

**Summary of Changes to the Local Rules of the
United States Bankruptcy Court for the District of Kansas
Effective March 17, 2021**

The United States Bankruptcy Court for the District of Kansas amended several of its Local Bankruptcy Rules (LBR) effective March 17, 2021. This is a brief summary of the changes. A redlined copy of the new and affected rules highlighting the changes is included.

Changes to Local Rules

LBR 2002.2(e)(2) updates the point of contact for the Kansas Department of Aging and Disability Services.

LBR 2002.3 is new. Its provisions permitting reduced notice in qualifying cases were previously outlined in Standing Order 20-3, which was abrogated by the adoption of this rule.

LBR 3015(h).1 was formerly LBR 3015(g).1. A technical update was made to renumber LBR 3015(g).1 as LBR 3015(h).1 and to update the citation within the rule.

LBR 4004.1 is new. It outlines the timing, content, and noticing requirements of a combined Certification of Debtor and Motion for Entry of Discharge in Chapter 12 and Chapter 13 cases.

LBR 5005.1, Appendix 1-01, ¶¶ VII, formerly outlined the retention requirements of certain electronically-filed documents. It was abrogated consistent with the District Court's published intent to abrogate D. Kan. Rule 5.4.7 (Retention Requirements).

Redlined Copy of New and Affected Rules (effective 3/17/2021)

**LBR 2002.2
SCHEDULING, LISTING AND NOTICING THE UNITED STATES AND
AGENCIES OF THE STATE OF KANSAS AS A CREDITOR**

...

(e) Addresses for Certain Departments, Agencies and Instrumentalities of the State of Kansas. When one of the following departments, agencies, or instrumentalities of the State of Kansas is a creditor, the schedule and matrix must list the agency at the address indicated:

...

2. Kansas Department for Aging and Disability Services
c/o ~~Sherry Diel~~ Chief Counsel
New England Building
503 S Kansas Ave
Topeka KS 66603-3404

...

* * *

As amended **3/17/21**, 3/17/20, 3/17/19, 3/17/18, 3/17/16, 3/17/15, 3/17/14, 3/17/13, 3/17/12, 3/17/11, 3/17/08.

LBR 2002.3
NOTICES TO CREDITORS

(a) Voluntary Case. In a voluntary chapter 7 case, chapter 12 case, or chapter 13 case, after 70 days following the order for relief under that chapter or the date of the order converting the case to chapter 12 or chapter 13, it is permissible that all notices required by Fed. R. Bank. P. 2002(a) be mailed only to:

- (1) the debtor;
- (2) the trustee;
- (3) all indenture trustees;
- (4) creditors that hold claims for which proofs of claim have been filed;
- (5) creditors, if any, that are still permitted to file claims because an extension was granted under Rule 3002(c)(1) or (c)(2); and
- (6) parties in interest expressly requesting notice.

(b) Involuntary Case. In an involuntary chapter 7 case, after 90 days following the order for relief under that chapter, it is permissible that all notices required by Fed. R. Bank. P. 2002(a) be mailed only to those specified in subsection (a) above.

(c) Insufficient Assets. In a case where notice of insufficient assets to pay a dividend has been given to creditors under Fed. R. Bankr. P. 2002(e), after 90 days following the mailing of a notice of the time for filing claims under Rule 3002(c)(5), it is permissible that all notices required by Fed. R. Bank. P. 2002(a) be mailed only to those specified in subsection (a) above.

* * *

Adopted 3/17/21 (formerly S.O. 20-3).

LBR 3015(gh).1
CHAPTER 13 TRUSTEE'S MODIFICATION
OF PLAN AFTER CONFIRMATION

Notice to all creditors of post-confirmation motions to modify plan, required by Fed. R. Bankr. P. 3015(gh), is waived when the motion is filed by a Chapter 13 Trustee, and the sole purpose of the motion is to recover an asset that the court ordered debtor to repay to the estate, but has not repaid. Notice to the Debtor and the Debtor's Attorney, only, is required.

* * *

~~Adopted~~ Amended 3/17/21 (formerly LBR 3015(g).1), 3/17/09 (formerly D. Kan. S.O. 08-2).

LBR 4004.1
DISCHARGE IN CHAPTER 12 AND CHAPTER 13 CASES

Debtor shall file with the Court a combined Certification of Debtor and Motion for Entry of Discharge in order to obtain a discharge upon completion of all plan payments.

(a) Timing. The Certification and Motion shall not be filed until after the trustee has filed the Notice of Plan Completion.

(b) Content. The Certification shall be signed by the debtor under penalty of perjury and must substantially comply with the Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q) (Form B2830).

(c) **Notice.** The Certification and Motion shall be filed electronically with the Court using the Court's Electronic Filing System and provide 21 days' notice to the following:

(1) Parties requesting electronic noticing through the Court's Electronic Filing System; and

(2) Any Domestic Support Obligation (DSO) claim holder and the State child support enforcement agency, if applicable.

* * *

Adopted 3/17/21.

**LBR 5005.1
FILING BY ELECTRONIC MEANS**

...

Appendix 1-01 to LBR 5005.1

**Administrative Procedures for Filing, Signing, and Verifying
Pleadings and Documents by Electronic Means**

(Rev. 3/17/18~~21~~)

...

VII. [Reserved] ~~Retention Requirements~~

~~Documents that are electronically filed and require original signatures other than that of the Filing User must be maintained in paper form by the Filing User until 6 years after all time periods for appeals expire. On request of the court, the Filing User must provide original documents for review.~~

....

* * *

As amended 3/17/21, 3/17/20, 3/17/19 (formerly S.O. 18-3), 3/17/18, 3/17/17, 3/17/16, 3/17/14, 3/17/08.