

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA**

NOTICE OF PROPOSED CHANGES TO LOCAL BANKRUPTCY RULES

December 21, 2005

Last Day to Submit Comments: January 20, 2006

In accordance with Federal Rule of Bankruptcy Procedure (FRBP) 9029, the Court proposes to adopt new Local Bankruptcy Rules 5005-1, Electronic Record is the Official Record; Filing of Documents, 5005.5-1, Eligibility and Registration for Electronic Filing; Use of Passwords, 7005-1, Service by Electronic Means, and to revise Local Bankruptcy Rules 1007-1, Filing Requirements, 2002-1, Notice Requirements, and 9004-1, General Requirements of Form.

The following is a summary of the proposed changes:

New Local Bankruptcy Rule 5005-1 would declare the electronic record as the official record and implement mandatory electronic filing. Attorneys regularly practicing and trustees assigned cases in the Eastern District would be required to submit all documents for filing in electronic form, but the proposed rule provides for limited exceptions and waivers. The proposed rule would also codify existing practice regarding the timing of filing of both paper and electronic documents. Enforcement of the mandatory e-filing provision would not occur until on and after April 3, 2006.

New Local Bankruptcy Rule 5005.5-1 would define those eligible to be registered users of the Court's electronic filing system, provide procedures for obtaining a username and password, define and limit use of passwords, and establish a requirement that registered users maintain an e-mail account and keep the Court informed of any changes of e-mail address.

New Local Bankruptcy Rule 7005-1 would establish procedures for service by electronic means as provided by Federal of Civil Procedure (FRCivP) 5, made applicable to bankruptcy cases and proceedings by FRBP 7005. Registered users would be permitted to opt out of making and receiving electronic service as provided by FRCivP 5.

Revised Local Bankruptcy Rule 1007-1 would be a technical amendment only to conform its title to the U.S. Judicial Conference policy which requires local bankruptcy rules to mirror as closely as possible the numbering and subject matter organizational scheme of the FRBPs. The new title would be *List of Creditors and Master Address List*.

Revised Local Bankruptcy Rule 2002-1 would be amended to abrogate section (d) of the present rule. In appropriate circumstances, the Court could order that notice be limited on a case-by-case basis pursuant to FRBP 2002 (h).

Revised Local Bankruptcy Rule 9004-1 would be amended to provide requirements of form applicable to electronic documents and establish procedures for signatures on electronic documents.

Full text copies of the [proposed changes](#) may be viewed, downloaded, and printed from the What's New and the Local Bankruptcy Rules pages of the Court's web site, www.caeb.uscourts.gov or may be obtained at any Clerk's Office public counter.

Public comments on the proposed changes are invited. Comments should be submitted by no later than **January 20, 2006** and may be addressed to:

United States Bankruptcy Court
c/o Richard G. Heltzel, Clerk of Court
501 I Street, Suite 3-100
Sacramento, CA 95814

or by e-mail addressed to:

rules-comments@caeb.uscourts.gov