

UNITED STATES BANKRUPTCY COURT
Eastern District of California
501 I Street, Suite 3-200
Sacramento CA, 95814-7303

Chambers of
FREDRICK E. CLEMENT
Chief Bankruptcy Judge

916-930-4540

April 21, 2023

re: After the Fact Review of Service and Notice Rules
LBR 2002-3, 2002-4, 3015-1(d)(3), 7005-1, 9036-1

An Open Letter to the Bar:

Six months ago, we adopted General Order No. 22-02, which implemented sweeping changes to the service and notice rules in the Eastern District of California. Those changes included: (1) authorizing limited noticing for many motions filed in Chapters 7, 11, and 13; (2) implementing Federal Rule of Bankruptcy Procedure 9036, which authorizes service on registered users of the court's electronic-filing system by filing the document with the Clerk of the Court; (3) offering new website tools that help attorneys and trustees identify, in each case, those persons who are registered users of the court's electronic-filing system and/or who have requested special notice; and (4) requiring attorneys and trustees to use a standardized certificate of service to memorialize service and notice.

We adopted these rules in July 2022, with an effective date of November 1, 2022. At that time, I promised the bar a no-holds-barred review and discussion of these changes after we have lived with these changes long enough to see how they actually work or, perhaps, don't work. Now is the time. We want to hear back from you. Are the new rules working? Is the concept worth keeping or should it be scrapped? Why? What works and what doesn't work? What and how can we improve the concept? Are there technological fixes that would be helpful? What are those?

Not later than May 26, 2023, please send your comments to me. To do so, click [here](#) and provide such comments about these matters as you wish.

Sincerely,



Fredrick E. Clement