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Rule 1002-1 PETITION - GENERAL

(a)

A petition commencing a case under the Code may be filed electronically from a remote location, or conventionally (in paper format) at the clerk's main office in Cedar Rapids or at the divisional office in Sioux City.

(b)

The debtor must sign the petition even if the debtor is represented by an attorney.

(c)

For required attachment to a corporate petition, see Local Rule [1074-1](#).

Rule 1006-1 PAYMENT OF FILING FEE IN INSTALLMENTS

(a)

On application by an individual debtor, the clerk may sign an order permitting the debtor to pay the filing fee in installments if the application provides for: (1) installments of nearly equal amounts; (2) payment of the initial installment with the filing of the petition or within 31 days thereafter; (3) subsequent installments at no more than 31-day intervals after the initial installment until the fee is fully paid; and (4) the application states that the debtor has neither paid any money nor transferred any property to an attorney or any other person for services in connection with the case.

(b)

An application to permit installment payments of petitioner's filing fee which does not conform to subsection (a) or [Fed. R. Bankr. P. 1006\(b\)](#) shall be presented to the court for consideration.

(c)

Only the court may deny wholly or in part the initial application or extend the time for payment of any installment.

Rule 1007-1 LISTS, SCHEDULES, AND STATEMENTS

(a)

Number of Copies of Petitions, Statements, Schedules, and Lists

(1)

In a case filed conventionally (in paper format) under chapter 7, 9, 12, or 13, an original and four sets of copies of the petition, lists, schedules and statements must be filed with the clerk. In a case filed under chapter 11, an original and six sets of copies must be filed with the clerk.

(2)

The clerk shall make available to the United States trustee one set of copies of the petition, lists, schedules, and statements in cases under chapters 7, 9, 12, and 13 and two sets of copies in cases under chapter 11.

(b)

Returned File-Stamped Copy

If the filer requests the return of a file-stamped copy of a document, the filer must include with the filing the additional copy together with a self-addressed, stamped envelope for the return of the copy.

(c)

Schedules of Creditors

In each schedule of creditors, the creditors' names shall be listed alphabetically and the listing shall include the complete post office address of each creditor, including post office box or street address, city or town, state, and ZIP Code. If the individual verifying the schedule knows that the claim has been assigned or that the claim has been referred to an attorney or other agent for collection, that fact shall be stated immediately following the name of the original creditor, and the complete names and addresses of both the original creditor and the assignee or agent shall be set forth, but without twice listing the dollar amount of the debt. Each entry required by this subsection must be separated by two spaces from the next entry.

(d)

Real Estate Descriptions

All real estate included in a debtor's schedules or statements should be listed by legal description as to each parcel, together with the street address, rural route address, or some other commonly used description of the location of the property. In Schedule A, each parcel of real estate shall be separately numbered, e.g. "Parcel 1," "Parcel 2."

(e)

Extensions of Time

A motion seeking an extension of time in which to file schedules, statements, or lists will be considered by the court ex parte. The motion must be served on the United States trustee. The court will not grant an extension beyond the first date set for the meeting of creditors.

(f)

Summary of Schedules

All petitions filed with schedules, all subsequently filed original schedules, and all amended schedules filed, regardless of chapter, shall include pages 1 and 2 of the Summary of Schedules/Statistical Summary of Certain Liabilities (Official Form 106 or 206).

(g)

Failure to Provide Federal Income Tax Return

(1)

Individual debtors who are unable to fulfill their obligations under [11 U.S.C. § 521\(e\)\(2\)\(A\)\(i\)](#) shall file with the Court, not later than 7 days prior to the first date set for the meeting of creditors, a Motion for Exception from Dismissal. This motion shall include a detailed explanation why the debtor(s) are unable to provide the requisite federal tax returns to the trustee as required under the Bankruptcy Code.

(2)

A Motion to Dismiss pursuant to [§ 521\(e\)\(2\)\(A\)\(i\)](#) filed by the case trustee not earlier than 6 days prior to the first date set for the meeting of creditors, shall be granted by Order of this Court, without further notice and hearing, if the debtor(s) fail to take such action as identified in paragraph (g)(1). Trustees filing a Motion to Dismiss pursuant to [§ 521\(e\)\(2\)\(A\)\(i\)](#) shall provide notice of said Motion to the debtor and United States trustee.

(3)

Cases in which the trustee files a Motion to Dismiss pursuant to [§ 521\(e\)\(2\)\(A\)\(i\)](#) and in which a Motion for Exception from Dismissal has been timely filed by the debtor pursuant to this rule shall be set for telephonic hearing.

(4)

Cases in which a creditor files a Motion to Dismiss pursuant to [§ 521\(e\)\(2\)\(A\)\(ii\)](#) shall be set for telephonic hearing.

Rule 1007-2 MAILING - LIST OR MATRIX

(a)

The petitioner must file with the petition a mailing matrix of creditors. The matrix should not contain the name and address of the debtor or the debtor's attorney. The matrix must alphabetically list the names, and complete addresses of: debtor's creditors; scheduled creditor assignees, agents, or attorneys; and equity security holders. The format of the matrix must conform to requirements established by the clerk. A sample format of the matrix and instructions on formatting a matrix are available on request and without charge from the clerk's offices.

(b)

A matrix filed in a case under chapter 7, 9, 11, 12, or 13 shall include the Office of the United States trustee and the Accounts Receivable Unit of the Iowa Department of Revenue and Finance. An entity filing a matrix in a case under chapter 11 shall include the Internal Revenue Service, Special Procedures Staff at its address in Des Moines, Iowa.

(c)

For the names and addresses of governmental units for use in the matrix, the clerk maintains a "Matrix List for the United States as Creditor." It is available without charge from the clerk's offices. See Local Rule [2002-2](#).

Rule 1017-1 CONVERSION - REQUEST FOR/NOTICE OF

(a)

Conversion by Debtor -- Chapter 12 or 13 to Chapter 7

A Notice of Conversion filed by the debtor under [11 U.S.C. § 1208 \(a\)](#) or [§ 1307\(a\)](#) must be served by debtor on the United States trustee and the standing trustee.

(b)

Conversion by Debtor -- Chapter 7 to Chapter 11, 12, or 13

(1)

Case not previously converted

If the case has not previously been converted, the court will consider ex parte debtor's motion to convert from chapter 7 to chapter 11, 12, or 13. Debtor must serve the motion to convert on the United States trustee and the trustee.

(2)

Case previously converted

If the case has previously been converted, the debtor's motion to convert a chapter 7 case to chapter 11, 12, or 13 must be served by debtor with notice in accordance with Local Rule 1017-1(d).

(c)

Conversion by Debtor -- Chapter 11 to Chapter 7

A debtor's motion to convert from chapter 11 to chapter 7 under [11 U.S.C § 1112\(a\)](#) will be considered by the court ex parte. Debtor must serve the motion to convert on the United States trustee.

(d)

Other Motions to Convert

Notice of all other motions to convert must be served with the motion by movant pursuant to [Fed. R. Bankr. P. 2002\(a\)\(4\)](#). The notice must provide a bar date for objections that is at least 21 days from the date of service of the notice and motion. The movant shall provide in the notice that a hearing will be set if any objections are timely filed or if the court so directs, or movant may obtain a hearing date from the court and provide notice of such hearing in the notice of the motion. If notice of a hearing date is given, and no objections to the motion are filed, the hearing may be canceled only with leave of court.

Rule 1017-2 DISMISSAL - REQUEST FOR/NOTICE OF

(a)

Debtor's Motion to Dismiss Chapter 12 or 13 Case

(1)

Case not previously converted

If debtor's chapter 12 or chapter 13 case has not previously been converted under [11 U.S.C. § 706](#) or [§ 1112](#), the court will consider ex parte debtor's motion to dismiss. Debtor must serve the motion on the United States trustee and the standing trustee.

(2)

Case previously converted

If debtor's chapter 12 or chapter 13 case has previously been converted under [§ 706](#) or [§ 1112](#), debtor must serve notice of the motion and the motion in accordance with Local Rule 1017-2(b).

(b)

Other Motions to Dismiss

Notice of all other motions to dismiss must be served by movant with a copy of the motion pursuant to [Fed. R. Bankr. P. 2002\(a\)\(4\)](#). The notice must provide a bar date for objections that is at least 21 days from the date of service of the notice and motion. The movant may provide in the notice that a hearing will be set if any objections are timely filed or if the court so directs, or movant may obtain a hearing date from the court and provide notice of such hearing in the notice of the motion. If notice of a hearing date is given, and no objections to the motion are filed, the hearing may be canceled only with leave of court.

Rule 1071-1 DIVISIONS - BANKRUPTCY COURT

The judges' official duty stations and the places of holding court are determined by the Judicial Conference of the United States. See [28 U.S.C. § 152\(b\)\(1\)](#).

Rule 1072-1 PLACES OF HOLDING COURT

Subject to the direction of the Judicial Conference of the United States, the Judicial Council of the Eighth Circuit, or further order of this court, the places of holding court in this district are Cedar Rapids, Dubuque, Independence, Sioux City, Mason City, and Fort Dodge.

Rule 1073-1 ASSIGNMENT OF CASES

(a)

Unless otherwise provided by court order, bankruptcy cases will be assigned to one of the places of holding court according to the county of the debtor's residence or principal place of business as shown on debtor's petition. If debtor has no residence or principal place of business within the district, then the case will be assigned to the county of location of the principal assets of a business debtor as shown in debtor's petition. If a debtor files a petition in this district but has no residence, principal place of business, or location of principal assets, and if selection of another place of holding court is not supported on the face of the petition or by separate affidavit, then the case will be assigned according to the county in the district which is closest to the debtor's residence or principal place of business or location of principal assets as shown in the petition.

(b)

Cases shall be assigned by the clerk to the following places of holding court:

- Cedar Rapids: Benton, Cedar, Delaware, Iowa, Jones, Linn, Tama
- Waterloo: Black Hawk, Bremer, Buchanan, Butler, Chickasaw, Fayette, Grundy, Howard, Winneshiek
- Dubuque: Allamakee, Clayton, Dubuque, Jackson
- Sioux City: Buena Vista, Cherokee, Clay, Crawford, Dickinson, Ida, Lyon, Monona, O'Brien, Osceola, Plymouth, Sac, Sioux, Woodbury
- Mason City: Cerro Gordo, Floyd, Franklin, Hancock, Hardin, Mitchell, Winnebago, Worth
- Fort Dodge: Calhoun, Carroll, Emmet, Hamilton, Humboldt, Kossuth, Palo Alto, Pocahontas, Webster, Wright

(c)

The Chief Bankruptcy Judge for the Northern District of Iowa shall assign through Administrative Order or otherwise, the appropriate judicial officer or officers to preside over cases assigned to the Cedar Rapids, Dubuque, Waterloo, Sioux City, Mason City, and Fort Dodge divisions.

(d)

Motion to Change Assignment

(1)

If a petitioner desires to have the case assigned to a different place than that provided under Local Rule 1073-1(a) and (b), the request must be made by motion filed at the time of the filing of the petition. The motion must state location of the usual assignment according to Local Rule 1073-1, the requested place of assignment, and the reason for the requested change. Petitioner must attach to the motion a copy of the creditor mailing matrix. Petitioner must serve the motion on the United States trustee by facsimile transmission (FAX) by no later than the time of the filing of the petition and motion and must file proof of service with the motion. The motion will be considered and determined without hearing by the bankruptcy judge to whom the case would have been assigned under Local Rule 1073-1(a) or (b).

(2)

If a party desires a change in the hearing location of any proceeding, the party must make the request by motion served upon all parties to the proceeding.

(3)

Notwithstanding Local Rule 1073-1(a) or (b), the presiding judge, in the interests of justice, may schedule a trial or hearing at any location within the district.

Rule 1074-1 CORPORATIONS - PETITION

A certified copy of the corporate resolution authorizing the filing of a corporation's petition must be attached to the original petition and to each copy.

Rule 1075-1 DISCLOSURE OF CORPORATE OWNERSHIP

(a)

With the exception of those documents/pleadings identified in Paragraph (b) of this rule, the disclosure statement requirements provided in [Fed. R. Civ. P 7.1](#) shall apply to each document that marks the initial appearance of a non-governmental corporation in a bankruptcy case or adversary proceeding.

(b)

Non-governmental corporations shall not be required to file a disclosure statement when filing Proofs of Claims or Reaffirmation Agreements in a voluntary or involuntary bankruptcy case.

(c)

Attorneys (or parties not represented by counsel) shall file ONE copy of the required disclosure statement as opposed to the two required by [Fed. R. Civ. P 7.1](#).

(d)

The Clerk shall issue a deficiency notice for each petition and initial document filed by a non-governmental corporation in a bankruptcy case or adversary proceeding that is not accompanied by the required disclosure statement, allowing 14 days for cure of the deficiency.

(e)

Failure of Attorneys (or parties not represented by counsel) to file the required disclosure statement within the time provided in the deficiency notice may result in either an Order striking the document from the record or dismissal of the case or proceeding