

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ALASKA

In the Matter of the Adoption
of Local Bankruptcy Rules

GENERAL ORDER NO. 01-02

FILED

SEP 21 2001

CLERK
U.S. BANKRUPTCY COURT

By _____
DEPUTY CLERK

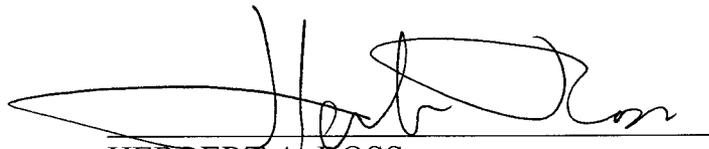
**ORDER ADOPTING LOCAL BANKRUPTCY RULES
AND FORMS FOR CM/ECF**

In accordance with the September 13, 2001, order of the United States District Court granting this court authority to amend local bankruptcy rules and forms,

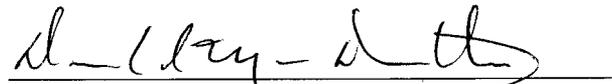
IT IS ORDERED that the attached Local Bankruptcy Rules 1007-1, 1009-1, 2002-1, 2015-2, 3016-1, 3016-2, 4008-1, 5003-1, 5005-2, 5074-1, 5075-1, 9004-1, 9013-1 and 9070-1, and Local Bankruptcy Form 37 [Declaration re: Electronic Filing of Petition, Schedules and Statements] for the United States Bankruptcy Court for the District of Alaska are adopted effective from and after **OCTOBER 1, 2001**. Rule 5005-2 is new; the other rules have been amended. Form 37 is new.

DATED: September 21, 2001.

BY THE COURT



HERBERT A. ROSS
United States Bankruptcy Judge



DONALD MacDONALD IV
Chief United States Bankruptcy Judge

Serve: W. Wolfe, Clerk of Court
C. Davidson, Librarian
Ray (for distribution)
T. Yerbich, Esq.

RULE 1007-1

MATRIX

(a) Format

A master mailing matrix shall accompany the petition. The matrix shall contain the names and addresses of all creditors of the debtor. The list of creditors thereafter updated by the clerk's office shall be referred to as the "Master Mailing List."

The format of the master mailing matrix shall be as follows:

- (1) 1 inch margins at the top, bottom and sides of the page. If the matrix is filed conventionally with the petition, it must be submitted on 8½ by 11 inch white, bond paper and, if possible, also submitted on a 3.5" floppy disk (saved in ASCII text).
- (2) Addresses will be in a single column, single spaced, using upper and lower case letters. Double space between addresses.
- (3) Names and addresses must be left justified, flush against the left margin.
- (4) Names must be listed last name first, followed by first name and middle name or initial (e.g., Jones, Mary J).
- (5) Each address must consist of no more than 5 total lines, each line containing 40 characters or less (including blank spaces).
- (6) Attention lines or account numbers may be placed only on the second line of the name/address entry, but must be omitted if the inclusion of this information will cause the entry to exceed five lines.
- (7) City, state and ZIP code must be on the last line, with the Zip code being the last entry on the last line for each creditor address.
- (8) All states must be two-letter abbreviations. Nine digit ZIP codes must contain a hyphen between the two groups of digits.
- (9) Do NOT use periods after middle initials, PO Boxes, USA, etc. Do NOT include page numbers, headers or footers on the matrix.
- (10) Type Style: 10 point or 10 pitch type size only. Courier 10 Pitch, Prestige Elite, and Letter Gothic are preferable. Avoid dot-matrix printing or proportionally-spaced fonts.

(11) The matrix should **not** include the debtor, debtor's attorney or panel trustee. The court will automatically add them to the list when the master mailing list is prepared.

(12) If a paper matrix is conventionally filed, the debtor's name must appear on the **reverse side** of each page of the matrix and shall indicate page ___ of ___ pages (with appropriate numbers).

(13) All amendments to the matrix (additions and deletions) should be in pleading format and have attached a matrix showing only the additions or deletions to the matrix, but in the in the same format as outlined above. The pleading must contain an unsworn declaration from the debtors in accordance with Rule 1008 of the Federal Rules of Bankruptcy Procedure, and the appropriate filing fee must be submitted with the pleading.

(b) Accuracy of Matrix

The debtor shall insure that the matrix accurately reflects the names and addresses of the debtor, debtor's attorney, and creditors and equity security holders listed on the debtor's schedules.

(c) Government Entity as Creditor

Whenever a governmental unit (federal, state, local government entity or political subdivision of the state, or any agency thereof) is scheduled as a creditor or as having a claim against the estate or the debtor, the governmental unit and, as a separate entity, its legal department, shall also be included on the mailing matrix and schedules. [*E.g.*, United States Attorney, Alaska Department of Law, Municipal Attorney.]

Related Provisions:

11 U.S.C. § 521(1)	Debtor's Duties
FRBP 1007	Lists, Schedules and Statements; Time Limits
FRBP 2002(j)	Notices to the United States
AK LBR 1002-1	Petitions
AK LBR 1007-2	Form of Schedules and Statements
AK LBR 1009-1	Amendment of Schedules and Matrix
AK LBR 5005-1	Place of Filing
AK LBR 9070-1	Number of Copies

Official Bankruptcy Form 1 — Voluntary Petition

Official Bankruptcy Form 4 — List of Creditors Holding 20 Largest Unsecured Claims

RULE 1009-1

AMENDMENT OF SCHEDULES AND MATRIX

(a) Schedule of Debts

(1) Requirements for Amendment. When the schedules are amended by a debtor to include additional creditors or equity security holders, the amendment shall be accompanied by a mailing matrix listing only those additional creditors and equity security holders, in the format required by AK LBR 1007-1(a)(13). An amended summary of schedules shall also be filed with the clerk. The amendment must be accompanied by the statutory filing fee. The same number of copies must accompany an amendment as accompanied the original.

(2) Notice to Newly Added Parties. Notice of the amendment must be given to the creditor or equity security holder, the trustee, any entity affected by it and the United States trustee. In addition to the notice required by Rule 1009, Federal Rules of Bankruptcy Procedure the amending party shall mail a copy of the notice issued by the court pursuant to Rule 2003, Federal Rules of Bankruptcy Procedure to the additional creditors or equity security holders.

(b) Schedule of Property Claimed as Exempt

Upon filing, copies of any amendment of Schedule of Property Claimed as Exempt shall be transmitted to the United States trustee and served on the trustee, any entity holding or claiming an interest in the property, and any attorney or party who has filed an appearance or demand for notice.

(c) Amendments to the Master Mailing Matrix

Amendments to the master mailing matrix must be in the format specified in AK LBR 1007-1(a)(13). A new master mailing list shall not be substituted for an existing one unless approved by the clerk or the court. The party amending the matrix must give notice to all newly added parties, the trustee, and the United States trustee, as provided in subsection (a)(2) above.

Related Provisions:

28 U.S.C. § 1930(b)	Statutory Fees
11 U.S.C. § 523(a)(3)	Effect of Not Listing or Scheduling a Creditor
FRBP 1009	Amendments of Voluntary Petitions, Lists, Schedules and Statements
FRBP 1019	Conversion of Cases
FRBP 2003	Meeting of Creditors or Equity Security Holders
FRBP 4003	Exemptions

AK LBR 1007-1
AK LBR 1007-2
AK LBR 5005-1
AK LBR 9070-1

Matrix
Form of Schedules and Statements
Place of Filing
Number of Copies

RULE 2002-1

NOTICES

(a) Party to Give

Unless otherwise ordered by the court, or as specifically provided in the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure or these Rules, notices will be served on the parties entitled to notice as follows:

(1) The Clerk of the Court will serve:

(A) In all cases under chapters 7, 9, 11, 12, and 13, the notices specified in Rules 2002(a)(1), (f)(1) and (f)(4)-(6), Federal Rules of Bankruptcy Procedure;

(B) In all cases under chapters 7 and 13, the notices specified in Rule 2002(f)(2)-(3) and 4004(g), Federal Rules of Bankruptcy Procedure; and

(C) In all other instances where notice is authorized or directed by the Administrative Office of the U.S. Courts to be given through the Bankruptcy Noticing Center.

(2) The case trustee will serve the notices specified in Rule 2002(a)(4) and (f)(8), Federal Rules of Bankruptcy Procedure.

(3) All other notices will be served by the party requesting an order or other act.

(b) Content of Notices

(1) Unless otherwise provided in the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, or these rules, whenever the Code or Rules authorize any act, or authorize the court to enter an order, "after notice and hearing" or a similar phrase, the party giving the notice must state in the notice:

(A) That the act may be performed or the court may enter an order without an actual hearing unless a party in interest serves and files an objection in writing within a specified time; or

(B) That the court has entered the order or authorized the act to be done without a hearing.

(2) Notice of any Application, Motion, Stipulation or other matter of any kind that requires notice is to be given by the initiating party and, unless otherwise elsewhere specified by statute, Federal Rules of Bankruptcy Procedure or Local Rule, must include:

(A) a summary, fairly summarizing the relief requested, which must include an accurate legal description of any real property involved, list of any personal property or intangibles involved, amounts of money and from whom claimed, to whom to be paid or delivered, and the basis for seeking the relief;

(B) Date by which a response is due;

(C) Place or addresses upon which any response is to be made;

(D) Date and time of any hearing set; and

(E) Unless contained in the information required by subparagraph (2)(A), an accurate, complete description of any real property, personal property or intangibles involved.

(3) Double-sided copying may be used to reduce costs of notice.

(c) To Whom Given

(1) Except as otherwise specifically provided by the rules or ordered by the court, "Notice," as used in these rules shall mean notice by first class mail to all creditors, equity security holders, indenture trustee, the debtor, the debtor's attorney, the attorney or chair of any committee appointed in the case, any other parties in interest, and any other person or entity known to have or claim a legal or equitable interest in the subject matter of the noticed matter. Electronic service of a notice upon a party in accordance with AK LBR 5005-2(e) is deemed the equivalent of notice by first class mail upon that party.

(2) The addresses utilized in notices to creditors, equity security holders or indenture trustees shall be the addresses allowed in accordance with Rule 2002(g), Federal Rules of Bankruptcy Procedure. A master mailing list of names and addresses, filed pursuant to Local Rule and updated in accordance with Rule 2002(g) may be obtained from the clerk. Notice required to be given to all creditors is presumed to be appropriate if mailed to all entries on a master mailing list [certified updated by the clerk within twenty (20) days of the notice].

(3) Whenever less inclusive notice is provided for by the rules or order of the court, as an alternative, service may be made on the master mailing list.

(d) Telephonic/Facsimile Notice of Emergency Motions and Hearings

Notwithstanding the provisions of subdivisions (b) and (c), the court may allow telephonic and/or facsimile notice of emergency motions and hearings for cause shown.

(e) Certificate of Service

After giving notice, the noticing party must file as soon as practicable, but in no event less than five (5) days prior to the date objections or responses are to be filed, unless otherwise ordered, the notice and an affidavit of mailing with a list of persons, and their addresses, to whom the notice was sent. If notice to all creditors is required, the court will enter an order based on that notice only if the list of persons to whom the notice was sent is a copy of the [certified] master mailing list described in paragraph (c)(2).

(f) Certificate of No Objections

A party that has complied with the requirements of this Rule and received no objection to its request, may submit a certificate of no objections and request entry of an order. The certificate, signed under penalty of perjury, must substantially conform to AK LBF 4.

Related Provisions:

FRBP 2002	Notices to Creditors, Equity Security Holders, United States, and United States Trustee
FRBP 9007	Authority to Regulate Notices
FRBP 9014	Contested Matters
FRBP 9019	Compromise and Settlement
FRBP 9034	Transmittal of Pleadings, Motion Papers, Objections, and Other Papers to the United States Trustee
FRBP 9036	Notice by Electronic Transmission
AK LBR 1007-1	Matrix
AK LBR 1009-1	Amendment of Schedules and Matrix
AK LBR 2081-1(b)	Status Conferences in Chapter 11 Cases
AK LBR 5005-2	Electronic Case Filing
AK LBR 5075-1(b)	Delegation of Ministerial Orders and Notices
AK LBR 7016-1(e)	Pretrial Procedures
AK LBR 9021-1(c), (e)	Orders, Findings, Conclusions, Judgments
AK LBR 9036-1	Request for Notice by Electronic Transmission
AK LBR 9075-1	Hearings; Trials
AK LBF 4	Certificate of No Objections
AK LBF 7	Bankruptcy Court Calendar Request
AK LBF 11	Notice of Application for Order
AK LBF 17	Notice of Application for Approval of Stipulation or Settlement Agreement
AK LBF 18	Notice of Application for Order of Dismissal or Conversion of Case

RULE 2015-2

FINANCIAL REPORTING REQUIREMENTS

(a) Cooperation with United States Trustee

The trustee or debtor in possession in chapter 11 cases, debtors in business chapter 13 cases, and debtors in chapter 12 cases are required to cooperate with the United States trustee by furnishing all information the United States trustee requires to supervise the administration of the estate. All debtors in possession and trustees must use forms substantially complying with the forms for financial reporting established and periodically revised by the United States trustee, unless the United States trustee authorizes in writing modifications in a particular case for good reason.

(b) Filing

In chapter 11 and 13 cases, one paper copy of each original financial report, whether such report is filed conventionally or electronically, must be submitted to the clerk. If the original financial report is filed conventionally, the paper copy must accompany the original. If the original report is filed electronically, the paper copy must be hand delivered or placed in the mail to the clerk within one business day of the date the original is filed.

(c) Public Review

Copies of all financial reports filed are to be available for review during normal business hours by any interested party at the office of counsel for the debtor in possession (or the trustee, if one is appointed) and the principal place of business of the debtor (or the trustee, if one is appointed).

Related Provisions:

11 U.S.C. § 704	Duties of Trustee
11 U.S.C. § 1106	Duties of Trustee and Examiner
11 U.S.C. § 1107	Rights, Powers, and Duties of Debtor in Possession
11 U.S.C. § 1302	Trustee
FRBP 2015(a), (c)(1)	Duty to Keep Records, Make Reports and Give Notice of the Case — Trustee or Debtor in Possession, Chapter 13 Trustee
AK LBR 3015-1	Chapter 13 Plans

RULE 3016-1

CHAPTER 11 DISCLOSURE STATEMENT

(a) Filing

A disclosure statement must be filed concurrently with the plan.

(b) Table of Contents

All disclosure statements must contain a table of contents which fully lists the headings and subheadings set forth in paragraph (c) of this Rule with appropriate page numbers.

(c) Debts Exceeding \$2,000,000

For all chapter 11 debtors having aggregate noncontingent liquidated secured and unsecured debts as of the date the petition is filed exceeding \$2,000,000, the disclosure statement must include information covering the following topics, when applicable or unless otherwise ordered by the court:

(1) Short history of the business activities of the debtor covering the five-year period preceding the petition filing date, or such shorter period as the debtor has been operating its business;

(2) General nature of the business transacted and to be transacted by the debtor;

(3) A complete description of equity interests, including authorized and outstanding stock, number and classes of shares, par value thereof, description of the voting rights and other properties or attributes of the stock and any outstanding options;

(4) Names and addresses of all persons owning more than 10 percent of any equity interest and the percentage so held;

(5) For corporations, a listing of parent, subsidiary and "brother-sister" corporations, and for partnerships and limited liability companies, a listing of all corporations, partnerships and limited liability companies in which the partnership or limited liability company holds more than 10% of any interest therein and all partnerships in which any general partner or manager of a limited liability company or combination of general partners or managers of the debtor hold(s) 25%, or more, interest as a general partner or manager, or any other related entity;

(6) Complete description of the business, including—

(A) competitive conditions in the industry and debtor's competitive condition,

(B) dependence upon one or more customers for more than 10 percent of debtor's annual gross revenue,

(C) principal product(s) and/or services,

(D) method(s) of marketing of product(s) and/or services,

(E) current backlog of business (*e.g.* current orders for products or services or current uncompleted contracts to provide products or services) and comparable figures for the same time during each of the 2 years preceding the date the plan is filed,

(F) if a manufacturing or fabricating business, source and availability of raw materials, and if a retail or wholesale business, source and availability of goods or product sold in the ordinary course of business,

(G) existence and significance of any patents, trademarks, licenses, franchises and concessions,

(H) nature, scope and importance of any research and development activities,

(I) number of persons employed by category (*e.g.*, executive officers, supervisory personnel, production personnel, sales personnel),

(J) seasonal nature of business,

(K) description of any foreign operations, and

(L) governmental regulatory agencies having jurisdiction over debtor's operations, including the nature of the regulatory supervision and any problems encountered or anticipated;

(7) Description of any pending and anticipated legal or administrative proceedings,

(8) Description of securities to be issued, if any, and consideration to be received in connection with the issuance;

(9) Information regarding officers and directors of a corporation, general partners of a partnership, or managers of a limited liability company to be continued in office upon confirmation of the plan, including—

(A) name and position held,

(B) familial relationship, if any, to other officers, directors, general partners or managers,

(C) complete disclosure of all remuneration, including salaries, bonuses, fringe benefits, and stock options, and

(D) whether or not each individual is an "insider";

(10) Financial information, which accurately sets forth—

(A) summaries of tax returns for the three tax years preceding the date the plan is filed,

(B) current balance sheet, including all appropriate footnotes and assumptions,

(C) projected balance sheet applicable upon confirmation of the plan, including all appropriate footnotes and assumptions,

(D) income statements accurately reflecting debtor's income and expenses since the fiscal year of the debtor's last tax return until two months prior to the filing of the disclosure statement,

(E) income/expense and cash flow projections of operations over the term of the payment to unsecured creditors or 5 years, whichever is less, including all assumptions underlying those projections,

(F) a schedule of payments to be made towards obligations undertaken by the debtor as part of the plan,

(G) a description of the debtor's working capital position and any changes thereto expected to occur within the first 12 months of the plan,

(H) brief explanation of the tax consequences, if any, of the plan confirmation,

(I) if applicable, income and expense information for each profit center, line of business and class of similar products or services,

(J) attorney and professional fees for debtor and all payments made or expected to be made for services in connection with the case or plan,

(K) if the plan calls for the liquidation of real or personal property in conjunction with the plan, current values of the property to be liquidated,

(L) source of financial information in ¶¶ (A) — (K) hereof and the qualifications of the source,

(M) a list, by the classes established in the plan and alphabetically within each class, of all claims and interests for which proofs of claim have been filed or deemed filed in the case that are allowed or deemed allowed. The list must include the name of the holder of each claim or interest and the claimed or deemed allowed amount of each claim or interest,

(N) a list of all disputed, contingent and unliquidated claims for which the claimants have filed proofs of claim and a discussion of the impact, if any, the allowance of these claims will have on the plan, debtor and other parties in interest, and

(O) liquidation analysis with a specific description of all assumptions underlying the analysis;

(11) Description of the plan, how it is to be implemented and its effect on all classes of creditors and equity interests;

(12) Description of management to be retained and compensation to be paid, including as a minimum—

(A) for corporations, the chief executive officer, chief operating officer, chief financial officer, and general managers of any facility, division or department,

(B) for limited partnerships, the general partners and any general manager of any facility, division or department,

(C) for general partnerships, the managing partner or members of any management committee, and general managers of any facility, division or department,

(D) for limited liability companies, any manager or member; and

(E) for individuals the debtor and any person holding a position comparable to the chief executive officer, chief operating officer, chief financial officer or general manager of a corporate entity;

(13) Any dividends, draws or other payments, other than as compensation as set forth in ¶ (c)(12) or reimbursement of expenses incurred in the ordinary course of debtor's business, contemplated to be made to, or for the benefit of, equity security holders, partners, members, or individual debtors;

(14) Transactions with insiders and potential conflicts of interest involving each member of management for which disclosure is made under paragraph (b)(12) of this rule, and of every shareholder, partner or member holding more than a 10% equity or profits interest in debtor, including—

(A) full particulars of the nature and extent of the interest of such persons in any property acquired other than in the ordinary course of business of the debtor within two years preceding the filing of the petition,

(B) description of management contracts and any contracts made other than in the ordinary course of business with such persons,

(C) loans made to or obligations incurred by such persons,

(D) any guarantees of indebtedness by or for such persons,

(E) transactions with such persons that are necessary to, or contemplated by the plan;

(15) Information concerning changes occurring within the 12 months preceding the disclosure statement affecting revenue and expenses, including—

(A) product mix,

(B) added, discontinued or significantly modified operations,

(C) advertising, research, development, product introduction or deletion, or other discretionary costs,

(D) acquisition or disposition of any material asset other than in the ordinary course of business,

(E) material extraordinary charges or gains, including charges associated with any discontinuation of operations, and

(F) material changes in assumed investment return;

(16) Information concerning changes expected to occur with the first 12 months of the plan affecting revenue and/or expenses, including any closing of a facility, branch or other material interruption, completion of a material contract, or any event that will materially reduce or increase revenues in subsequent periods (as used herein, "materially" means a change of 10 or more percentage points);

(17) Other information, including—

- (A) extraordinary risk factors,
- (B) nondischargeable debts (individuals only),
- (C) effect of plan on retiree benefits, if any,
- (D) brief explanation of the cause of debtor's financial difficulties and the reason(s) such difficulties are not expected to recur during the life of the plan,
- (E) vote required for acceptance of the plan, and
- (F) disposition of equity interests in corporate, partnership, or limited liability company debtors.

(d) Debts not Exceeding \$2,000,000

In cases having aggregate noncontingent liquidated secured and unsecured debts not exceeding \$2,000,000 as of the date the petition is filed, the disclosure statement must as a minimum include information from the following paragraphs of subdivision (c) of this rule: (1), (2), (3), (7), (9), (10), (11), (12), (13), (14), and (17).

(e) Consultation with United States Trustee

Unless waived by the United States trustee, not less than seven (7) days before the plan and disclosure statement are filed, counsel for the proponent or the proponent will consult with the United States trustee regarding the proper formulation of a plan and disclosure statement.

Related Provisions:

11 U.S.C. § 1125	Postpetition Disclosure and Solicitation
FRBP 2002	Notices
FRBP 3016	Filing of Plan and Disclosure Statement in Chapter 9 Municipality and Chapter 11 Reorganization Cases
FRBP 3017	Court Consideration of Disclosure Statement in Chapter 9 Municipality and Chapter 11 Reorganization Cases
AK LBR 3016-2	Chapter 11 Plans
AK LBR 3017-1	Hearing on Chapter 11 Disclosure Statement
AK LBR 5005-1	Place of Filing
AK LBR 9001-1	Meaning of Words and Phrases
AK LBR 9070-1	Number of Copies

RULE 3016-2

CHAPTER 11 PLAN

(a) Table of Contents

All plans shall contain a table of contents which appropriately lists the headings and subheadings of the plan with page numbers.

(b) Substantial Consummation

A chapter 11 plan of reorganization shall clearly set forth what events or acts the plan proponent considers as constituting substantial consummation of the plan, as defined in § 1101(2) of the Code.

(c) Liquidating Plans

If the plan provides for liquidation of property of the estate, it shall:

(1) set forth the date certain by which liquidation must occur and shall provide for an alternative if liquidation does not occur by the date so set; and

(2) if the debtor is an individual, indicate whether the debtor will engage in business after consummation of the plan.

(d) Notes

If the plan calls for definite payments to unsecured creditors over time, contain a provision calling for the issuance of promissory notes or individualized statements memorializing the amount of the claims and the payments due over the life of the plan.

(e) [deleted]

Related Provisions:

11 U.S.C. § 1101	Definitions for this Chapter [11]
11 U.S.C. § 1121	Who May file a Plan
11 U.S.C. § 1122	Classification of Claims or Interests
11 U.S.C. § 1123	Contents of Plan
11 U.S.C. § 1124	Impairment of Claims or Interests
11 U.S.C. § 1141	Effect of Confirmation

FRBP 3016	Filing of Plan and Disclosure Statement in Chapter 9 Municipality and Chapter 11 Reorganization Cases
FRBP 3021	Distribution Under Plan
FRBP 4004(a)	Time for Filing Complaint Objecting to Discharge; Notice of Time Fixed
AK LBR 3016-1	Chapter 11 Disclosure Statements
AK LBR 3019-1	Modification of Chapter 11 Plan
AK LBR 3020-1	Chapter 11 Confirmation Hearing
AK LBR 5005-1	Place of Filing
AK LBR 9070-1	Number of Copies

RULE 4008-1

REAFFIRMATION

(a) General

A reaffirmation hearing will not be required in all individual chapter 7 cases where the debtor(s) is(are) represented by counsel. The court will enter a discharge as soon as appropriate without regard to whether reaffirmation agreements have been entered into in accordance with § 521(2) of the Code. It is the duty of counsel for the debtor, the debtor, and the creditor whose obligation is to be reaffirmed to assure compliance with the technical requirements of § 524(c) of the Code.

(b) Delay of Entry of Discharge

Entry of discharge may be delayed to accommodate entry into a reaffirmation agreement for a period not to exceed thirty (30) days upon *ex parte* motion filed by the debtor. On *ex parte* motion of the debtor within the 30-day period, the court may defer entry of discharge to a date certain.

(c) Service of Original or Conformed Copy

(1) If a reaffirmation agreement is filed conventionally, the party filing the agreement must submit an envelope of an adequate size (minimum size of 4 1/8 by 10 1/2 – “Number 10”) and bearing sufficient first class postage (stamped, not metered postage) to permit the clerk to return the original agreement, once entered on the docket and imaged (scanned) by the clerk, to the creditor or creditor’s attorney.

(2) If a reaffirmation agreement is filed electronically, the party filing the agreement must serve a true and correct copy of the agreement, together with a copy of the Notice of Electronic Filing generated by the ECF System for such agreement, upon the other party or the party’s counsel.

Related Provisions:

11 U.S.C. § 521(5)	Duty of Debtor to Attend Reaffirmation Hearing
11 U.S.C. § 524(d)	Reaffirmation Hearing
FRBP 4004(c)	Grant of Discharge
FRBP 4008	Reaffirmation and Discharge Hearing
AK LBR 9075-1	Hearings; Trials

RULE 5003-1

ACCESS TO COURT RECORDS AND BUSINESS HOURS

(a) Records — Custody of the Clerk

All records of the court will remain in the custody of the Clerk. The record for any open case and any case in the Electronic Case Filing System will be available for inspection by the public during regular business hours at the Office of the Clerk, 605 West Fourth Avenue, Suite 138, Anchorage, Alaska without charge. Permission of the clerk is required for removal of any record.

(b) Research by Court Personnel

Requests for research of any record by court personnel shall be in writing and accompanied by the statutory fee.

(c) Maintenance of Duplicate Files for Public Inspection at Satellite Locations

(1) For cases outside the Anchorage area:

(A) Every debtor in a case having its location for hearings in one of the satellite locations (Fairbanks, Juneau, Ketchikan, or Nome) and having an attorney who maintains an office at that location, shall maintain at that attorney's office a duplicate file of all pleadings that are filed or received by the debtor in the main case and any adversary proceedings in which the attorney has appeared on behalf of the debtor.

(B) If the debtor is not represented by an attorney with an office at the location of the hearings, a duplicate file shall be maintained at the address of the debtor at that location, if the debtor maintains an office.

(2) The purpose of the files is to allow research by interested parties at the location of the case, without having to resort to reviewing the official files in Anchorage.

(3) The duplicate files at the satellite location shall be open for inspection by any interested party during regular business hours upon reasonable notice.

(d) Business Hours

Regular business hours shall be from 9:00 a.m. to 4:30 p.m., Monday through Friday, except federal holidays, and days designated as holidays by the Chief Judge of the United States District Court or the Administrative Office of the United States Courts.

Related Provisions:

11 U.S.C. § 107
28 U.S.C. § 1930(b)

Public Access to Papers
Bankruptcy Fees

FRCP 77(c)

Clerk's Office and Orders by Clerk

FRBP 9006
FRBP 5001
FRBP 5003

Time
Courts and Clerks' Offices
Records Kept By the Clerk

RULE 5005-2

ELECTRONIC CASE FILING

(a) Procedures.

The filing of documents in electronic format will be in accordance with this rule and the electronic filing procedures promulgated by the Clerk of the Court. Participants in the Electronic Case Filing (“ECF”) System are responsible for ensuring that current filing procedures are followed.

(b) Registration of Attorneys.

(1) *Registration.* Each attorney admitted to practice before the court, including those attorneys who have been admitted *pro hac vice* under AK LBR 2090-1(b), is entitled to one ECF System password to permit the attorney to participate in the electronic retrieval and filing of pleadings and other papers in accordance with the ECF System. An attorney may become registered to participate in the ECF System upon completion of training and submission of an Attorney Certification for CM/ECF form to the court.

(2) *Consent to Electronic Notice.* Participation in the ECF System by receipt of a password from the Court, constitutes a request for service and notice electronically under Rule 9036, Federal Rules of Bankruptcy Procedure. Participants in the ECF System, by receiving a password from the court, agree to receive notice and service by electronic means in each case in which they have formally appeared as a party or attorney for a party.

(3) *Unauthorized Use of Passwords.* No attorney/participant may knowingly permit or cause to permit his/her password to be utilized by anyone other than an authorized employee of his/her law firm. No person may knowingly utilize or cause another person to utilize the password of a registered attorney unless the person is an authorized employee of the law firm.

(4) *Compromised Password.* Each participant in the ECF System is responsible for maintaining the integrity of his/her password. In the event a participant has reason to believe that the password issued to the participant has been compromised or otherwise may be subject to use by an unauthorized person, the participant must immediately cancel the existing password and issue a new password. The participant must also promptly notify the Clerk of the Court in writing of the change.

(5) *Withdrawal.* A participant may withdraw from participation in the ECF System by providing the Clerk of Court with written notice of withdrawal. Upon receipt, the Office of the Clerk will immediately cancel the participant’s password and delete the participant from any applicable electronic service list.

(c) Signatures.

(1) *Attorney.* The electronic filing of a petition, pleading, motion or other paper by an attorney who is a registered participant in the ECF System constitutes the signature of that attorney under Rule 9011, Federal Rules of Bankruptcy Procedure.

(2) *Debtors.* For all petitions, lists, schedules and statements requiring the signature of the debtor(s) that are filed electronically, a Declaration Re: Electronic Filing, AK LBF 37, must be prepared by the participant, bearing the original signatures of the debtor(s) and their attorney. The declaration constitutes the debtor(s) original signatures for filing purposes. The original declaration must be conventionally filed with the Bankruptcy Court within fifteen (15) days of the date the petition is electronically filed.

(3) *Other Documents.* Amendments, pleadings, affidavits, and other documents that must contain original signatures or require verification under Rule 1008, Federal Rules of Bankruptcy Procedure or an unsworn declaration as provided in 28 U.S.C. § 1746, are to be filed electronically. The original signed document must be maintained by the attorney of record or the party originating the document for a period of not less than five (5) years after the case is closed. Upon request, the original document must be provided to other parties or the court for review. Unless the pleading or paper being electronically filed is an imaged (scanned) document bearing a digital copy of the original signature, it must indicate that it has been signed by means of a signature designation: *e.g.*, "/s/ Jane Doe."

(d) Electronic Filing.

(1) *Mandatory Electronic Filing.* Except as expressly otherwise provided in this Rule or in exceptional circumstances that prevent a participant from filing electronically, all petitions, motions, pleadings, memoranda of law, or other documents required to be filed with the court in connection with a case assigned to the ECF System must be electronically filed by participants in the ECF System. Parties and attorneys who are not participants in the ECF System will continue to file all pleadings and papers conventionally.

(2) *Related Documents.* All documents must be filed separately, except that exhibits to a document must be filed as attachments to that document under the same docket number. Where documents related to a motion or other pleading are being filed concurrently with the motion or other pleading, *e.g.*, a motion, memorandum of law and a supporting affidavit, the related documents must be filed separately and shown as being a document related to the motion or other pleading. If documents being submitted electronically have lengthy exhibits, the filing of relevant excerpts of the exhibits is preferred and permitted without prejudice to the right of any party to file additional excerpts or the complete exhibit with the court at any time.

(3) *Emergency Motions.* Emergency motions, supporting pleadings and objections are to be filed electronically as provided in this rule. The party filing the motion must promptly advise the judge's law clerk or secretary of the filing telephonically.

(4) *Proposed Orders, Findings and Judgments.* Unless otherwise ordered by the court, participants in the ECF System must submit all proposed orders, findings of fact and conclusions of law and judgments electronically, in accordance with the CM/ECF Administrative Procedures Guide. A participant who submits such documents electronically may reduce the number of first class postage stamped envelopes required to be submitted to the court under AK LBR 9021-1(c)(1)(B) for any party entitled to service of the document who is also a participant in the ECF System in the case for which the document is being submitted.

(5) *Calendar Requests.* Unless otherwise ordered by the court, participants in the ECF System must submit all Bankruptcy Court Calendar Requests, AK LBF 7, electronically, in accordance with the CM/ECF Administrative Procedures Guide. A participant who submits a calendar request electronically is not required to submit self addressed, stamped envelopes to the court as required by AK LBF 9075-1(c)(1).

(e) Service.

The filing party must serve the pleading or other paper being electronically filed upon all persons entitled to notice or service in accordance with otherwise applicable rules. If a person entitled to notice or service is a registered participant in the ECF System in the case in which the pleading or other paper is being filed, service by electronic means of the Notice of Electronic Filing is deemed the equivalent of service of the pleading or other paper by first class mail, postage prepaid. Notwithstanding the foregoing, service of a summons and complaint filed in an adversary proceeding or an involuntary bankruptcy proceeding shall continue to be made pursuant to Fed. R. Bankr. P. 7004.

(f) Docketing.

(1) *Entry on Docket.* The electronic filing of a pleading or other paper in accordance with ECF System Procedures constitutes entry of that pleading or other paper on the docket kept by the clerk under Rule 5003, Federal Rule of Bankruptcy Procedure.

(2) *Notice to Filing Party.* Whenever a pleading or other paper is filed electronically in accordance with ECF System Procedures, the System will automatically generate a "Notice of Electronic Filing" by electronic means at the time of docketing.

(3) *Entry of Orders and Judgments.* The Office of the Clerk will enter all orders, decrees, judgments, and proceedings of the court in accordance with ECF System Procedures, which constitutes entry of the order, decree, judgment, or proceeding on the docket kept by the clerk under Rule 9021, Federal Rules of Bankruptcy Procedure. On all orders submitted electronically, the Office of the Clerk will place the notation "**FILED ON _____**" on the first page of the order, and will insert the date that the order is entered on the docket. The date so inserted will be the equivalent of the conventional "date filed" stamp for all purposes.

(4) *Titles.* The person electronically filing a pleading or other document will be responsible for designating a title for the document by using one of the categories contained in the ECF System.

(g) Documents not to be Filed Electronically.

The following documents are to be filed conventionally and not electronically unless specifically authorized by the court:

(1) *Documents to be Filed under Seal.* A motion to file document(s) under seal is to be filed electronically; however, the actual document(s) to be filed under seal must be filed conventionally. A paper copy of the motion to file document(s) under seal or, if the motion has been granted, a paper copy of the order authorizing the document(s) to be filed under seal, must be attached to the document(s) to be filed under seal at the time the documents are delivered to the Office of the Clerk.

(2) *Exhibits to Pleadings.* Wherever possible, documents being filed as exhibits, including but not limited to leases, notes, and the like, should be electronically imaged (*i.e.*, "scanned") and filed as part of the document referring to the exhibit using Portable Document Format (PDF). Exhibits that are not available in electronic form are to be filed conventionally, attached to a copy of the Notice of Electronic Filing for the electronically filed document to which the exhibit(s) relate.

(3) *Proofs of Claim.* Proofs of Claim and all supporting documents are to be filed conventionally.

(4) *Summons to be Issued by the Clerk.* All summons to be issued by the Clerk are to be filed conventionally.

(5) *Trial and Hearing Exhibits.* Exhibit lists, to the extent that the filing thereof is otherwise required by applicable rules of bankruptcy procedure, are to be filed electronically. However, the actual exhibits are to be submitted conventionally in accordance with otherwise applicable rules of bankruptcy procedure.

(6) *Transcripts.* Whenever possible, transcripts, or the relevant portions thereof, should be electronically imaged (*i.e.*, "scanned") and filed as part of the document referring to the transcript using Portable Document Format (PDF). Transcripts that are not available in electronic form are to be filed conventionally, attached to a copy of the Notice of Electronic Filing for the electronically filed document to which the transcript(s) relate.

(7) *Report of Balloting.* The certification of balloting, with original ballots attached, which must be filed pursuant to AK LBR 3018-1, must be filed conventionally.

(8) *Service of Conventionally Filed Documents.* Pleadings or other documents filed conventionally pursuant to this subsection must be served in the manner provided for in, and on those parties entitled to notice in accordance with, the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rules except as otherwise provided by order of the court.

(h) Fees.

Unless other arrangements are made with the Clerk of Court, any required fee for a document filed electronically must be mailed to the Clerk of the Court not later than the next business day or hand delivered to the Clerk of the Court not later than the second business day next immediately following the electronic filing.

(i) Copies and Certified Copies.

Conventional copies and certified copies of electronically filed documents may be obtained at the Office of the Clerk, 605 West Fourth Avenue, Room 138, Anchorage, Alaska 99501-2296. A fee for copying and certification will be charged and collected in accordance with 28 U.S.C. § 1930.

(j) Technical Failures.

If a participant in the ECF System is unable to transmit a time-critical document for electronic filing, due to technical failure of either the ECF System or the participant's system, or due to Internet congestion or Internet service provider problems, the participant must promptly contact the Clerk of the Court and make arrangements for conventional filing of the document. Unless exceptional circumstances exist which prevent the document from being transmitted during regular business hours, as defined in AK LBR 5003-1(d), the participant must make every effort to transmit any time-critical document during such regular business hours on the date the document is due.

(k) Consequences for Noncompliance.

(1) *Effect of Failure to Make Payment.* In the event of nonpayment of the fee for filing a petition, the petition may be dismissed by the court after a hearing on shortened time of not less than five (5) days notice. In all other matters, if the required fee is not paid as provided in subsection (h) above, the motion or application for which the fee is required will be deemed withdrawn by the party making the motion or application and, except as may be otherwise ordered by the court for cause, no further proceedings on the motion or application will take place. Notice of the deemed withdrawal will be given electronically by the Clerk of the Court to all interested parties in the case who have requested notice by electronic means. The party who filed the motion or application must, no later than two business days thereafter, give notice of the deemed withdrawal to all parties in interest to whom notice of the motion or application was given.

(2) *Effect of Failure to File Declaration Re: Electronic Filing.* In the event that a participant fails to timely file the Declaration Re: Electronic Filing, AK LBF 37, as provided in

subsection (c)(2) above, the petition may be dismissed by the court after a hearing on shortened time of not less than five (5) days notice.

(3) *Other Consequences.* In addition to the foregoing, any misuse of the ECF System, or intentional noncompliance with its requirements, may result in revocation of the participant's login and password privileges and/or the imposition of sanctions as provided in District of Alaska Local Rule 1.3.

RULE 5074-1

FACSIMILE FILING/SERVICE

(a) Acceptance of Facsimile Pleadings

A pleading, complaint or petition may be accepted as timely filed by transmission to the court facsimile machine on time critical matters under the following criteria:

- (1) Prior authorization must be received from one of the following court personnel: Judge, law clerk, clerk of court, or chief deputy;
- (2) A cover sheet with a brief statement of time critical status;
- (3) A fee as established by the clerk of court; and
- (4) Original pleading must be filed within five (5) business days of facsimile authorization, together with the required fees.

(b) Service by Facsimile

In appropriate cases, upon showing of good cause, notice by facsimile may be permitted.

(c) Notice

A facsimile copy of any document filed with the clerk of court across the counter shall be accompanied by a notice stating that the document is a facsimile, explaining why the original document cannot be filed, and indicating when the original will be filed with the court.

(d) Petitions with Facsimile Signatures.

A petition bearing a facsimile signature of the debtor(s), filed with the Clerk of Court across the counter on a time critical basis, will be treated as a facsimile pleading subject to the fee provided in subsection (a)(3) above.

Related Provisions:

FRBP 9006(a)

Time — Computation

RULE 5075-1

DELEGATION OF MINISTERIAL ORDERS AND NOTICES

(a) Delegation

The clerk of the court and such deputies as the clerk may designate are authorized to sign and enter without further direction the following orders and notices, which are deemed to be of a ministerial nature:

- (1) Orders and notices that establish meeting and hearing dates required or requested by a party in interest under the Code, including orders which fix the last dates for the filing of pleadings by parties in interest as to various matters, including objections to discharge and confirmations of plans, complaints to determine dischargeability of debts, and proofs of claim.
- (2) Final decrees closing cases and discharging the trustees in all cases for which the trustee has reported that there is no estate to administer or for which an order has been entered by a Judge approving the final report and account of the trustee.
- (3) All motions and applications in the clerk's office for issuing summonses, subpoenas, or other mesne process, for issuing final process to enforce and execute judgments, and for other proceedings which do not require allowance or order of the court, are granted as a matter of course by the clerk; but the action of the clerk may be suspended or altered or rescinded by the court upon cause shown.
- (4) **[deleted].**
- (5) Form notices concerning: the entry of an order for relief, the dismissal of a case, the revocation of the discharge of a debtor, the filing of amended schedules, conversion of the case, asset determination and the need to file proofs of claim, and form notice for fees due.
- (6) Orders permitting the payment of filing fees in installments and fixing the number, amount, and date of payment of each installment.
- (7) Orders on consent for the substitution of attorneys.
- (8) Orders on consent satisfying a judgment.
- (9) Orders entering default for failure to plead or otherwise defend (as provided in Rule 55(a), Federal Rules of Civil Procedure).
- (10) Judgments by default in the circumstances and upon the proof specified in Rule 55(b)(1), Federal Rules of Civil Procedure, including an affidavit that the person against

whom judgment is sought is not an infant or incompetent person, and an affidavit under the Soldiers' and Sailors' Civil Relief Act of 1940 (as amended) that the defendant is not in the armed forces.

(11) Routine orders authorizing the appointment of attorneys, accountants, and auctioneers in Chapter 7 cases, provided the allowance of compensation is left for later determination by the court, and provided the pleadings or application to employ do not indicate a potential conflict of interest.

(12) Orders substituting a transfer of a proof of claim for the original claimant pursuant to Bankruptcy Rule 3001(e)(2) upon notice to the original claimant of the filing of the evidence of transfer and a failure by the original claimant to object.

(13) Orders for compliance requiring timely filing of schedules and statements and Orders for compliance with filing requirements and notices of intent to dismiss for failure to comply.

(14) Discharge orders in Chapter 7 cases.

(b) Service

An application for any order specified in subsection (a) must be accompanied by a sufficient number of envelopes of an adequate size (minimum size of 4 $\frac{1}{8}$ by 10 $\frac{1}{2}$ — "Number 10") bearing adequate first class postage (stamped, not metered postage) to permit service of the order, once entered and copied by the clerk, to the requesting party, the entities entitled to service of the order as specified in the Code, the Federal Rules of Bankruptcy Procedure or these Rules and, where applicable, the debtor, debtor in possession, case trustee and the United States trustee. No stamped envelope need be included for any party upon whom service will be made electronically.

Related Provisions:

AK LBR 5005-2

Electronic Case Filing

RULE 9004-1

FORM OF PLEADINGS AND OTHER PAPERS

(a) Form in General

Except as otherwise provided in these rules, all documents, including exhibits, other than forms prescribed elsewhere, presented for filing with the clerk or intended for use of the judge shall:

- (1) be upon letter size (8½ inches X 11 inches) white paper of good quality, reasonably opaque and not onionskin;
- (2) have a margin of not less than 1 inch on all four sides of each page;
- (3) be two-hole punched at the center of the top of each page, unless the document is being filed electronically;
- (4) be either in original clear and legible typewriting, or in clear and legible printing;
- (5) be in either double-spaced or one-and-one-half-spaced typewriting or printing, except that quotations exceeding 50 words shall be single-spaced and indented;
- (6) if consisting of more than one page, have each consecutive page numbered at the bottom of each page;
- (7) shall be printed or written upon only one side of the paper; and
- (8) utilize ten point or ten pitch type.

Each pleading must be filed as a separate document. All pages of each document shall be stapled or clipped together.

Notices served upon creditors and parties in interest may be doubled-sided and single-spaced to conserve paper. Original notices filed with the court shall conform to subsections (1) through (8) of this rule.

(b) Information to be Placed on First Page

The first page of each document shall be prepared as follows:

- (1) The name, address, telephone number and facsimile/telecopier number of the attorney appearing for a party to an action or proceeding and the name of the party, or of a person appearing in propria persona, shall be typewritten or printed in the space to the left of center of the paper and beginning at least 1 inch below the top edge. Following the name, address

and telephone number, the party preparing the pleading shall indicate whom they represent, *i.e.*: Attorney for Creditor John Doe, Attorney for Trustee, as appropriate.

(2) The title of the court shall be centered on the paper and shall commence not less than ½ inch below the name, address and telephone number of the attorney or person appearing in propria persona.

(3) A space not less than 2 inches in length below the title of the court and to the right of center on the page shall be reserved for the filing marks of the clerk. The file number of the action or proceeding shall appear below this space. For a main case filing, the main case number only shall appear in this space; for an adversary filing, the adversary number shall appear in this space (see Official Form 16C).

(4) The title of the action or proceeding shall be inserted below the title of the court in the space to the left of the center of the paper.

(5) A brief designation of the nature of the document and the relief sought, if any, shall appear below the title of the court and file number, and either centered or to the right of center of the page.

(6) Names shall be typed or printed beneath signatures on all documents.

(c) Reference to Other Parts of Pleading

In any action brought upon or any proceeding involving serial notes, bonds, coupons, or obligations for the payment of money that are of the same form, tenor and effect, and are issued under the same law, or by the same authority, and differing only in number, date of maturity or amount, it will be sufficient for the plaintiff to set forth in one claim of his complaint one of such notes, bonds, coupons, or obligations, either verbatim or according to legal effect. The remaining notes, bonds, coupons or obligations may be pleaded, in the same or another claim of the complaint, by a general reference or description sufficient to identify them with like effect as if they had been set forth verbatim. Similar practice may be followed in any pleading where any two or more documents of similar form, tenor or effect are set forth. Any such document referred to in any pleading may be set forth either in the body of the pleading or in an exhibit attached thereto.

RULE 9013-1

BRIEFS; MEMORANDA

(a) In Support of Motion or Application

There shall be served and filed with the motion or other application governed by Rule 9014, Federal Rules of Bankruptcy Procedure:

(1) Legible copies of all documentary evidence that the moving party intends to submit in support of the motion or application. When a motion is supported by affidavit, the affidavits shall be served with the motion unless otherwise ordered by the court. If exhibits to a motion are lengthy, the moving party may file only the relevant excerpts of the exhibits, without prejudice to the right of any party to file additional excerpts or the complete exhibit with the court at any time.

(2) A clear, concise, complete and candid written statement of the reasons in support thereof, together with an adequate brief of the points and authorities upon which the moving party relies.

(b) Opposition to Motion or Application

Unless another time is specified in the Notice of Motion, the Federal Rules of Bankruptcy Procedure or these rules, each party opposing a motion or other application shall, within twenty (20) days of service of the motion or other application upon that party:

(1) Serve and file legible copies of all documentary evidence upon which the party intends to rely. If an opposition is supported by affidavit, the affidavits shall be served with the opposition unless otherwise ordered by the court. If exhibits to an opposition are lengthy, the opposing party may file only the relevant excerpts of the exhibits, without prejudice to the right of any party to file additional excerpts or the complete exhibit with the court at any time.

(2) Serve and file a clear, concise, complete and candid written statement of the reasons in opposition thereto and an adequate opposing brief of points and authorities.

(c) Reply by Moving Party

If desired, the moving party, within seven (7) days after the service upon that party of the opposition to the motion or other application by the opposing party, may serve and file a reply brief.

(d) Failure to File Briefs

Failure to file briefs within the time prescribed (or within any extension granted by the court or stipulated to by the parties) shall subject such motions or applications to summary ruling by the court. Failure to file a brief by the moving party shall be deemed an admission that, in the opinion

of counsel, the motion or application is without merit. Failure to file a brief by the adverse party shall be deemed an admission that, in the opinion of counsel, the motion or application is well taken.

e) Stipulations Extending Time

The interested parties may stipulate, in writing filed with the court, for different times for filing any opposition or reply to the opposition.

(1) Any stipulation for an extension of time as provided in this subdivision for a period of ten (10) days or less, shall not require express approval by the court.

(2) Any stipulation for an extension of time to file an opposition or reply in excess of ten (10) days shall be subject to court approval.

Related Provisions:

FRBP 9006	Time
FRBP 9014	Contested Matters
AK LBR 7026-1	Discovery and Depositions
AK LBR 9004-2	Form of Pleadings and Other Papers
AK LBR 9070-1	Number of Copies
AK LBR 9075-1	Hearings; Trials

RULE 9070-1

NUMBER OF COPIES

(a) Petitions, Schedules and Statements

(1) In chapter 7, 12 and 13 cases, one (1) paper copy of each original petition, schedule, statement of affairs, and any amendments, supplements or addendum thereto, whether such original is filed conventionally or electronically, must be submitted to the clerk.

(2) In chapter 9 and 11 cases, each original petition, schedule, statement of financial affairs, and any amendments, supplements or addendum thereto, whether filed conventionally or electronically, must be accompanied by three (3) paper copies.

(3) If the original documents are filed conventionally, the paper copy or copies required by subsections (1) and (2) must accompany the originals. If the original documents are filed electronically, the paper copy or copies must be hand delivered to or placed in the mail to the clerk within one business day of the date the originals are filed.

(b) Chapter 9, 11, 12 and 13 Plans

In addition to the original, each plan in cases under chapters 9, 11, 12 and 13 and the chapter 11 disclosure statement and any amendments, supplements or addendum thereto, shall be accompanied by the same number of copies as is provided in subdivision (a) of this rule for petitions, schedules, and statements of affairs for the applicable chapter. If any of these documents exceed 25 pages in length, including all attachments and exhibits thereto, one additional copy must be submitted for use by the court.

(c) Other Pleadings

Any other pleading, motion, paper or other document filed with the court either conventionally or electronically, which exceeds 25 pages in length, including all attachments and exhibits thereto, must be accompanied by one paper copy for use by the court. Copies must be complete, including any attachments or exhibits made a part of the original pleading, motion, paper or document being filed. The paper copy must be submitted to the court in accordance with subsection (a)(3) above.

(Name of Attorney)
(Name of Firm)
(Address)
(Telephone)
(Telefax)

AK LBF 37

(Attorney for _____)

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF ALASKA**

In re:

Debtors.

Case No.
Chapter

**DECLARATION RE: ELECTRONIC FILING OF
PETITION, SCHEDULES AND STATEMENTS
(AND PLAN, IF CH. 12 OR 13 CASE)**

PART I - DECLARATION OF PETITIONER

I [We] _____ and _____,
the undersigned debtor(s), **hereby declare under penalty of perjury** that the information I have given my attorney and the information provided in the electronically filed petition, statements, schedules and matrix, and in my chapter 12 or 13 plan (if this is a case under such chapter), is true and correct. I consent to my attorney sending my petition, this declaration, statements and schedules (and plan, if applicable) to the United States Bankruptcy Court electronically. I understand that this Declaration re: Electronic Filing is to be filed with the Clerk once all schedules have been filed electronically but, in no event, no later than 15 days following the date the petition was electronically filed. I understand that failure to file the signed original of this Declaration will result in the dismissal of my case after a hearing on shortened time of no less than five days notice.

- If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7: I am aware that I may proceed under chapter 7, 11, 12 or 13 of 11 United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter specified in this petition.
- If petitioner is a corporation or partnership: I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter specified in this petition.

Dated: _____

Signed: _____ (Applicant) _____ (Joint Applicant)

PART II - DECLARATION OF ATTORNEY

I **declare under penalty of perjury** that the debtor(s) will have signed this form before I electronically submit the petition, schedules, and statements (and chapter 12 or 13 plan, if applicable). I will give the debtor(s) a copy of all forms and information to be filed with the United States Bankruptcy Court, and have followed all other requirements in the most recent ECF System Procedures. I further declare that I have examined the above debtor's petition, schedules, and statements and, to the best of my knowledge and belief, they are true, correct, and complete. If an individual, I further declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12 or 13 of Title 11, United States Code, and have explained the relief available under each such chapter. This declaration is based on all information of which I have knowledge.

Dated: _____

Attorney for Debtor(s)