

- (2) be a separate document that contains all required information without reference to or incorporation of another schedule, document or list provided, however, that there may be appended thereto a separate list of items or information that—
 - [A] contains items or information relating to a single question or item on the schedule, statement or list to which the separate list is attached, and
 - [B] clearly identifies the question or item to which the attached list pertains; and
- (3) contains all information required by the official form and this rule.
- (b) **Married Individuals.** Spouses filing jointly must file a single set of schedules and statement of financial affairs.
- (c) **No Blank Items.** The word “none” or the words “not applicable,” as appropriate, must be entered for each item in the schedules and statements of affairs not otherwise completed.
- (d) **Statement of Social Security Number.** Your Statement About Your Social Security Numbers (Official Form 121) is to be submitted with the petition to the Clerk of Court, but is **not** to be filed or attached to the petition or any other document. Participants in the Case Management/Electronic Case Filing (CM/ECF) System shall, immediately after the electronic filing of a petition, submit Your Statement About Your Social Security Numbers (Official Form 121) electronically, in the same manner as provided in AK LBR 9021-1(b) for proposed orders.
- (e) **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, both the governmental unit and, as a separate entry, its legal department, must be included in the schedules (e.g., United States Attorney, Alaska Department of Law, Municipal Attorney, Internal Revenue Service).

Rule 1007-2 Matrix

- (a) **Format.** The list (Matrix) containing the name and address of each entity included or to be included on Schedules D, E/F, G, and H of Official Forms 106D-106H filed under Rule 1007(a)(1), Federal Rules of Bankruptcy Procedure, must be in the form of a single spaced list with one blank space between the name and complete mailing address of each entity included.
- (b) **Verification.** The Matrix must be accompanied by a completed Verification of Creditor Mailing Matrix (AK LBF 40) bearing the signatures of the debtor(s).
 - (1) The signature(s) of the debtor(s) on the Verification of Creditor Mailing Matrix must comply with AK LBR 9011-1(a)(2), if the debtor is represented by a participant in the CM/ECF System. –A Verification of Creditor Mailing Matrix filed conventionally must bear the original (holographic/wet) signature(s) of the debtor(s).
- (c) **Accuracy of Matrix.** The debtor is responsible for ensuring that the Matrix accurately reflects the names and addresses of the debtor(s), debtor’s attorney, and those entities listed on Schedules D, E/F, G, and H of Official Forms 106D-106H.
- (d) **Government Entity as Creditor.** As provided in AK LBR 1007-1(e), both the governmental unit and its legal department must be included on the Matrix.

Rule 1007-3 Waiver of Credit Counseling and/or Personal Financial Management Course
Any debtor seeking exemption from the requirements to (1) obtain pre-petition credit counseling briefing and/or (2) complete a post-petition course in personal financial management must file a

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request with the court which utilizes or complies substantially with AK LBF 42 seeking to be exempted from one or both of those requirements.

Rule 1009-1 Amendment of Schedules and Matrix

(a) Schedule of Debts.

- (1) *Requirements for Amendment.* Amended schedules must be accompanied by:
 - [A] an amended A Summary of Your Assets and Liabilities and Certain Statistical Information (Official Form 106 Summary);
 - [B] a Declaration About an Individual Debtor's Schedules (Official Form 106 Declaration); and
 - [C] the statutory filing fee, if required.
- [D] If the amended schedules include additional creditors or equity security holders (*i.e.*, amendments to schedules D and E/F), an amended Matrix complying with paragraph (c) below must also be filed.
- (2) *Notice.*
 - [A] Notice of the amendment(s) must be given to:
 - (i) any creditor or equity security holder added;
 - (ii) the trustee;
 - (iii) any other entity(ies) affected by the amendment(s); and
 - (iv) the United States trustee.
 - [B] In addition to the notice required by 1, Federal Rules of Bankruptcy Procedure, the amending party must mail a copy of the notice issued by the court under Rule 2003, Federal Rules of Bankruptcy Procedure to all creditors or equity security holders added by the amendment.

(b) Schedule of Property Claimed as Exempt. Upon filing, copies of any amendment of Schedule of Property Claimed as Exempt must be:

- (1) transmitted to the United States trustee; and
- (2) served on—
 - [A] the trustee;
 - [B] any entity(ies) holding or claiming an interest in the property; and
 - [C] any attorney or party who has filed an appearance or demand for notice.

(c) Amendments to the Matrix.

- (1) All amendments to the Matrix (additions and deletions) must include:
 - [A] the Verification of Creditor Matrix (AK LBF 40); and
 - [B] a revised Matrix reflecting the additions or deletions.
 - (i) Additions and deletions to and from the Matrix should be reflected by a statement requesting the addition or removal of the names and addresses to be added or deleted, followed by a list of those names and addresses.
- (2) The amended Matrix must be accompanied by the appropriate filing fee.
- (3) An entirely new Matrix may not be substituted for an existing Matrix unless approved by the Clerk or the court.
- (4) The party amending the Matrix must give notice as provided in paragraph (a)(2) of this section.

Rule 2003-1 ~~Meeting~~Section 341(a) Meetings of Creditors and Security Holders

~~(a) Telephonic Appearances.~~

- ~~(1) A request for a telephonic appearance by the debtor(s), in any judicial district in the state in which the trustee conducts face to face creditor meetings, where the debtor(s) resides more than 150 air miles from the court in which such meeting is to be conducted, may be made by giving the trustee notice of such telephonic attendance; however, the trustee may continue the meeting and require the debtor(s) to appear in person.~~
- ~~(2) If the trustee requires the personal appearance of the debtor(s), the court may grant a waiver of personal appearance at the creditors meeting on the motion of the debtor(s) for good cause shown after a hearing on notice given to all interested parties. Any motion to excuse attendance shall be supported by an affidavit from the debtor(s).~~
- ~~(3) Attorneys or creditors may, at the trustee's discretion, attend a meeting by telephone.~~

(b)(a) Continuances. Requests for a continuance must be made in writing to the trustee assigned to the case. Upon granting a request for continuance, the trustee shall note such continuance on the Court's docket.

(c)b) Waiver of Personal Appearance.

- (1) The court may grant a waiver of personal appearance, ~~other than a request for telephonic appearance,~~ on the motion of the debtor(s) for good cause shown after a hearing on notice given to all interested parties.
- (2) Motions for waiver of personal appearance must:
 - [A] be supported by affidavit or declaration under penalty of perjury setting forth in particular the facts that preclude personal appearance;
 - [B] set forth any alternative means reasonably available by which the trustee or any interested party may examine the debtor and obtain responses under oath, including, but not necessarily limited to, methods prescribed by Rules 26-36, Federal Rules of Civil Procedure; and
 - [C] be served on the trustee and transmitted to the United States trustee.
- (3) [A] The court may, in its discretion, order the debtor to provide responses to any matter subject to inquiry by the trustee or any interested party by deposition upon written questions under Rule 31, Federal Rules of Civil Procedure.
 - [B] For the purposes of this paragraph, only the trustee, the United States trustee, and those interested parties actually appearing at the meeting of creditors will be considered a "party" within the scope of Rule 31.

Rule 2004-1 Rule 2004 Examinations

(a) **Request for Examination.** All requests for orders under Rule 2004, Federal Rules of Bankruptcy Procedure must be made by motion in a form substantially similar to AK LBF 8 and must be accompanied by a proposed order substantially similar to AK LBF 9. ~~The~~

(b) Ex Parte Submission.

- (1) ~~A motion must contain seeking examination of a witness, with or without document production, may be presented ex parte if it contains~~ a certification that counsel for the ~~applicant~~ movant conferred with counsel, if known, for the party whose examination is being sought. ~~If the application contains such a certification the application may be presented ex parte. If the application~~ If the motion does not contain such a certification,

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the matter may be heard on no fewer than two business days' notice unless the Court orders otherwise.

~~(b)(2)~~ A motion seeking only document production may be presented *ex parte* without a certification that counsel for the movant has conferred with counsel for the examinee.

~~(c)~~ **Shortened Notice.** Motions requesting an examination on less than 14 days' notice must state whether the examination date has been agreed on, or if there is no agreement, why examination on less than fourteen (14) days' notice is requested.

~~(d)~~ **Clerk's Authority to Sign Order.** The clerk may only sign orders for examination if the date set for examination is more than fourteen (14) days from the date the motion is filed. If examination is requested on less than fourteen (14) days' notice, the clerk may not sign. The motion must state whether the examination date has been agreed on, or if there is no agreement, why examination on less than fourteen (14) days' notice is requested.

~~(ee)~~ **Production of Documents Must be Obtained by Subpoena.** Production Motions requesting production of documents may not be obtained via an order under Rule 2004, Federal Rules of Bankruptcy Procedure. Production of must include a certification that the documents may, however, will be obtained via subpoena as provided by Rule 45(a)(1)(C), Federal Rules of Civil Procedure, as adopted by Rule 9016, Federal Rules of Bankruptcy Procedure.

~~(ff)~~ **Attendance of Witness or Production of Documents.** Securing the attendance of a witness or the production of documents must be done in accordance with Rule 9016, Federal Rules of Bankruptcy Procedure.

Rule 2015-1 Trustees – General

(a) Funds of the Estate.

- (1) Funds of a chapter 7, 11, 12 or 13 estate must be deposited in an account authorized by § 345 of the Code.
- (2) If at any time the total amount deposited exceeds the FDIC or NCUA insurance limits, the funds must be deposited with an entity posting a bond or collateral approved by the United States trustee.

(b) Return of Documents.

- (1) Except to the extent otherwise provided by law, or order of the court, the trustee:
 - [A] if return of the document has not been requested, may destroy the document; or
 - [B] if return is requested in writing, must return the document to the person who provided the document within a reasonable time after the case is closed.
- (2) The trustee may require any person who has requested the return of a document or paper to provide the trustee with a stamped, self-addressed return envelope or otherwise bear all expenses incurred for the return.

(c) Subchapter V Trustee Advance Fee and Expense Deposit

- (1) **Initial Payment.** No later than seven (7) days after the filing of the Notice of Appointment of Trustee, the debtor must tender to the Subchapter V trustee an advance fee and expense deposit in the sum of one thousand dollars (\$1,000.00).
 - [A] The Subchapter V trustee will hold these funds in a segregated account for the purpose of compensation for services rendered and reimbursement for out-of-pocket expenses.
 - [B] Payment of compensation and reimbursement to the Subchapter V trustee from the segregated funds is subject to allowance and approval by further order of the Court.

under §§ 503(b), 330, 331 and 1194 of the Code, Rule 2016 of the Federal Rules of Bankruptcy Procedure and Local Bankruptcy Rule 2016-1.

[C] Failure of the debtor to tender the required amount within seven (7) days after notification of the appointment of the Subchapter V trustee may result in dismissal of the debtor's case.

(2) **Monthly Payments.** Each month on the same day of the month as the petition date, the debtor must tender to the Subchapter V trustee an additional advance fee and expense deposit in the sum of five hundred dollars (\$500.00), until the amount of segregated funds reaches the sum of three thousand dollars (\$3,000.00).

[A] The debtor must recommence payments if the amount of segregated funds falls below \$3,000 due to the Subchapter V trustee having withdrawn funds for court-approved compensation or reimbursement, until the advance deposit again reaches no less than \$3,000.

(3) **Modification.** Upon the motion of any interested party, the dollar amounts for deposit are subject to adjustment by the Court.

(4) **Excess Funds.** No later than ten (10) days after the court approves a Subchapter V trustee's final application for compensation, the Subchapter V trustee must return any excess funds to the debtor.

Rule 2015-2 United States Trustee Periodic Reporting Requirements

(a) Cooperation with United States Trustee.

- (1) The trustee or debtor in possession in chapter 11 and chapter 11 subchapter V 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.
- (2) All debtors in possession and trustees must use forms substantially complying with the forms for financial reporting established by the United States trustee, unless the United States trustee authorizes modifications in a particular case.

Rule 2016-1 Compensation of Trustees and Professionals

(a) **General.** Except as otherwise specifically provided in this Rule, requests for compensation and reimbursement under § 330 of the Code must comply with the guidelines promulgated by the Office of the United States Trustee, available at www.justice.gov/ust.

(b) Trustee.

- (1) Applications for compensation for services as trustee must state the maximum amount payable to the trustee as compensation under § 326(a) of the Code.
- (2) [A] In each Chapter 13 case that is dismissed prior to confirmation of a plan, the standing trustee may deduct, after payment of court fees and costs and other § 503(b) administrative expenses, the sum of \$450.00 and an additional amount of \$90.00 for each hearing or meeting of creditors beyond the initial meeting that the trustee attended, from funds available for return to the debtors.
[B] The award under this paragraph may not exceed the amount specified in Rule 2002(a)(6), Federal Rules of Bankruptcy Procedure, without a separate application.
[C] The debtor may object to an award under this paragraph within fourteen (14) days of the entry of the order dismissing the case.

(c) **Attorney or Accountant for Trustee, Debtor in Possession, Debtor, Creditors' Committee, or Professional Under 11 U.S.C. § 503(b)(4).**

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PART V
COURTS AND CLERKS

Rule 5001-1 Court and Clerk's Office Locations and Hours

- (a) **Clerk's Office.**
- (1) **Filing Petitions.** Petitions and documents filed with the initial petition may be filed in person at the court's physical location at the Old Federal Building, 605 West Fourth Avenue, Suite 138, Anchorage, Alaska 99501.
 - (2) **Filing by Mail or Special Delivery.** The court will accept documents filed by delivery utilizing the U.S. Postal Service, Fed-Ex, UPS, DHL, or similar services.
 - (3) **Business Hours.**
 - [A] Regular business hours are from 9:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:30 p.m., Monday through Friday, except federal holidays, and days designated as holidays by the Chief Judge of either the United States District Court or the United States Bankruptcy Court for the District of Alaska or the Administrative Office of the United States Courts.
 - [B] Office locations and business hours may be adjusted or changed, with or without prior notice, as staffing and budgetary conditions dictate.
- (b) **Places of Holding Court.** The Bankruptcy Court is located in Anchorage. Hearings and trials are scheduled as needed in Anchorage, Fairbanks and Juneau.

Rule 5003-1 Court Records

- (a) **Official Record.** The CM/ECF System constitutes the official record of the court.
- (b) **Records — Custody of the Clerk of Court.**
- (1) All records of the court will remain in the custody of the Clerk of Court.
 - (2) The record for any case in the CM/ECF System is available for inspection by the public during regular business hours at the court in Anchorage.
- (c) **Research by Court Personnel.** Requests for research of any record by court personnel must be in writing and accompanied by the statutory fee.

Rule 5005-1 Electronic Case Filing

- (a) **Procedures.**
- (1) The filing of documents in electronic format will be in accordance with this Rule and any additional electronic filing procedures promulgated by the Clerk of Court.
 - (2) Participants in the CM/ECF System are responsible for ensuring that current filing procedures are followed.
- (b) **Registration.**
- (1) [A] All attorneys admitted to practice in this court who wish to file papers must obtain access to the court via the attorney's individual PACER account to permit the attorney to participate in electronic filing.
[B] Requests for exceptions to the requirements of subparagraph (1)[A] must be submitted via ex parte motion setting forth the reasons requiring an exception, supported by an affidavit.
 - (2) Every trustee appointed in cases before this court must obtain access to the court via the trustee's individual PACER account to permit the trustee to participate in electronic filing.

- (3) *Limited Filing Privileges.* Any duly authorized individual officer or agent of a non-individual creditor or interested party may be granted access to the court via the individual's PACER account to permit the individual to file certain designated documents on behalf of the creditor or interested party.
- (4) *Other Designated Professionals.* Certain professionals whose employment has been approved by the court may obtain access to the court via the professional's PACER account to permit the professional to file electronically.
- (5) *Consent to Electronic Notice and Service.* Participation in the CM/ECF System by attorneys, trustees and other designated professionals described above constitutes:
 - [A] a request for service of notice electronically under Rule 9036, Federal Rules of Bankruptcy Procedure; and
 - [B] consent to receive notice and service by electronic means in each case in which an appearance as a party or attorney for a party has been made in accordance with AK LBR 9010-1(a)(1).
- (6) *Failure to Maintain Valid Email Address with PACER.* –An electronic filer's failure to maintain a valid email address with the filer's PACER account will result in termination of the filer's electronic filing permissions.
- (c) **Unauthorized Use of CM/ECF Passwords.**
 - (1) No registered participant may knowingly permit or cause to permit the participant's password to be utilized by anyone other than an authorized employee of the participant or the participant's law firm.
 - (2) No person may knowingly utilize or cause another person to utilize the password of a registered participant unless the person is an authorized employee of the participant or the participant's law firm.
- (d) **Signatures.** See AK LBR 9011-1.
- (e) **Mandatory Electronic Filing.**
 - (1) Except as otherwise provided in this Rule or in exceptional circumstances that prevent a participant from filing electronically (*i.e.*, technological failure, natural disaster, etc.) registered participants must electronically file documents with the court.
 - (2) Parties and attorneys who are not participants in the CM/ECF System may conventionally file documents in hard copy format, bearing original (holographic/wet) signatures.
- (f) **Service.**
 - (1) 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.
 - (2) Except as otherwise provided by these Rules, if a person entitled to notice or service is a registered participant in the CM/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.
 - (3) Notwithstanding the foregoing, service of a summons and complaint in an adversary proceeding or an involuntary bankruptcy proceeding and a motion under Rule 9014, Federal Rules of Bankruptcy Procedure must continue to be made under Rule 7004, Federal Rules of Bankruptcy Procedure.

(g) **Special Electronic Filing Requirements.**

(1) *Documents to be Filed under Seal.*

[A] A request to file documents under seal must be made via motion. A motion to file document(s) under seal must be filed electronically, and a proposed order authorizing filing under seal must be lodged with the court via email at ecf_orders@akb.uscourts.gov.

[B] After the entry of an order authorizing documents to be filed under seal, the documents to be filed under seal must also be filed electronically.

(2) *Exhibits to Pleadings.*

[A] Documents filed as exhibits should be electronically imaged (*i.e.*, “scanned”) and filed as an attachment to the related document using Portable Document Format (.pdf). Exhibits attached to the filing must be separately identified. Filers may either (1) separately attach and identify the exhibits to the filing with a brief description of the exhibit or (2) internally bookmark and identify each exhibit within the .pdf file entered on the docket.

[B] Exhibits that are not available in Portable Document Format (.pdf) 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) *Summons to be Issued by the Clerk of Court.* Summonses to be issued by the Clerk of Court must be submitted electronically, in the same manner as for proposed orders, findings and judgments.

(4) *Trial and Hearing Exhibits.*

[A] Exhibit lists, when required, must be filed electronically.

[B] The exhibits may be submitted conventionally when required by otherwise applicable Rules.

(5) *Statement of Social Security Number.* Your Statement About Your Social Security Numbers submitted in accordance with Rule 1007(f), Federal Rules of Bankruptcy Procedure, must be emailed immediately after the electronic filing of a petition, in the same manner for proposed orders. – As provided in AK LBR 1007-1(d), Your Statement About Your Social Security Numbers is **not** to be filed on the case docket.

(h) **Fees.**

(1) Fees for documents filed electronically are due at the time of filing.

(2) Any required fee for a document filed electronically not paid as provided in paragraph (g)(1) must be received by the Clerk of Court within three (3) business days from the date the document was filed.

(i) **Technical Failures.** If a registered CM/ECF participant is unable to transmit a time-critical document for electronic filing, due to technical failure or unanticipated event (*i.e.*, medical emergency, natural disaster, etc.), the participant must promptly contact the Clerk of Court and make arrangements for filing the document.

(j) **Consequences for Noncompliance.**

(1) *Effect of Failure to Timely Execute or File Declaration Re: Electronic Filing.* In the event that a registered participant fails to obtain the signature on or timely file the Declaration Re: Electronic Filing, AK LBF 37A or AK LBF 37B, as applicable, the court may after a hearing on shortened time:

[A] dismiss the petition; and/or

[B] impose on the registered participant such other sanctions as may be appropriate.

- [A] The name, address, telephone number and email address of the attorney appearing for a party to an action or proceeding and the name of the party, or of a person appearing without an attorney, typewritten or printed in the space to the left of center of the paper and beginning at least one inch (1") below the top edge.
- [B] Following the name, address and telephone number, indicate the party represented, e.g., Attorney for Creditor John Doe, Attorney for Trustee, as appropriate.

Rule 9006-1 Shortening Time

(a) **Motion to Shorten Time.** A motion to shorten time must:

- (1) include a description of the relief requested in the underlying motion and concisely state the reasons a hearing on shortened notice is necessary;
- (2) be accompanied by a sworn statement [utilizing the Contact Information Sheet for Proposed Order Shortening Time, AK LBF 43, or a form substantially similar thereto](#) setting forth the following:
 - [A] the efforts to contact opposing counsel or other interested parties to obtain their consent to a hearing on shortened time;
 - [B] when that contact was made;
 - [C] the method of contact, or if counsel or the parties were not consulted, how the movant attempted to contact counsel or the parties; and
 - [D] whether such consent was obtained.
- (3) In addition to filing the motion for shortened notice, a movant seeking shortened time must:
 - [A] separately file the motion the movant seeks to have heard on shortened time; and
 - [B] lodge a proposed order granting the motion for shortened time.

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(b) **Notice of Shortened Time.**

- (1) The moving party must serve the motion to shorten time, the underlying motion and a notice of the hearing to be held on shortened time on all parties affected by the motions via expedited means (*i.e.*, email, facsimile, overnight mail, etc.).
 - [A] Unless otherwise ordered by the court, in any matter requiring less than seven (7) days' notice the moving party must, on or before the same day as written notice is given, give telephonic notice of any hearing set to the opposing party(ies), debtor and trustee, or their attorneys, if they are represented.
 - [B] Telephonic notice is not required if a party has not provided a current telephone number.
 - [C] An affidavit or declaration of telephonic notice must be filed with the court prior to the scheduled hearing.
- (2) The notice must comply with Rule 9006(c), Federal Rules of Bankruptcy Procedure.

Rule 9009-1 Local Forms

The Local Bankruptcy Forms (available at www.akb.uscourts.gov) should be utilized and may be altered to permit economies in their use, as appropriate.

Rule 9010-1 Appearances

(a) **Appearances by Attorneys or Parties.**

- (1) With the exception of proofs of claim filed on the claims register, the filing of any document in a bankruptcy case or adversary proceeding constitutes an appearance by the attorney who signs the document.

- [B] The court may require designation of local counsel to participate, sign pleadings, and receive service of notice should there be any problem with the cooperation, responsiveness, or accessibility of an attorney not admitted to practice in the United States District Court for the District of Alaska.
- (2) Any attorney representing the United States (or any of its agencies) may appear and participate in particular cases without submitting an application as set forth above. If the government has both local and non-local attorneys appearing in a matter, service must be made on both the local and non-local offices unless the court orders otherwise.
- (c) **Local District Rules Adopted.** United States District Court for the District of Alaska Local Civil Rules 83.1(g) – (i) and 83.2 apply to all attorneys practicing before the Bankruptcy Court.

Rule 9011-1 Signatures

(a) Electronic Filing.

(1) Registered CM/ECF Participant.

- [A] The use of a registered CM/ECF participant's PACER account in the electronic filing of a document constitutes the signature of that participant under Rule 9011, Federal Rules of Bankruptcy Procedure.
- [B] The electronic filing of a document by a registered CM/ECF participant shall be in the form of "/s/" followed by the registered participant's typed name (i.e., "/s/ Jane Doe").
- [C] Only registered participants may utilize the "/s/" format in place of an original (holographic/~~wet~~) signature on documents electronically filed with the court.
- [D] A document filed electronically must bear the electronic signature of the registered participant under whose PACER account the document was filed.

(2) Debtors or Other Parties Represented by Registered CM/ECF Participants.

[A] Debtors Only: Declarations re: Electronic Filing

- (i) For the following documents requiring the signature of individual debtor(s), if those documents are electronically filed, a Declaration re: Electronic Filing (AK LBF 37A) must be prepared by the registered CM/ECF participant, bearing the original (holographic/~~wet~~) signatures of the debtor(s) and the attorney for the debtor(s):

- (I) petition;
- (II) statements;
- (III) schedules;
- (IV) Verification of Creditor Matrix (AK LBF 40);
- (V) Debtor's Electronic Noticing Request (AK LBF 41);
- (VI) Request for Exemption from Participation in Credit Counseling or Debtor Education Course Under 11 U.S.C. §§ 727(a)(11) or 1328(g)(1) (AK LBF 42);
- (VII) Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q) (Official Form 423;-2830);
- (VI) Director's Form 2830;
- ~~(VII)~~ (VIII) any report required under Rule 1019(e), Federal Rules of Bankruptcy Procedure;
- ~~(VIII)~~ any notice of address change;
- ~~(IX)~~ chapter 11 disclosure statement; and
- ~~(X)~~ chapter 11, 12 or 13 plan, as applicable.

(ii) For the following documents requiring the signature of a representative of a non-individual debtor (corporation, partnership or LLC), if those documents are electronically filed, a Declaration re: Electronic Filing (AK LBF 37B) must be prepared by the registered CM/ECF participant, bearing the original (holographic/wet) signatures of the debtor's representative and the attorney for the debtor:

- (I) petition;
- (II) statements;
- (III) schedules;
- (IV) Verification of Creditor Matrix (AK LBF 40); ~~and~~
- ~~(V)~~ (V) Debtor's Electronic Noticing Request (AK LBF 41);
- ~~(VI)~~ any report required under Rule 1019(e), Federal Rules of Bankruptcy Procedure;
- ~~(VII)~~ any notice of address change;
- ~~(VIII)~~ chapter 11 disclosure statement; and
- ~~(IX)~~ chapter 11, or 12 ~~or 13~~ plan, as applicable.

(iii) The Declaration re: Electronic Filing constitutes the debtor(s)' original signature(s) for filing purposes as to the above-referenced documents only. When a Declaration re: Electronic Filing is filed, the debtor(s)' signature(s) on the above-referenced documents may be represented by "/s/" followed by the debtor(s)' name(s).

(iv) The original Declaration re: Electronic Filing must be:

- (I) signed by the debtor(s) and the debtor(s)' attorney before the petition is filed; and
- (II) filed conventionally within fourteen (14) days of the date the related document is electronically filed.

[B] All other electronically filed documents that require the verified signature of a party other than the registered CM/ECF participant, or are not addressed by AK LBF 37A or 37B, must bear an imaged (scanned) digital copy of the signatory's original (holographic/wet) signature. -Counsel must retain the original document.

(3) *Employee of Registered Participant.* - An employee of a registered CM/ECF participant may sign a certificate of service utilizing "/s/" followed by the employee's typed name on the signature line where such signature is required.

(4) *Documents Requiring Multiple Signatures.* -Documents requiring the signatures of more than one party, such as stipulations, may include "/s/" signatures for any registered CM/ECF participant who is a signatory to the document. -All other signatures on the document must be imaged (scanned) digital copies of the remaining signatories' original (holographic/wet) signatures.

(b) **Petitions Filed Without Original Signatures.** A petition bearing an imaged signature of the debtor(s), such as those scanned and emailed or faxed to the debtor's counsel prior to filing, which is then filed with the Clerk of Court on a time critical basis, will be treated as a facsimile or email document in accordance with AK LBR 5074-1(a)(2).

(c) **Joint Debtors.** Documents requiring the verified signature of the debtors in a joint case (*i.e.*, a notice of change of mailing address) must contain the signatures of both debtors.

- (2) For motions brought under Rules 12(b), 12(c), and 56 of the Federal Rules of Civil Procedure, the reply deadline is extended to fourteen (14) days after service of the opposition.
- (d) **Stipulations Extending Time.** The parties may stipulate, in writing filed with the court, to an extension of the deadline to file opposition or reply briefs.
- (1) Any stipulation for an extension of time as provided in this subdivision for a period of ten (10) days or less, is effective upon filing without court order.
- (2) Any stipulation for an extension of time to file an opposition or reply in excess of ten (10) days requires court approval, and must be accompanied by a separately-lodged proposed order approving the stipulation.

~~(e) **Non-Noticed Motions.** In all matters in which a separate notice stating the opposition deadline is not filed, the body of the motion must contain a statement of the last day to respond under the applicable Rule, in substantially the following form:~~

~~“NOTICE: If you oppose this motion, you must file a written opposition with the Clerk of the Bankruptcy Court, 605 West Fourth Avenue, Room 138, Anchorage, Alaska 99501-2296 and serve a copy on the undersigned on or before (insert date).”~~

~~(f)(e)~~ **Failure to File Briefs.** Failure to file opposition or reply briefs within the time prescribed (or within any extension granted by the court or stipulated to by the parties) may subject the motion or application to summary ruling by the court.

~~(g)(f)~~ **Ex Parte Motions.**

- (1) All *ex parte* motions must:
- [A] be served on all parties affected by the motion, or the party's representative, at or before the time the motion is filed with the court, or contain a statement as to why it should not be so served;
- [B] contain a statement of the authority for the court to grant the motion without notice and hearing;
- [C] if applicable, contain a statement of whether the moving party has conferred with the party(ies) affected by the motion and whether or not the motion is opposed; and
- [D] be accompanied by a proposed order lodged with the court.
- (2) The court may, in its discretion, require a hearing before ruling on the motion.

~~(h)(g)~~ **Failure to Pay Filing Fees.** If the required filing fee for a document is not received by the Clerk of Court within three (3) business days of the date the document is filed for electronic filing, or seven (7) days for hard copy filings, the court may issue an order to show cause why the relief sought by the movant should not be denied.

Rule 9013-3 Motions Under 11 U.S.C. § 110(i)

(a) **Motion.**

- (1) A matter brought by a debtor, trustee, or creditor against a bankruptcy petition preparer under § 110(i) of the Code is commenced by filing a motion with the Clerk of the Bankruptcy Court.
- (2) The motion must specify:
- [A] Those provisions of § 110 of the Code alleged to have been violated;
- [B] The acts alleged to be fraudulent, unfair, or deceptive; and
- [C] The damages claimed.

- (3) No reply to an opposition to a motion to amend or make additional findings or for new trial, rehearing, or reconsideration may be filed unless requested by the court.
- (c) **Submission Without Argument.** Unless the court otherwise orders, a motion to amend or make additional findings, for new trial, rehearing, or reconsideration will be submitted to the court for decision on the briefs without oral argument.
- (d) **Applicability to Rule 9024 Motions.** This rule applies to motions for relief from judgment or order under Rule 9024, Federal Rules of Bankruptcy Procedure, if the motion is made within the time specified in Rule 8002, Federal Rules of Bankruptcy Procedure.
- (e) **Non-Appealable Orders.** The provisions of subsection (a) notwithstanding, a motion for reconsideration of a non-appealable order based upon an intervening change in controlling law may be made at any time prior to entry of an appealable order or judgment.

Rule 9027-1 Notice of Removal

A notice of removal must in all cases include a statement that the party does or does not consent to entry of final orders or judgments by the Bankruptcy Court.

Rule 9033-1 Proceedings in Which the Bankruptcy Court May Not Enter Final Orders

- (a) **General.** In any proceeding in which the Bankruptcy Court may not enter a final order or judgment, the proceeding will not be transferred to the district court except upon the granting of a motion to withdraw the reference under Rule 5011, Federal Rules of Bankruptcy Procedure or as provided in AK LBR 9015-2.
- (b) **Dispositive Matters.** Except as otherwise provided by statute or the Federal Rules of Bankruptcy Procedure, in any proceeding referred to the Bankruptcy Court in matters otherwise governed by this Rule, motions made under Rules 12(b), 12(c), 12(f), and 56, Federal Rules of Civil Procedure, are governed by Rule 9033, Federal Rules of Bankruptcy Procedure; provided, however, that the Bankruptcy Court may rule on any Rule 12(b) motion if the defect may be cured by amendment of the pleading and leave to amend is granted.
- (c) **Nondispositive Matters.**
 - (1) Except as otherwise provided by statute, the Federal Rules of Bankruptcy Procedure, or ordered by the District Court, nondispositive matters in proceedings referred to the Bankruptcy Court will be heard and determined by the Bankruptcy Court; provided, however, that any order imposing dismissal or the striking of a claim or defense as a sanction is deemed a dispositive matter.
 - (2) Within fourteen (14) days after being served with a copy of the order of the bankruptcy judge, a party may serve and file objections to the order; a party may not thereafter assign as error a defect in the bankruptcy judge's order to which objection was not timely made.

Rule 9036-1 Debtor Electronic Bankruptcy Notification (DeBN)

(a) General.

- (1) A debtor who requests delivery by email of court filings (i.e., orders and notices) via the Debtor Electronic Bankruptcy Noticing (DeBN) program only consents to electronic delivery of court filings delivered by the Bankruptcy Noticing Center (BNC), which sends court orders and notices to parties via email or mail.
- (2) A debtor registered for DeBN will continue to receive service of all other filings, including those made by a trustee or attorney, via methods authorized under Rules 7004 and

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7005(b), Federal Rules of Bankruptcy Procedure. An active DeBN account does not authorize any person or entity other than the court to serve the debtor electronically.

(b) Enrollment.

- (1) Any debtor wishing to receive court filings via email must complete, sign and file with the court a Debtor's Electronic Noticing Request, AK LBF 41. AK LBF 41 must be utilized whenever a debtor seeks to:
 - [A] create a new DeBN account to receive court filings via email;
 - [B] update or reactivate an existing DeBN account; or
 - [C] deactivate an existing DeBN account.
- (2) Joint debtors in a bankruptcy case must file separate signed requests for enrollment in the DeBN program, even if the joint debtors are using the same email address.
- (3) The signature(s) of the debtor(s) on the Debtor's Electronic Noticing Request must comply with AK LBR 9011-1(a)(2), if the debtor(s) is/are represented by a participant in the CM/ECF System. A Debtor's Electronic Noticing Request filed conventionally must bear the original (holographic/wet) signature(s) of the debtor(s).

(c) Valid Email Address Required.

- (1) When a debtor is seeking to enroll in the DeBN program or update or reactivate an existing DeBN account, the email address provided by the debtor on the Debtor's Electronic Noticing Request form must be a valid and active email address.
- (2) It is the responsibility of the debtor to maintain a valid and active email address with the DeBN program. If the debtor's email address changes, the debtor must file with the court an update to the debtor's DeBN account information utilizing the Debtor's Electronic Noticing Request.
- (3) Failure to maintain a valid and active email address may result in deactivation of a debtor's DeBN account without notice.
 - [A] Once a debtor's DeBN account is deactivated, the debtor will receive court notices and orders via U.S. mail instead of email.
 - [B] A debtor may reactivate a DeBN account by filing with the court the Debtor's Electronic Noticing Request which contains a valid and active email address.

Rule 9037-1 Privacy Protection for Court Filings

(a) Motion to Redact/Restrict Public Access.

- (1) When a document has been filed that includes personal identifying information (i.e., Social Security number, bank account number, etc.), a party in interest may:
 - [A] file an *ex parte* motion seeking to restrict public access to that document and ~~file/attach~~ a redacted copy of the document to the *ex parte* motion as an exhibit; and
 - [B] lodge a proposed order on the *ex parte* motion.
 - ~~—(2) If the court enters the order granting the *ex parte* motion to redact/restrict access, within three (3) business days from the date the order is entered, the movant must file the redacted copy of the document.~~
 - ~~—(3)~~ (2) Where documents containing personal identifiers have been filed by a party in multiple cases (such as proofs of claim), separate motions to redact/restrict public access must be filed in each case in which such documents have been filed.
- (b) Motion to File Documents Under Seal.** ~~—~~See AK LBR 5005-1(g)(1).