

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF INDIANA

**PROPOSED AMENDMENT TO  
LOCAL RULE B-9027-1:  
PUBLIC COMMENT PERIOD**

The Court is proposing an amended version of B-9027-1, on removal. The proposal is attached to this notice, with changes shown in redline or strikeout.

Comments to the proposed rule can be made by sending an email to [Local\\_Rules\\_Comments@insb.uscourts.gov](mailto:Local_Rules_Comments@insb.uscourts.gov) . Deadline for comments is Monday, December 16th.

November 13, 2013

/s/ Kevin P. Dempsey  
Clerk

PROPOSED REVISIONS TO B-9027-1

**B-9027-1. REMOVAL**

- (a) Removal When Bankruptcy Case Pending in this District Claim or Cause of Action Filed or Pending in a State Court within the Jurisdiction of the Southern District of Indiana

If the bankruptcy case is filed or pending in the Southern District of Indiana, ~~Removal of a matter pending in state Court or in a District other than the Southern District of Indiana is accomplished by filing a notice of removal as an adversary proceeding in the bankruptcy case. If the matter bankruptcy case is filed or pending in another jurisdiction, contact the Clerk of the Bankruptcy Court to open a miscellaneous proceeding. (After the filing with the Bankruptcy Court, a copy of the notice of removal should be filed in the state court where the matter is pending.) before the District Court for this District, then a request to refer the matter to the Bankruptcy Court should be filed with the District Court.~~

- (b) Removal When Bankruptcy Case Pending in a Different District Claim or Cause of Action Filed or Pending in the District Court for the Southern District of Indiana and the Bankruptcy Case is Pending in this District

~~A party seeking to remove a matter related to a bankruptcy case pending in another District should provide telephonic notice to the Bankruptcy Clerk of Court for the Southern District of Indiana to receive instructions on how the removal should be filed. A motion for a directed reference to the Bankruptcy Court may be filed with the District Court.~~

- (c) Required Statement in Notice of Removal Regarding Consent to Entry of Orders or Judgment in Core Proceeding

In addition to the statements required by Fed.R.Bankr.P. 9027(a), the notice of removal shall contain a statement that upon removal of the claim or cause of action the party filing the notice does or does not consent to the entry of final orders or judgment by the Bankruptcy Judge.

- (d) Required Statement Regarding Consent to Entry of Orders or Judgment in Core Proceeding

The statement filed pursuant to Fed.R.Bankr.P. 9027(e)(3) by a party who files a pleading in connection with a removed claim or cause of action shall contain a statement that the party does or does not consent to the entry of final orders or judgment by the Bankruptcy Judge.

(e) Court Review of Removal

The Bankruptcy Court may set a hearing, upon notice to the parties, to determine the propriety of the removal and whether the Court should abstain or remand.