of a~~ SSN or ITIN is incorrectly stated on the Statement of Social Security Number or voluntary petition, the Debtor shall file an amended Statement of Social Security Number or an amended voluntary petition with the correct SSN or ITIN. The Debtor shall serve a Notice of Corrected Social Security Number(s) or Individual Taxpayer Identification Number(s) (the "Notice") upon all creditors, the trustee, the UST, and the three major national credit reporting agencies, Equifax, Experian, and TransUnion. After serving the Notice, the Debtor shall file a Certificate of Service. The Notice shall not be filed with the Court nor attached to the Certificate of Service. Samples of the Notice and Certificate of Service are available on the Court's website.

If notice of the Meeting of Creditors was issued with an incorrect SSN or ITIN, the Debtor shall distribute the original notice of the Meeting of Creditors and notice of the corrected SSN or ITIN to all creditors, the trustee, the UST, and file a Certificate of Service.

(3) Amendments Changing the Debtor's Name

If the Debtor's name used for an electronic signature or voluntary petition is incorrect, the Debtor shall file an amended petition and/or Declaration as to Original Signature with the Debtor's correct name. If notice of the Meeting of Creditors was issued with an incorrect Debtor name, the Debtor shall distribute notice of the corrected name to all creditors, the trustee, the UST, and file a Certificate of Service.

Comment

For network security purposes, the amendments to subparagraphs (a)(2) and (b)(1)(A) limit the method by which creditor information is provided to the Court in cases filed non-electronically to a typed list.

Subparagraph (b)(2) will require debtors to update the major credit reporting agencies upon the filing of an amended Statement of Social Security Number. This new requirement is intended address the negative consequences of a credit reporting agency noting the filing of a bankruptcy petition under the Social Security Number of a non-debtor.

B-1015-1. CONSOLIDATION OR JOINT ADMINISTRATION OF CASES PENDING IN SAME COURT

(a) Joint Cases

A joint case commenced under 11 U.S.C. §302(a) shall be jointly administered, unless the Court orders otherwise. The separate estates of the Debtors in a joint case will only be consolidated upon motion, after notice.

(b) Joint Administration

Except for joint cases commenced under 11 U.S.C. § 302(a), jointly administered cases shall be administered as follows, unless the Court orders otherwise:

(1) Designation of Lead Case

The case with the lowest number shall be designated as the “Lead Case.” The other jointly administered cases are known as “Member Cases.”

(2) Caption

All papers, except those filed in a Member Case under subparagraphs (b)(4) and (5) of this rule, shall have the caption with the name and case number of the Lead Case followed by the words “Jointly Administered,” except that if one of the Member Cases is for an individual Debtor, the caption shall include the Lead Case name and case number and the case name for an individual Debtor. The caption for a jointly administered case shall not include the word “Consolidated.”

(3) Docket

Except for the documents listed in subparagraphs (b)(4) and (5) of this rule, a pleading or document filed in a jointly administered case after the entry of the order for joint administration shall be docketed under the case number of the Lead Case. If joint administration is terminated, documents filed after the order terminating joint administration shall be filed and docketed in the separate cases.

(4) Claims and Related Pleadings

Claims shall be filed only in the name and case number of the Debtor against which the claim is asserted. A separate claims register shall be maintained for each case. A separate claim shall be filed in each jointly administered case in which a claim is asserted. A pleading related to a claim filed in a Member Case shall also be filed in that Member Case, and its caption shall have the name and case number of the Member Case.

(5) Documents to Be Filed in Member Cases Separately

The following documents shall be filed on the dockets of the Lead or Member Cases as to which the document applies, even if filed after the entry of the order for joint administration, and the caption of these documents shall have the name and case number of the Member Case:

(A) All Chapters

- (i) amended petitions;
- (ii) schedules, statements of financial affairs, and amendments thereto;
- (iii) proofs of claim and objections thereto;
- (iv) Motions to Dismiss;
- (v) Motions to Continue Hearing (if notice of hearing issued in Member Case ~~ix~~);
- ~~(ix)~~ (vi) Motions to Extend Time to File Complaint;
- (vii) UST's Notice of Revocation of Appointment of Trustee;
- (viii) 341 Meeting Adjourned/Continued;
- ~~(ix)~~ (vi) trustee final reports and accounts and related notices;
- ~~(ix)~~ (vi) adversary proceedings filed under Fed.R.Bankr.P. 7001(d) or (f);
- ~~(xi)~~ (vii) a notice of appeal and related documents concerning an order entered only in the member case;
- ~~(xi)~~ (vii) corporate ownership statements;
- ~~(xiii)~~ (viii) Verifications of Creditor List; and
- ~~(xi)~~ (vii) documents related to the foregoing.

(B) Chapter 11 & 12 Cases

- (i) plans, disclosure statements, ballot reports, and objections or other documents related thereto;

- (ii) debtor monthly operating reports;
- (iii) Motions to Extend Time to File Chapter 11/12 Plan, Obtain Confirmation, and/or Extend Exclusivity;
- (iv) Applications for Final Decree;
- (v) in addition to documents required by this subparagraph (B) of this rule, in Sub V Cases:
 - (a) Notices of Completion of 1192 Payments;
 - (b) Notices of Substantial Consummation of Subchapter V Plan;
 - (c) Objections to Small Business/Subchapter V Designation/Request for Determination;
 - (d) Statements of Small Business/Subchapter V Designation; and
 - (e) Subchapter V Status Reports Pursuant to 1188(c); and
- (vi) documents related to the foregoing.

(C) Chapter 13 Cases

- (i) plans, objections or other documents related thereto; and
- (ii) Motions for Entry of Chapter 13 Discharge and Certifications of Eligibility for Chapter 13 Discharge.

(6) Ballots

Ballots shall have the caption of the name and case number of the Member Case for which the plan being voted on was filed.

(c) Substantive Consolidation

Substantively consolidated cases shall be administered as follows, unless the Court orders otherwise:

(1) Designation of Lead Case

The case with the lowest number shall be designated as the “Lead Case.”

(2) Caption

All documents in substantively consolidated cases shall have the caption of the Lead Case, unless one of those cases is for an individual Debtor; then the caption shall include the Lead Case and the case name for an individual Debtor.

(3) Docket

A single case docket shall be maintained after the entry of the order for consolidation. If consolidation is later terminated, documents filed after the order terminating consolidation shall be filed in the separate cases.

(4) Claims

After consolidation all claims shall be filed in the Lead Case. Claims filed and docketed prior to consolidation shall be considered as filed in the substantively consolidated cases but shall remain on the claims register where originally filed.

Comment

New subparagraph (b)(5)(A)(vi) is added to provide that a Motion to Extend Time to File Complaint is to be filed in the Lead or Member case within which the relief is sought.

B-2002-1. NOTICES TO CREDITORS, EQUITY SECURITY HOLDERS, AND UNITED STATES TRUSTEE

(a) Obtaining Service of Pleadings and/or Notices

Parties or their counsel who wish to receive copies of pleadings and documents – other than proofs of claim – shall file with the Clerk and serve the Debtor with an appearance in compliance with S.D. Ind. B-9010-1. ~~A-Use of the “Request for Notice Pursuant to FRBP 2002(g)” ECF event or similar pleading will shall~~ be considered a request under Fed.R.Bankr.P. 2002(g) and will not entitle the filer to service of pleadings or of notices other than those to which the filer is already entitled.

(b) Notices Prepared and Distributed by Parties

A notice prepared and distributed by a party shall:

- (1) be signed by the party, not the Clerk or the Judge, unless its form has been approved by the Court;
- (2) instruct recipients to file pleadings with the Bankruptcy Clerk and provide the correct address of the division of the Bankruptcy Clerk’s Office where pleadings should be delivered; and
- (3) be docketed separately unless included in another pleading.

(c) Notices in Chapter 11 Cases in Which A Committee Has Been Appointed

Under Fed.R.Bankr.P. 2002(i) and unless otherwise ordered by the Court, the notices required by Fed.R.Bankr.P. 2002(a)(2)(excluding those related to the sale of substantially all of a debtor’s assets), (3), and (6) may be served only on the Service List.

(d) Limited Notice in a Voluntary Case

In a voluntary Chapter 7, 12 or 13 case, 70 days following entry of the order for relief or the date of the order converting the case to Chapter 12 or 13, all notices required by Fed.R.Bankr.P. 2002(a), except the notice of the final report and of dismissal or denial of discharge, shall be mailed only to the Debtor, the trustee, the UST, creditors who have filed claims, and creditors who are still permitted to file claims by reason of an extension granted under Fed.R.Bankr.P. 3002(c). In a Chapter 7 case where notice of insufficient assets to pay a dividend was given, notice can be limited pursuant to this subparagraph 90 days following the mailing of the notice setting a claims bar date.

(e) Limited Notice in an Involuntary Case

In an involuntary Chapter 7 case, after 90 days following entry of the order for relief, all notices required by Fed.R.Bankr.P. 2002(a) shall be mailed only to the Debtor, the trustee, the UST, creditors who have filed claims, and creditors who are still permitted to file claims by reason of an extension granted under Fed.R.Bankr.P. 3002(c).

(f) Authorization for Chapter 13 Trustee to Recover Noticing Costs from Estate

If the Chapter 13 Trustee uses an independent contractor for noticing, the trustee may recover the actual costs of noticing charged by that contractor from each estate. If noticing is performed by the trustee, the trustee may recover from each estate the actual costs of postage plus \$.18 for each notice or as otherwise ordered by the Court. These noticing fees can be recovered from the first and any subsequent funds received from the Debtor, whether before or after confirmation. The Chapter 13 Trustee shall list expenses charged for noticing in each case and separately identify the notices sent in the final report.

(g) Notice of Final Report with Notice of Applications for Compensation

In Chapter 7 cases in which the amount of net proceeds realized exceeds the amount set forth in Fed.R.Bankr.P. 2002(f)(1)(I), or the amount of an application for compensation exceeds the amount set forth in Fed.R.Bankr.P. 2002(a)(6), the Chapter 7 Trustee shall send a 21-day Objection Notice of the trustee's final report and of the applications for compensation and reimbursement of expenses. Trustee shall file a copy of the notice and Certificate of Service.

(h) Returned and Undeliverable Mail

(1) Designation of the Debtor as Return Addressee

The Debtor is designated as the return addressee for orders and notices distributed by the Bankruptcy Noticing Center ("BNC").

(2) Debtor Duty to Provide Accurate Address

Unless a creditor, indenture trustee, or equity security holder has filed a proof of claim or interest designating a mailing address or a preferred address request under 11 U.S.C. § 342(f), the Debtor shall file a notice of change of address for a creditor or party in interest whose address may not be accurate based either on the Debtor's receipt of returned mail or information received from the BNC. In addition, the Debtor shall distribute the documents required by S.D.Ind. B-1009-1(b)(2) to a creditor with a revised address. If the Debtor is unable to determine a correct address for a creditor or party in interest, the Debtor may file a Notice of Address Unavailability specifying the creditor's name and reporting that a correct address cannot be located.

(3) Creditor, Indenture Trustee, and Equity Security Holder Duty to Provide Accurate Address

If a creditor, indenture trustee, or equity security holder has filed a proof of claim or interest designating a mailing address or a preferred address request under 11 U.S.C. § 342(f), such party shall timely file a notice of change of address when the party's mailing address has changed. If such a party fails to file a timely notice of address change, the Debtor may do so.

(4) Returned Mail Received by the Clerk, Inaccurate Addresses Identified by Clerk's Noticing Agent, and Duty to Correct

The Clerk shall docket a returned notice of the Meeting of Creditors, unless the Court orders otherwise. The Debtor shall file a notice of change of address for such a creditor, if the correct address can be identified, shall distribute the documents required by S.D.Ind. B-1009-1(b) to a creditor with a revised address, and shall file a Certificate of Service. All other returned mail received by the Clerk shall be discarded.

(5) Notice of Change of Address Permitted

A creditor or party in interest whose address has changed shall file a notice of change of address. Until such time, all notices shall be mailed as such entity directed in its last request filed in the case or if no request has been filed, to the address shown on the list of creditors or schedule of liabilities, whichever is filed later, or the list of equity security holders (if applicable).

(6) Change of Address or Notice of Address Unavailability Filed by Trustee

If a Trustee becomes aware that the address for a creditor or party in interest is inaccurate, the Trustee may file a notice of change of address. If the Trustee is unable to determine a correct address for a creditor or party in interest, the Trustee may file a Notice of Address Unavailability specifying the name of the creditor or party in interest and reporting that a correct address cannot be located.

Comment

Subparagraph (a) is amended to conform the rule to the recent procedural change converting the Request for Notice ECF event into a virtual docket entry.

B-2016-1. APPLICATIONS FOR COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES

(a) Generally

Applications for compensation and reimbursement of expenses shall comply with the fee guidelines of the UST under 28 U.S.C. §586(a)(3)(A)(i) and the Policy of the United States Trustee for Region 10 for Implementation of Fee Guidelines. Applications for compensation and reimbursement of expenses shall be filed separately for the trustee and each Professional.

(b) Chapter 11 and 12 Cases

(1) Cases Under Traditional Fee Award Process

If the Professional is not subject to a procedure allowing periodic payments under S.D.Ind. B-2014-1(b)(4), then the Professional shall file a final fee application under 11 U.S.C. § 330 no later than 14 days after entry of a dismissal order or the filing of an application for final decree or other pleading that will result in the closing of the case, except a motion under S.D.Ind. B-3022-2(c), unless the Court orders otherwise. If no application is filed by the deadline the Professional shall return to the Debtor any portion of the retainer the application of which has not been approved by the Court and the Professional is prohibited from seeking any further compensation related to the bankruptcy case.

(2) Cases with Periodic Payment Process

(A) If the Professional has obtained Court approval of a periodic payment procedure under S.D.Ind. B-2014-1(b)(4), then the Professional shall file an application for interim fees and expenses under 11 U.S.C. § 331 no less frequently than 180 days after the order for relief and no later than every 180 days thereafter. The authorization for periodic payment procedures is suspended if the required applications are not filed.

(B) The Professional shall file a final fee application under 11 U.S.C. § 330 no later than 14 days after entry of a dismissal order or the filing of an application for final decree or other pleading that will result in the closing of the case, except a motion under S.D.Ind. B-3022-2(c). If no application is filed by the deadline the Professional shall return to the Debtor any portion of the retainer the application of which has not been approved by the Court and the Professional is prohibited from seeking any further compensation related to the bankruptcy case.

(c) Chapter 13 Cases

(1) Traditional Fee Award Process

Compensation to an attorney representing a Chapter 13 Debtor (“Counsel”) shall be disclosed, reviewed, and approved under applicable authority including, without limitation, 11 U.S.C. §§329 and 330 and Fed.R.Bankr.P. 2002, 2016, and 2017, unless Counsel opts for the alternative award process in subparagraph (b)(2) of this rule.

(2) Streamlined Fee Award Process in Confirmed Cases

Counsel may have fees deemed awarded upon confirmation, without filing a separate application, if:

- (A) Counsel has filed an executed copy of the “Rights and Responsibilities of Chapter 13 Debtors and Their Attorneys,” available on the Court’s website;
- (B) Counsel has filed a proof of claim and served that claim upon the trustee;
- (C) Counsel seeks no more than the maximum fee set by general order (the “Presumed Reasonable Fee”); and
- (D) No other counsel in the case has been awarded and paid any amount using the award process in this subparagraph.

(3) Fee Award Process in Unconfirmed Cases

A request for compensation in an unconfirmed case must be filed using the Application for Final Compensation and/or Reimbursement of Expenses Pursuant to Sec. 330 ECF event and be accompanied by time records supporting the total fees sought by Counsel in the case. The Clerk shall provide notice of the total fees requested. Allowance of the requested compensation and expenses does not, in itself, provide the Chapter 13 Trustee with authority to distribute such funds.

~~(4)~~ ~~(4) — Fee Award Process in Converted Cases~~

A request for compensation in a case converted to Chapter 7 must be filed using the Application for Payment of Administrative Expenses Pursuant to Sec. 503 ECF event, and if made in an unconfirmed case, be accompanied by time records supporting the total fees sought by Counsel in the case.

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(5) Supplemental Fees

(A) Lead Bankruptcy Case

Counsel may apply for additional fees if Counsel opted for the fee award process set out in subparagraph (c)(2) of this rule, but later determines that the Presumed Reasonable Fee is not sufficient. The application shall request only the amount in excess of the Presumed Reasonable Fee and be accompanied by time records supporting the total fees sought by Counsel in the case or by an affidavit explaining why the Presumed Reasonable Fee is inadequate and describing the services rendered in the case. The Clerk shall provide notice of the total fees requested.

(B) Adversary Proceedings Seeking to Avoid an Unsecured Mortgage

Counsel who files an adversary proceeding seeking to avoid an unsecured mortgage pursuant to S.D.Ind. B-4003-3 is entitled to an additional \$500 above the Presumed Reasonable Fee per adversary proceeding, provided that counsel

- (i) discloses the additional fee in the original or an amended Disclosure of Compensation of Attorney for Debtor (Form 2030); and
- (ii) includes the additional fee within counsel's original or amended proof of claim.

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(56) Source of Fee Payment

Except for pre-petition retainers, all fees shall be paid through the plan and Counsel may not receive fees directly from the Debtor, unless the Court orders otherwise.

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(67) Review of Fees

On its own motion or the motion of a party in interest prior to entry of a final decree, the Court may order a hearing to review a fee paid or to be paid.

| (78) Debtor's Non-Bankruptcy Professionals and Distribution of Settlements

As to any Professional whose employment was disclosed under S.D.Ind. B-2014-2, the proposed compensation to the Professional shall be disclosed in any Motion to Approve Settlement Distribution filed under S.D.Ind. B-9019-1(b), unless the information is provided in a Motion to Modify Plan.

Comment

The revision to subparagraph (c)(1) is made to correct an erroneous internal rule reference.

New subparagraph (c)(4) is added to direct filers seeking compensation in cases converted to Chapter 7 to use of the specific ECF event and the requirement to attach time records in unconfirmed cases.

**B-3002.1-1. ADDITIONAL ~~NOTICE~~ MORTGAGE CLAIM
REQUIREMENTS ~~FOR MORTGAGE LENDERS~~ IN
CHAPTER 13**

(a) Notice of Mortgage Payment Change and of Fees, Expenses, and Charges

A creditor with a claim secured by real estate shall comply with Fed.R.Bankr.P. 3002.1(b) and (c), even if the real estate is not the Debtor's principal residence.

(b) Motion to Determine Validity of Mortgage Payment Change

A party in interest who objects to the payment change may file a Motion to Determine Validity ~~of~~ Mortgage ~~of~~ Payment Change. If no motion is filed by the day before the new amount is due, the change goes into effect, unless the Court orders otherwise.

(c) Notice of Change in Servicer

If the mortgage servicer changes while the bankruptcy is pending, the mortgage holder shall file with the Court and serve upon the Debtor and the trustee a notice providing the name of the servicer, the payment address, a contact phone number, and a contact email address.

(d) ———Certificate of Service

The filing of a Trustee's Notice of Disbursements Made, a Motion Under Rule 3002.1(f)(1) to Determine the Status of the Mortgage Claim, and a Motion Under Rule 3002.1(g)(4) to Determine Final Cure and Payment of the Mortgage Claims, and responses thereto, shall be accompanied by a Certificate of Service.

Comment

The amendments to the rule title and subparagraph (b) are made for style uniformity and clarity. The addition of new subparagraph (d) is made to incorporate the provisions of Amended General Order 25-0002, which will be rescinded upon the effective date of the Local Rules amendments.

B-3022-1. FINAL DECREE IN NON-INDIVIDUAL DEBTOR CHAPTER 11 CASES ~~WHERE THE DEBTOR IS NOT AN INDIVIDUAL~~

In a Non-Sub V Case or a Sub V Case confirmed under 11 U.S.C. § 1191(a) in which the Debtor is ~~not an~~ non-individual, the Plan Proponent or other entity administering the confirmed plan shall apply for a final decree after the estate has been fully administered. In a Sub V Case confirmed under 11 U.S.C. § 1191(b), ~~the in which the Debtor is not an non-individual, the Debtor or trustee, consistent with the terms of the confirmed plan or confirmation order,~~ shall apply for a final decree ~~after the trustee has filed either the Chapter 11 Subchapter V Trustee's Final Report and Account or the Report of No Distribution in the manner prescribed by S.D. Ind. B-4004-2(b).~~ The application shall include the percentage paid or proposed to be paid to general unsecured creditors. The applicant seeking entry of a final decree shall serve a 14-day Objection Notice of the application on the Service List and file a Certificate of Service.

Comment

The amendments to the rule title are made for style uniformity and clarity. The substantive revisions to the rule are made to incorporate the provisions of General Order 26-0002, which will be rescinded upon the effective date of the Local Rules amendments and to provide the cross reference to Rule B-4004-2(b).

B-3022-2. FINAL DECREE IN INDIVIDUAL DEBTOR CHAPTER 11 CASES ~~WHERE THE DEBTOR IS AN INDIVIDUAL~~

(a) Timing of Application for Final Decree

In a case confirmed under 11 U.S.C. § ~~1129~~, the individual Debtor or trustee, consistent with the terms of the confirmed plan or confirmation order, shall apply for a final decree upon completion of all plan payments. In a case confirmed under 11 U.S.C. § 1191(a), the individual Debtor may apply for a final decree any time after docketing of the confirmation order. In a case confirmed under 11 U.S.C. § ~~1129 or § 1191(b)~~, the individual Debtor ~~or trustee, consistent with the terms of the confirmed plan or confirmation order,~~ shall apply for a final decree upon completion of all plan payments or after the trustee has filed either the Chapter 11 Subchapter V Trustee's Final Report and Account or the Report of No Distribution in the manner prescribed by S.D. Ind. B-4004-2(b). The application shall include the percentage paid to general unsecured creditors. The applicant seeking entry of a final decree shall serve a 14-day Objection Notice of the application on the Service List and file a Certificate of Service.

(b) Request for Hardship Discharge

If the Debtor seeks a discharge under 11 U.S.C. § 1141(d)(5)(B), the Debtor shall file a Motion for Hardship Discharge.

(c) Closing Case Before Plan Payments Completed

In a case confirmed under 11 U.S.C. § 1129 for which the Debtor is the entity administering the confirmed plan, a Debtor that wishes to close the case pending completion of the plan must file a Motion to Close Chapter 11 Case that states an intention to reopen the case upon plan completion. If the motion is granted, the Clerk shall not issue a Notice of No Discharge as otherwise required by Fed.R.Bankr.P. 4006. After completion of the plan and the reopening of the case, the Debtor shall file the Application for Final Decree and supporting documents as required in subparagraph (a) of this rule.

Comment

The amendments to the rule title are made for style uniformity and clarity. The substantive revisions to the rule are made to incorporate the provisions of General Order 26-0002, which will be rescinded upon the effective date of the Local Rules amendments and to provide the cross reference to Rule B-4004-2(b).

~~B-4001-3. OBTAINING CREDIT IN CHAPTER 13 CASES~~

~~(a) Dollar Limits~~

~~(1) \$2,500.00 or Less~~

~~The Debtor may incur non-emergency consumer debt up to \$2,500.00 without the trustee's written approval or Court order.~~

~~(2) Greater than \$2,500.00~~

~~The Debtor shall seek the trustee's approval or a Court order under subparagraphs (b) and (c) of this rule before incurring non-emergency consumer debt of more than \$2,500.00.~~

~~(b) Request Directed to Trustee~~

~~The Debtor's request to incur debt, other than debt to be secured by real estate, shall first be made to the trustee. If approved by the trustee, the Debtor may incur the debt. If the trustee has not directed use of a specific form, the request shall include the following information:~~

~~(1) a statement in support of the feasibility of the request;~~

~~(2) a description of the item to be purchased or the collateral affected by the credit to be obtained;~~

~~(3) a description of the interest held by another entity in collateral affected by the credit;~~

~~(4) the reasons why the Debtor needs the credit;~~

~~(5) the terms of the proposed financing, including the interest rate; and~~

~~(6) the protection proposed for the interest held by another entity in the collateral.~~

~~(c) Obtaining a Court Order~~

~~(1) When Required~~

~~— The Debtor shall file a Motion to Incur Debt if:~~

~~(A) the proposed debt is greater than \$2,500.00 and is to be secured by real estate;~~

~~(B) — the Debtor’s request under subparagraph (b) of this rule has not been approved by the trustee; or~~

~~(C) — the Debtor seeks a Court order on a request that has been approved by the trustee.~~

~~(2) — Contents~~

~~The motion shall include all the information required by subparagraph (b) of this rule. If the new debt will replace an existing obligation secured by the Debtor’s property, the motion shall also include the principal loan balance of the original debt, the rate of interest, the amount of monthly escrow for taxes and insurance, the monthly payment, and the maturity date. Unless the motion states or documents the trustee’s approval, the Court shall give the trustee 14 days to object to the motion.~~

Comment

The current version of Rule B-4001-3 will be deleted in its entirety and replaced with a new Rule B-4001-3.

~~B-4001-4. MOTIONS TO MODIFY SECURED DEBT: MORTGAGES~~

~~The Debtor in a Chapter 13 case shall file a Motion to Modify Secured Debt to obtain approval of a modification of a debt secured by real estate that includes the following loan information both immediately before and after the proposed modification: the principal loan balance, the rate of interest, the maturity date of the proposed modified note, and the estimated total monthly payment, which shall include mortgage insurance, property insurance, and real estate taxes. A sample motion is available on the Court's website.~~

Comment

Rule B-4001-4 will be deleted in its entirety and substantively consolidated within new Rule B-4001-3.

B-4001-3. INCURRING OR MODIFYING DEBT IN CHAPTER 13 CASES

(a) Generally

Except as provided below, a Chapter 13 Debtor seeking to incur new debt or to modify debt secured by real property shall file a motion using the Motion to Incur/Modify Debt ECF event. The trustee shall have 14 days to object to a Motion to Incur/Modify Debt unless the motion states or documents the trustee's approval.

(b) Motions to Modify Secured Mortgage Debt

Motions seeking authority to modify debt secured by real property shall include the following loan information both immediately before and after the proposed modification: the principal balance, the interest rate, the maturity date, and the estimated total monthly payment, which shall include mortgage insurance, property insurance, and real estate taxes. A sample motion is available on the Court's website. The trustee's prior written approval of the proposed loan modification is not required to file the motion.

(c) Motions to Incur New Debt

(1) The Debtor may incur new debt, whether secured or unsecured, up to \$5,000.00 without the trustee's approval or Court order.

(2) For new debt greater than \$5,000.00, other than debt secured by real estate, the Debtor shall seek the trustee's written approval prior to filing the motion. If the trustee approves the request, the Debtor may incur the debt without Court order. Unless the trustee has directed the use of a specific form, such a request shall include the following information:

(A) a statement in support of the feasibility of the repayment of the new debt;

(B) a description of the item to be purchased or the collateral affected by the credit to be obtained;

(C) a description of the interests held by other entities in collateral affected by the new debt;

(D) the reasons why the Debtor needs to incur the new debt;

(E) the terms of the proposed financing, including the interest rate and repayment terms; and

- (F) any protection proposed for the interest held by another entity in the collateral.
- (3) The Debtor shall obtain a Court order to incur new debt if:
 - (A) the proposed new debt is greater than \$5,000.00 and is secured by real estate;
 - (B) the Debtor's request under subparagraph (c)(2) of this rule was not approved by the trustee; or
 - (C) the Debtor seeks a Court order notwithstanding the trustee's approval.
- (4) A motion seeking authority to incur new debt under subparagraph (c)(3) of this rule shall include all the information required by subparagraph (c)(2). If the new debt will replace an existing debt secured by real estate, including a "partial mortgage claim," the motion shall include all the information required by subparagraph (b).

Comment

The new version of this rule will include a substantive consolidation of rule B-4001-4, which will be rescinded upon the effective date of the Local Rules amendments, within this rule, resulting in the use of one ECF event, the Motion to Incur/Modify Debt. The dollar limits found within current rule B-4001-3 will be increased from \$2,500.00 to \$5,000.00.

B-4004-1. DISCHARGE IN CHAPTER 12 AND CHAPTER 13 CASES

(a) Trustee's Notice of Completion

The Chapter 12 or 13 trustee shall file a Notice of Plan Completion after all payments have been received. Sample forms are available on the Court's website.

(b) The Debtor's Required Pleadings

(1) Within 30 days after the trustee files the notice of completion, the Debtor shall file a Motion for Entry of Discharge and in individual cases, and a Certification of Eligibility for Discharge. Each individual Debtor in a joint case shall file a separate Certification. Sample forms are available on the Court's website.

(2) In joint Chapter 13 cases in which there is a deceased debtor, the Motion for Entry of Discharge must specifically identify by name, within the body of the motion, the debtor or debtors for whom the discharge is sought.

(c) Service and Notice

The Debtor shall serve a copy of the Motion for Entry of Discharge and in individual cases, a Certification of Eligibility for Discharge on the trustee and an entity to whom the Debtor owes a domestic support obligation. The trustee shall have 21 days from the date of filing to object to the Motion or the Certification. The Debtor shall serve a 21-day Objection Notice on the holder of a domestic support obligation. A sample notice is available on the Court's website. The Debtor shall file a Certificate of Service as to the notice.

(d) Closing and Reopening

If no motion for entry of discharge is filed, the case may be closed without entry of a discharge after filing of the trustee's final report. If the case has been closed, the Debtor must first file a motion to reopen the case.

(e) Request for Hardship Discharge

If the Debtor seeks a discharge under 11 U.S.C. §§1228(b) or 1328(b), the Debtor shall file a Motion for Hardship Discharge and a Certification of Eligibility for Discharge. The requirements to file a Certification of Eligibility for Discharge and a Certificate of Debtor Education are waived if the debtor seeking the hardship discharge is deceased and a verified statement of the debtor's death has been filed as required by S.D.Ind. B-1016-1. A sample Certification is available on the Court's website. The Debtor shall serve the Motion for Hardship Discharge and the Certification of Eligibility for Discharge as required by subparagraph (c) of this rule.

Comment

New subparagraph (b)(2) is added to incorporate the provisions of General Order 26-0001, which will be rescinded upon the effective date of the Local Rules amendments.

B-4004-2. DISCHARGE IN SUB V CHAPTER 11 CASES

(a) Discharge in Case Confirmed Under §1191(a)

If the case has been confirmed under 11 U.S.C. §1191(a) and the Debtor is an individual, the Court shall enter the discharge immediately after entry of the confirmation order.

(b) Discharge in Case Confirmed Under §1191(b)

(1) ~~Notice of Completion of § 1192 Payments Required Pleadings~~

~~The following pleadings are to be filed, in the order set forth herein, after the Debtor has completed all payments required under the plan:~~

~~(A) The Debtor or the Subchapter V Trustee shall file the Notice of Completion of § 1192 Payments (“Notice of Completion”);~~

~~(B) Within 14 days of the filing of the Notice of Completion, the Subchapter V Trustee shall file the Subchapter V Trustee’s Final Report and Account or Report of No Distribution (collectively, the “Trustee’s Final Report”);~~

~~(C) Within 30 days of the filing of Subchapter V Trustee’s Final Report, the Debtor shall file the Motion for Entry of Discharge – Chapter 11 Subchapter V Case, and in individual cases only, the Certification of Eligibility for Discharge – Chapter 11 Subchapter V Case; and~~

~~(D) Within 14 days of the Court’s entry of the Order of Discharge, the Debtor shall file the Application for Final Decree.~~

~~The entity administering the confirmed plan shall file a Notice of Completion of § 1192 Payments after the Debtor has made the number of payments required to be eligible for a discharge. A sample form is available on the Court’s website.~~

(2) ~~The Debtor’s Required Pleadings~~

~~Within 30 days after the filing of the Notice of Completion of § 1192 Payments, the Debtor shall file a Motion for Entry of Discharge and a Certification of Eligibility for Discharge. Each Debtor in a joint case shall file a separate Certification. Sample forms are available on the Court’s website.~~

(32) Service and Notice of Motion for Entry of Discharge and Certification of Eligibility

The Debtor shall serve a copy of the Motion for Entry of Discharge – Chapter 11 Subchapter V Case, and in individual cases only, and a the Certification of Eligibility for Discharge – Chapter 11 Subchapter V Case, on the Subchapter V trustee Trustee and an entity to who the individual Debtor owes a domestic support obligation. The Subchapter V Trustee trustee shall have 21 days from the date of filing to object to the Motion or the Certification. The individual Debtor shall serve a 21-day Objection Notice on the holder of a domestic support obligation and file a Certificate of Service. Sample forms are available on the Court’s website.

(43) Closing and Reopening

If no Motion for Entry of Discharge is filed, the case may be closed without entry of a discharge after filing of the trustee’s final report. If the case has been closed and the Debtor seeks entry of the discharge, the Debtor must first file a motion to reopen the case.

(4) Request for Hardship Discharge

If the Debtor seeks a discharge under 11 U.S.C. §1141(d)(5), the Debtor shall file a Motion for Hardship Discharge and a Certification of Eligibility for Discharge. The requirement to file a Certification of Eligibility for Discharge is waived if the Debtor seeking the hardship discharge is deceased and a verified statement of the Debtor’s death has been filed as required by S.D.Ind. B-1016-1. A sample Certification is available on the Court’s website.

Comment

The amendments to subparagraph (b) are made to incorporate the provisions of General Order 26-0002, which will be rescinded upon the effective date of the Local Rules amendments.

**B-4004-3. OBTAINING DISCHARGE AFTER CASE CLOSED FOR
FAILURE TO FILE CERTIFICATE OF DEBTOR
EDUCATION**

A Debtor may file a motion to reopen a case to obtain a discharge after entry of an Order of No Discharge where the discharge was not entered because the Debtor failed to file a Certificate of Debtor Education under Fed.R.Bankr.P. 1007(b)(7)~~and (e)(4)~~. The Debtor shall pay the fee due to reopen the case and, contemporaneously with the Motion to Reopen, file the required Certificate of Debtor Education.

Comment

The amendment deletes the reference to Fed.R.Bankr.P. 1007(c)(4) to conform to December 1, 2026 FRBP amendment doing the same.

B-5005-4. ELECTRONIC FILING

The Court's ~~has adopted~~ Electronic Case Filing Administrative Policies and Procedures ~~to~~ permit the electronic filing, signing, service, and verification of documents. These Administrative Policies and Procedures, as described in the Manual~~s~~ available on the Court's website, are incorporated into this local rule.

Comment

The amendments to the rule are made for style uniformity and clarity.

B-5011-1. WITHDRAWAL OF REFERENCE

(a) Place of Filing

A motion for withdrawal of a case or proceeding shall be filed in the Bankruptcy Court.

(b) Recommendation by Bankruptcy Court

The Bankruptcy Court may recommend to the District Court that a case or proceeding be withdrawn under 28 U.S.C. §157(d). Any such recommendation shall be served on the parties to the case or proceeding.

(c) Stay

The filing of a motion, or the Bankruptcy Court's recommendation, for withdrawal does not stay the proceedings in the Bankruptcy Court. Fed.R.Bankr.P. 5011(d) governs requests for a stay pending decision on withdrawal.

(d) Designation of Record

Along with the motion for withdrawal, the movant shall file and serve a designation of those portions of the record necessary or pertinent to the District Court's consideration of the motion. Within 14 days after service of the designation of the record, any other party may file and serve a designation of additional portions of the record. All designated documents shall be identified by document number and document title as noted on the docket. A marked-up copy of the docket or any portion thereof is not a proper designation. If the record designated by any party includes a transcript, that party shall file a written request for the transcript and include with the request the fee for preparation of the transcript. The docketed electronic file of any recording made at the hearing is not the official record and may not be included in the designation of the record. The Bankruptcy Court shall transmit only those documents designated under this subsection to the District Court.

(e) Response ~~to Motion for Withdrawal~~ and Reply

A party opposing the motion shall have 14 days after the movant serves the motion to file and serve its response. The movant may file and serve a reply within 14 days after service of a response.

(f) Transmittal to District Court

After the time for filing a response or reply has expired, but without awaiting the filing of any transcripts, the Clerk of the Bankruptcy Court shall transmit the motion, any responses and replies, and the designated portions of the record to the Clerk of the District Court for docketing and the issuance of a District Court case number.

(g) Filing of Documents After Transmittal

After the transmittal to the District Court described in subparagraph (f) of this rule, documents pertaining to the motion for withdrawal under review by the District Court shall be filed with the Clerk of the District Court. Documents related to other matters in the bankruptcy case or adversary proceeding shall continue to be filed with the Clerk of the Bankruptcy Court, unless either Court orders otherwise. Parties shall advise both Courts of pleadings filed in either forum that affect matters pending in the other forum.

Comment

The amendment to the title of subparagraph (e) is made for style uniformity and clarity.

B-6007-1. ABANDONMENT OF PROPERTY

(a) Trustee Abandonment in Chapter 7 Cases

(1) Report of No Distribution

The Meeting of Creditors notice (“Meeting Notice”) shall inform the UST, all creditors, indenture trustees, and committees elected under §705 or appointed under §1102 of the Code that the trustee’s filing of a report of no distribution shall serve as a notice of proposed abandonment under Fed.R.Bankr.P. 6007(a) of all property of the estate listed on the Debtor’s schedules (“Scheduled Property”). The Meeting Notice shall also provide that no further notice of abandonment will be given unless a creditor or other party in interest files a ~~request~~Request for ~~notice~~Notice Pursuant to FRBP 2002(g) (“Requesting Party”) no later than one day before the first date set for the Meeting of Creditors. The Clerk shall provide a 14-day Objection Notice of the trustee’s report of no distribution to a Requesting Party.

(2) Notation of Abandonment on Docket

The Clerk shall note on the case docket that all Scheduled Property is deemed abandoned if no objection to the proposed abandonment is filed within the time provided under subparagraph (a)(1) of this rule.

(3) Trustee’s Notice of Possible Assets and Abandonment

The Clerk shall give notice of the filing of a trustee’s notice of possible assets and abandonment to the UST, all creditors, indenture trustees, and committees elected under §705 or appointed under §1102 of the Code. The notice shall identify those assets which are not being abandoned by the trustee and the proposed abandonment of all other Scheduled Property.

(4) Trustee’s Abandonment After Report of Possible Assets

The trustee shall provide a 14-day Objection Notice of abandonment filed more than one day after the filing of a notice of possible assets to the UST, all creditors, indenture trustees, and committees elected under §705 or appointed under §1102 of the Code. Along with the notice, the trustee shall file a Certificate of Service. A sample notice is available on the Court’s website.

(5) Motion to Abandon Filed by Party in Interest

A motion to abandon filed by a party other than the trustee shall comply with subparagraph (b) of this rule.

(b) Motion to Abandon: Service, Notice and Filing

The movant shall serve the motion and a 14-day Objection Notice on the trustee or debtor-in-possession, the UST, all creditors, indenture trustees, and committees elected under §705 or appointed under §1102 of the Code, except that distribution may be limited in the manner prescribed by S.D. Ind. B-2002-1(d). In a Chapter 7 case where notice of insufficient assets to pay a dividend was given, notice can be limited pursuant to this subparagraph 90 days following the mailing of the notice setting a claims bar date. Along with the motion, the movant shall file a copy of the notice and a Certificate of Service. The motion, notice, and Certificate of Service may be combined into one document, a sample of which is available on the Court's website.

Comment

Subparagraph (a)(1) is amended to conform the rule to the recent procedural change converting the Request for Notice ECF event into a virtual docket entry.

**B-7001-2. COMPLAINTS TO OBTAIN ~~APPROVAL~~ AUTHORITY FOR
~~OF~~ SALE OF CO-OWNED PROPERTY**

(a) Adversary ~~Proceeding~~ Required

A sale of property co-owned by an entity other than the Debtor requires an adversary proceeding, unless excused by subparagraph (d) of this rule.

(b) Relief Requested

A complaint filed under Fed.R.Bankr.P. 7001(c) and 11 U.S.C. §363(h) shall request only the authority to sell property co-owned by the estate and another entity. The complaint shall not seek approval of any terms of sale.

(c) Motion to Sell Required

If the Court authorizes the sale of co-owned property, the party seeking the sale shall file a Motion to Sell under 11 U.S.C. §363 and S.D.Ind. B-6004-1 through 6004-4, as applicable.

(d) Adversary Proceeding Excused

If the party seeking the sale obtains the consent of all co-owners, an adversary proceeding is not required and a Motion to Sell can be filed. Co-owner consent shall be shown by affidavit attached to the Motion to Sell.

Comment

The amendment to the rule title and of the title of subparagraph (a) are made for style uniformity and clarity.

B-9011-1. NON-INDIVIDUALS APPEARING WITHOUT COUNSEL

A non-individual or an individual appearing in a representative capacity may not file a petition or otherwise appear without counsel in any case or proceeding but may file a proof of claim, a ~~request~~ Request for ~~notice~~ Notice ~~under~~ Pursuant to FRBP Fed.R.Bankr.P. 2002(g), a creditor change of address, or an application for payment of unclaimed funds if signed by an authorized representative.

Comment

The rule is amended to conform to the recent procedural change converting the Request for Notice ECF event into a virtual docket entry.

B-9015-1. JURY TRIALS

(a) Authorization

Under S.D.Ind. L.R. 39-1, the District Court has authorized the Bankruptcy Judges of this District to conduct jury trials with the express consent of all parties.

(b) Form of Demand

- (1) A demand for trial by jury, ~~where permitted by~~ shall be made in the manner set forth in Fed.R.Civ.P. 38(b) ~~and, shall be filed with a party's first pleading or within 30 days of the filing of a notice of removal, whichever is earlier, and shall~~ include the demand in the title by way of a notation placed on the front page of the pleading, immediately following the title of the pleading, stating "Demand for Jury Trial."
- (2) Any notation on an adversary cover sheet filed under S.D.Ind. B-7001-1 shall not constitute a demand for trial by jury under this rule.
- (3) The demand may specify the issues which the party wishes to be tried to a jury; otherwise the party shall be deemed to have demanded to have all issues tried by jury.

(c) Consent

A demand for trial by jury shall state whether the party making the demand consents to the Bankruptcy Judge conducting the jury trial. Within 30 days of the demand, any adverse party shall file a statement stating its consent or a lack of consent to the Bankruptcy Judge conducting the jury trial. The statement may be included in the party's responsive pleading or filed separately.

(d) Waiver and Withdrawal

The failure of a party to serve and file a demand as required by this rule constitutes a waiver by the party of trial by jury. A demand for trial by jury may be withdrawn at any time.

(e) Determination of Right

On its own motion or upon the motion of a party, the Court shall determine, as early as practicable, whether the demand for trial by jury is proper and whether the party has a right to a jury trial and, if so, as to which issues. If there is no consent, the Court may direct a party to file a motion to withdraw the reference.

(f) Applicability of District Court Local Rules

The following District Court local rules concerning jury trials apply unless the Court orders otherwise:

- 47-1 Voir dire
- 47-2 Communication with jurors
- 47-3 Juror costs
- 47-4 Jury; unanimous verdict

(g) No Right Created

This rule does not expand or create any right to trial by jury where the right does not otherwise exist.

Comment

Subparagraph (b) is amended to match the requirements of Fed.R.Civ.P. 38(b).

B-9018-1. SEALED CASES AND DOCUMENTS

(a) Filing a Case or Document Under Seal

A party seeking to file a case or document under seal shall follow the Sealed Cases and Documents procedures in the Court's ECF Administrative Policies and Procedures Manual.

(b) Service of Sealed Documents

Sealed documents cannot be served through the Bankruptcy Noticing Center or the CM/ECF system. Parties shall serve sealed documents in the manner prescribed by these rules, the relevant Federal Rules of Bankruptcy or Civil Procedure, or Court order, and file a Certificate of Service. The Court shall serve Court-issued sealed documents, including notices and orders, in such manner as it deems proper.

(~~b~~c) Termination of Seal

Five years after the order imposing the seal, unless the Court in establishing the seal has set a different date for the seal to be terminated, the Clerk shall give notice to the party that requested the seal and any party that objected to the request that the seal will be terminated if no objection is filed within 21 days of the notice. If no objection is filed, or if the Court overrules the objection, the Clerk shall terminate the seal and make the documents available.

Comment

New subparagraph (b) is added to instruct parties to serve sealed documents non-electronically as a result of the Court's implementation of new procedures for the storage and management of sealed cases and documents.