

Rule 9001-1 DEFINITIONS

The terms defined in [Fed. R. Bankr. P. 9001](#) shall have the same meanings when used in these Local Rules.

Rule 9004-1 GENERAL REQUIREMENTS OF FORM

(a)

A local rule may be cited as "Local Rule ____" or "L.R. ____."

(b)

Parties may cite unpublished decisions of this court in their briefs or memoranda. The decisions of this court are available on the court's public web site. The address of the web site is available from the clerk.

Rule 9006-1 TIME PERIODS - REDUCTION OR ENLARGEMENT

A request for the reduction or enlargement of a time period specified in the Federal Rules of Bankruptcy Procedure or these Local Rules shall state the grounds therefore and must be accompanied by a proposed order. The proposed order shall contain blanks relating to the time period under consideration.

Rule 9010-1 REPRESENTATIONS AND APPEARANCES - ATTORNEYS AND PRO SE PARTIES

(a)

Attorney Identification Number -- Initial Filing

The first paper filed in a case which is required to be signed by an attorney pursuant to [Fed. R. Bankr. P. 9011\(a\)](#) must contain the attorney's personal identification number. The number shall be one of the following: (a) the attorney's social security number; (b) the attorney's Iowa Bar Association number, or (c) a number to be assigned by the clerk upon specific application. The application for assignment of a personal identification number may be contained in an attorney's application to appear pro hac vice.

(b)

Attorney Information Required for All Filings

Every paper served or filed in a case which must be signed by an attorney pursuant to [Fed. R. Bankr. P. 9011\(a\)](#) shall contain below the attorney's signature the attorney's business address, business telephone number, business e-mail address, and business FAX number.

(c)

Pro Se Parties

(1)

Only an individual may appear on his or her own behalf (pro se). Artificial persons such as corporations and partnerships must be represented in any proceeding by a licensed attorney. Artificial persons need not be represented by an attorney in order to appear at the meeting of creditors held pursuant to [11 U.S.C. § 341](#) or to file proofs of claim, ballots in chapter 11 cases or acceptances or rejections of plans in cases under chapter 12 or 13.

(2)

Every paper served or filed by an entity not represented by an attorney shall contain the filer's address, telephone number, and if available, the filer's business e-mail address, and business FAX number.

Rule 9013-3 CERTIFICATE OF SERVICE - MOTIONS

Proof of service of all papers required or permitted to be served, other than those for which a method of proof is prescribed in the Federal Rules of Bankruptcy Procedure, shall be filed promptly with the clerk, and, in any event, before action is to be taken thereon by the court. The proof of service must show the date and manner of service and may be by written acknowledgment of service, by certification of a member of the bar of this court, by affidavit of the person who served the papers, or by any other satisfactory proof.

Rule 9014-1 CONTESTED MATTERS

(a)

Responses Required

(1)

If debtor intends to resist an objection to exemption or a motion for relief from stay, debtor shall file a response. See Local Rule [4003-1](#) and [4001-1\(c\)](#).

(2)

If the party intends to resist a motion to avoid lien, the party affected by the motion shall file a response. See Local Rule [4003-2](#).

(b)

Pleading

Rules [7008](#) and [7009](#) of the Federal Rules of Bankruptcy Procedure shall apply in contested matter proceedings.

(c)

Discovery

(1)

The following Rules of Civil Procedure as incorporated by [Fed. R. Bankr. P. 7026](#) and [9014](#) shall not be applicable to contested matter proceedings: [Fed. R. Civ. P. 26\(a\)\(1\)](#), [26\(a\)\(2\)\(B\)](#), and [26\(f\)](#).

(2)

The disclosures required by [Fed. R. Civ. P. 26\(a\)\(2\)\(A\)](#) (the disclosure of the identity of expert witnesses) and [26\(a\)\(3\)](#) (pretrial disclosures) shall be made in contested matter proceedings at the time of the exchange of exhibits under Local Rule 9070-1.

(3)

Local Rules [7033-1](#), [7036-1](#), and [7037-1](#) shall apply to contested matter proceedings.

Rule 9027-1 REMOVAL/REMAND

When an action is removed to the bankruptcy court, the party filing the notice of removal shall file with the notice a list of the following:

(a)

all pleadings or other papers filed in the case from which the cause of action or claim is removed;

(b)

all matters pending in state court which will require resolution in the bankruptcy court; and

(c)

the names of all attorneys who have appeared in the removed action, their addresses, phone, business e-mail address, business FAX number, and the names of the parties whom they represent.

Rule 9029-1 LOCAL RULES - GENERAL

Any Local Rule of this district is subject to modification by the presiding judge as may be necessary in the interests of justice or to meet the needs of a particular case or circumstance.

Rule 9036-1 NOTICE BY ELECTRONIC TRANSMISSION

(a) Electronic Notice

(1)

Electronic service of a Notice of Electronic Filing on a recipient that is a Filing User of the Electronic Case Filing System is the equivalent of service of the paper by first class mail, postage prepaid.

(2)

The Clerk of Court shall discontinue the practice of sending redundant paper notices to registered users of the CM/ECF system through the Bankruptcy Noticing Center (BNC), with the exception of the Notice of the Meeting of Creditors, which will continue to be sent in paper form through the BNC, and the transmission of notices by the Clerk will be deemed complete upon transmission.

(3)

Filing Users shall ensure that all electronic filing activities and submissions conform to the requirements of Local Rule [5005-4](#), and to the court's Administrative Procedures for Filing, Signing, Maintaining and Verifying Pleadings and Papers in the Electronic Case Filing System.

(b)

Notice of Preferred Address

(1)

An entity and a notice provider may agree that when the notice provider is directed by the Court to give a notice to that entity, the notice provider shall give the notice to the entity in the manner agreed to and at the address or addresses the entity supplies to the notice provider. That address is conclusively presumed to be a proper address for the notice. The notice provider's failure to use the supplied address does not invalidate any notice that is otherwise effective under applicable law.

(2)

The filing of a notice of preferred address pursuant to [11 U.S.C. §342\(f\)](#) by a creditor directly with the agency or agencies that provide noticing services for the Bankruptcy Court will constitute the filing of such a notice with the Court.

(3)

Registration with the National Creditor Registration Service must be accomplished through the agency that provides noticing services for the Bankruptcy Court. Forms and registration information are now available at <http://ncrs.uscourts.gov>. The registration form for use by creditors in filing notice of preferred address under [11 U.S.C. §342\(f\)](#) may be found at this address.

(c)

Notice by FAX

On any request to the court in which service of notice is required by the court, these Local Rules or the Federal Rules of Bankruptcy Procedure, the court may in addition to mailed notice require notice by FAX. If such notice is required by the court, the certificate of service filed with the court must include proof of such service.

Rule 9037-1 PRIVACY PROTECTION FOR FILINGS MADE WITH THE COURT

(a)

Names of Minor Children - On Schedule I of Official Bankruptcy [Form 106I](#), debtors shall list only the relationship and age of the debtor's dependents (i.e., son, age 6).

(b)

Financial Account Numbers - On Schedules D/E and F of Official Bankruptcy [Form 106 or 206](#), debtors may, if they so choose, include full account numbers to assist the trustee and creditors.

(c)

Redaction Responsibility - The responsibility for redacting personal identifiers rests solely with counsel and the parties. Neither the Clerk nor the Court will independently review each document for compliance with [Fed. R. Bankr. P. 9037](#).

Rule 9070-1 EXHIBITS

(a)

Marking Exhibits

Prior to the commencement of a trial or hearing, all exhibits to be offered into evidence shall be marked with exhibit labels. The original label shall be affixed to the exhibit which will be offered into evidence. The plaintiff or moving party shall identify its exhibits using consecutive numbers. The defendant or respondent shall identify its exhibits using consecutive letters. If there is more than one plaintiff, moving party, defendant or respondent, the parties shall agree as to a division of numbers or letters, and the exhibit labels should clearly identify the party by whom the exhibit is offered.

(b)

Exhibit List

A party offering an exhibit shall submit an Exhibit List which lists all of the exhibits which the party proposes to offer into evidence. The form of the [Exhibit List](#) is available from the clerk. Prior to the commencement of the trial or hearing, the list shall be delivered to the electronic court reporter operator (ECRO). Also prior to the commencement of the hearing or trial, the ECRO shall initial and date each exhibit label. Copies of the Exhibit List shall be made available for opposing counsel and the presiding judge.

(c)

The party offering an exhibit into evidence shall provide copies to each opposing counsel and to the court.

(d)

Exchanging Exhibits Prior to Trial

All exhibits must be served on opposing counsel at least 14 days prior to the date of the hearing or trial. The offeror shall promptly file proof of service. If a party who proposes to introduce an exhibit into evidence serves a copy of the offered exhibit on opposing counsel in accordance with this Rule, the exhibit will be admitted without further authentication or foundation, unless a party wanting to object to the offer serves and files a written objection at least 7 days prior to the commencement of the trial or hearing. The written objection must state the grounds for the objection. If trial or hearing is scheduled on an expedited basis, the motion seeking such expedition shall propose an expedited schedule for the exchange of exhibits.

(e)

Custody of Clerk

All exhibits which have been received shall remain in the custody of the clerk. Before judgment in the proceeding becomes final, exhibits may not be removed from the custody of the clerk without order of the court and the execution of a receipt.

(f)

Withdrawal or Destruction after Final Judgment

Unless the court orders otherwise or an appeal is filed, when judgment is final and is no longer subject to an appeal, exhibits may be claimed and withdrawn by the party to whom they belong. Any exhibits not claimed and withdrawn within 60 days may be destroyed or otherwise disposed of by the clerk. The clerk shall give the attorneys of record 14 days' notice of the clerk's intent to dispose of the exhibits.

(g)

Record of Withdrawal or Destruction

The clerk shall obtain and file a receipt specifying exhibits withdrawn from the clerk's custody. The clerk shall prepare and file a statement identifying all exhibits destroyed or otherwise disposed of, the date of the clerk's action and the date notice of intent to act was served on the attorneys of record.

Rule 9072-1 ORDERS - PROPOSED

(a)

Proposed Orders

(1)

Proposed orders may be submitted to the clerk for the consideration of the presiding judge. Proposed orders may be submitted when the request for relief is uncontested or when all parties agree to the relief granted in the proposed order.

(2)

Proposed orders must be submitted with the following requests for relief: extensions of deadlines, continuances, [Rule 2004](#) examinations, avoidance of liens on default, sustaining objections to exemptions on default, and where otherwise provided by these Rules or requested by the court.

(3)

Orders prepared by counsel and submitted to the clerk for the consideration of the presiding judge must be submitted as a separate document. The proposed order must indicate in the lower left-hand corner of the signature page the name of the attorney who prepared and submitted the order and the party whom the attorney represents. If the order exceeds one (1) page, additional pages shall be identified with the name of the debtor, the bankruptcy or adversary number and the order's page number.

(b)

Consent Orders

When parties to a proceeding desire to resolve a matter by the entry of an order, all parties or their attorneys must consent to the entry of the proposed order. The consent may be subscribed on the proposed order or it may be indicated by separate document attached or to be attached to the proposed order.

Rule 9073-2 HEARINGS - EXPEDITED

(a)

A request for an expedited hearing on any matter must be made in a separate motion filed with the motion or other pleading on which the party seeks expedited hearing or relief. The motion must specify why the expedited hearing is sought, including the nature of any emergency, and the time within which the hearing is sought.

(b)

A motion for expedited hearing or relief may be combined with a request to reduce notice under [Fed. R. Bankr. P. 9006](#).

Rule 9074-1 TELEPHONE CONFERENCES

(a)

A request for a telephonic hearing may be made by separate motion or in the motion, application, response, objection, or other paper necessitating the hearing. The caption's title must include a reference to the request.

(b)

A hearing will not be held by telephone if a party contemplates the examination of a witness or the offering of exhibits.