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UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

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In re: } GENERAL ORDER NO. 2006-06  
ADOPTION OF AMENDED INTERIM }  
BANKRUPTCY RULE 1007 }  
\_\_\_\_\_ }

Whereas, on April 20, 2005, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 ("BAPCPA") was enacted into law; and  
Whereas, most provisions of BAPCPA were effective on October 17, 2005; and  
Whereas, interim rules related to BAPCPA were adopted in their entirety by this District on October 14, 2005 in General Order No. 110; and  
Whereas, the Advisory Committee on Bankruptcy Rules has prepared an amended interim rule 1007 to provide further uniform procedures for implementing BAPCPA; and  
Whereas, the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States has also approved amended interim rule 1007 to provide uniform procedures for implementing BAPCPA; and  
Whereas, both the Advisory Committee and the Committee on Practice and Procedure recommend an effective date of October 1, 2006 for new interim Rule 1007, leaving insufficient time to promulgate appropriate public notice and seek comments;

1 NOW THEREFORE, in accordance with 28 U.S.C. §§ 2071 & 2075, Rule 83 of the  
2 Federal Rules of Civil Procedure, and Rule 9029 of the Federal Rules of Bankruptcy  
3 Procedure, amended interim rule 1007, which is attached as Appendix A, is adopted in its  
4 entirety (except for the explanatory Committee Note) without change by this court to be  
5 effective October 1, 2006.

6 For cases and proceedings not governed by BAPCPA, the Federal Rules of Bankruptcy  
7 Procedure and the local rules of this court, other than the interim rules, will apply. In addition,  
8 Local Rule 1007(d) is hereby superseded to the extent inconsistent with this General Order.  
9 All interim rules will remain in effect until further order of the court.

10 Local Rule 4002.1, adopted effective May 1, 2006

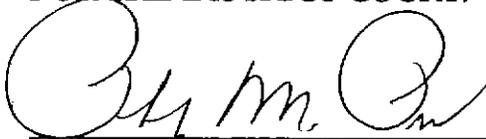
11 **"LR 4002.1 PAY STUBS.**

12 As authorized by 11 U.S.C. § 521(a)(1)(B), the court hereby exempts any debtor  
13 who is an individual from the filing requirements of 11 U.S.C. § 521(a)(1)(B)(iv). However,  
14 the information and documents may still be required by the trustee, or requested by any  
15 creditor."

16 remains in effect until further order of the court.

17 DATED: October 23, 2006

18 FOR THE DISTRICT COURT:

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20 \_\_\_\_\_  
21 Honorable Philip M. Pro  
22 Chief Judge of the District Court, District of Nevada

23 FOR THE BANKRUPTCY COURT:

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25 \_\_\_\_\_  
26 Honorable Gregg W. Zive  
Chief Judge of the Bankruptcy Court, District of Nevada

1 APPENDIX A

2 **Rule 1007. Lists, Schedules, Statements, and Other**  
3 **Documents; Time Limits**

4 (a) LIST OF CREDITORS AND EQUITY SECURITY  
5 HOLDERS, AND CORPORATE OWNERSHIP  
6 STATEMENT.

7 \* \* \* \* \*

8 (4) *Chapter 15 Case.* Unless the court orders  
9 otherwise, a foreign representative filing a petition for  
10 recognition under chapter 15 shall file with the petition a list  
11 containing the name and address of all administrators in foreign  
12 proceedings of the debtor, all parties to any litigation in which  
13 the debtor is a party and that is pending in the United States at  
14 the time of the filing of the petition, and all entities against  
15 whom provisional relief is being sought under § 1519 of the  
16 Code.

17 (5) *Extension of Time.* Any extension of time for the  
18 filing of lists required by this subdivision may be granted only  
19 on motion for cause shown and on notice to the United States  
20 trustee and to any trustee, committee elected under § 705 or  
21 appointed under § 1102 of the Code, or other party as the court  
22 may direct.

23 (b) SCHEDULES, STATEMENTS, AND OTHER  
24 DOCUMENTS REQUIRED.

25 (1) Except in a chapter 9 municipality case, the  
26 debtor, unless the court orders otherwise, shall file the following  
schedules, statements, and other documents, prepared as  
prescribed by the appropriate Official Forms, if any:

- (A) schedules of assets and liabilities;
- (B) a schedule of current income and expenditures;
- (C) a schedule of executory contracts and unexpired  
leases;
- (D) a statement of financial affairs;
- (E) copies of all payment advices or other evidence of  
payment, if any, with all but the last four digits of the debtor's  
social security number redacted, received by the debtor from an  
employer within 60 days before the filing of the petition; and
- (F) a record of any interest that the debtor has in an  
account or program of the type specified in § 521(c) of the  
Code.

(2) An individual debtor in a chapter 7 case shall file  
a statement of intention as required by § 521(a) of the Code,  
prepared as prescribed by the appropriate Official Form. A copy  
of the statement of intention shall be served on the trustee and  
the creditors named in the statement on or before the filing of  
the statement.

(3) Unless the United States trustee has determined  
that the credit counseling requirement of § 109(h) does not apply  
in the district, an individual debtor must file a statement of

1  
2 compliance with the credit counseling requirement, prepared as  
3 prescribed by the appropriate Official Form which must include  
4 one of the following:

(A) an attached certificate and debt repayment plan, if  
any, required by § 521(b);

(B) a statement that the debtor has received the credit  
5 counseling briefing required by § 109(h)(1) but does not have  
6 the certificate required by § 521(b);

(C) a certification under § 109(h)(3); or

(D) a request for a determination by the court under  
7 § 109(h)(4).

(4) Unless § 707(b)(2)(D) applies, an individual  
8 debtor in a chapter 7 case with primarily consumer debts shall  
9 file a statement of current monthly income prepared as  
10 prescribed by the appropriate Official Form, and, if the debtor  
11 has current monthly income greater than the applicable median  
12 family income for the applicable state and household size, the  
13 calculations in accordance with § 707(b), prepared as prescribed  
14 by the appropriate Official Form.

(5) An individual debtor in a chapter 11 case shall file  
15 a statement of current monthly income, prepared as prescribed  
16 by the appropriate Official Form.

(6) A debtor in a chapter 13 case shall file a statement  
17 of current monthly income, prepared as prescribed by the  
18 appropriate Official Form, and, if the debtor has current monthly  
19 income greater than the median family income for the applicable  
20 state and family size, a calculation of disposable income in  
21 accordance with § 1325(b)(3), prepared as prescribed by the  
22 appropriate Official Form.

(7) An individual debtor in a chapter 7 or chapter 13  
23 case shall file a statement regarding completion of a course in  
24 personal financial management, prepared as prescribed by the  
25 appropriate Official Form.

(8) If an individual debtor in a chapter 11, 12, or 13  
26 case has claimed an exemption under § 522(b)(3)(A) in an  
amount in excess of the amount set out in § 522(q)(1) in  
property of the kind described in § 522(p)(1), the debtor shall  
file a statement as to whether there is pending a proceeding in  
which the debtor may be found guilty of a felony of a kind  
described in § 522(q)(1)(A) or found liable for a debt of the kind  
described in § 522(q)(1)(B).

(c) TIME LIMITS. In a voluntary case, the schedules,  
statements, and other documents required by subdivision (b)(1),  
(4), (5), and (6) shall be filed with the petition or within 15 days  
thereafter, except as otherwise provided in subdivisions (d), (e),  
(f), and (h) of this rule. In an involuntary case, the list in  
subdivision (a)(2), and the schedules, statements, and other  
documents required by subdivision (b)(1) shall be filed by the  
debtor within 15 days of the entry of the order for relief. In a

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voluntary case, the documents required by paragraphs (A), (C), and (D) of subdivision (b)(3) shall be filed with the petition. Unless the court orders otherwise, if the debtor has filed a statement under subdivision (b)(3)(B), the documents required by subdivision (b)(3)(A) shall be filed within 15 days of the order for relief. In a chapter 7 case, the debtor shall file the statement required by subdivision (b)(7) within 45 days after the first date set for the meeting of creditors under § 341 of the Code, and in a chapter 13 case no later than the date when the last payment was made by the debtor as required by the plan or the filing of a motion for a discharge under § 1328(b). The debtor shall file the statement required by subdivision (b)(8) no earlier than the date of the last payment made under the plan or the date of the filing of a motion for a discharge under §§ 1141(d)(5)(B), 1228(b), or 1328(b) of the Code. Lists, schedules, statements, and other documents filed prior to the conversion of a case to another chapter shall be deemed filed in the converted case unless the court directs otherwise. Except as provided in § 1116(3), any extension of time for the filing of the schedules, statements, and other documents required under this rule may be granted only on motion for cause shown and on notice to the United States trustee, any committee elected under § 705 or appointed under § 1102 of the Code, trustee, examiner, or other party as the court may direct. Notice of an extension shall be given to the United States trustee and to any committee, trustee, or other party as the court may direct.

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**COMMITTEE NOTE<sup>1</sup>**

Subdivision (b)(3) of the rule is amended to require the debtor to file an Official Form relating to the credit counseling requirement provided by the 2005 amendments to § 109. Official Form 1 includes statements that warn the debtor of the consequences of failing to comply with the credit counseling requirement. The rule also provides that the debtor may file a statement that the debtor has received credit counseling but has not yet received a certificate from the credit counseling provider. Subdivision (c) is amended to permit the debtor to file the certificate and debt repayment plan within 15 days after the filing of the petition if a Rule 1007(b)(3)(B) statement is filed.

Other changes are stylistic.

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<sup>1</sup> This Committee Note relates to the Interim Rule as proposed in October 2006.