



This is an **ARCHIVE** copy of the KYEB Local Rules effective prior to 1/1/2013.
For the current rules please see <http://www.kyeb.uscourts.gov>

Local Rules, Standing Orders, and Forms
of the U. S. Bankruptcy Court,
Eastern District of Kentucky

Local Rules effective May 1, 1997

About these Rules: You must read these Rules in conjunction with the Standing Orders, which are hyperlinked to the Rules below. The Standing Orders add, delete and amend Local Rules. You cannot rely on any provision of the Rules below until you have determined whether a more recent Standing Order is relevant to the section you are reviewing. These Rules are not revised when a Standing Order is issued. **Hyperlinks/cross-references are added for your convenience but do not necessarily refer to the entire body of law on a particular subject.** See below for a complete list of Standing Orders. You should also review the Federal Rules of Bankruptcy Procedure and amendments thereto.

TABLE OF RULES

[1001-1. Citation and Authority](#)

[1001-2. Organization of Local Rules](#)

[1002-1. Petition – General – Number of Copies of Petition and Schedules Required to be Filed With the Clerk](#)

[1002-2. Petition – Assemble, Collate, Staple](#)

[1002-3. Petition – Corporation](#)

[1004-1. Petition – Partnership](#)

[1006-1. Fees – Installment payments](#)

[1007-1. Lists, Schedules & Statements – Petition not Accompanied by Schedules and Statements](#)

[1007-2. Mailing List or Matrix](#)

[1009-1 - Amendments to Lists and Schedules](#)

[1071-1. Divisions – Bankruptcy Court](#)

[2002-1. Notice to Creditors & Other Interested Parties – General 10 Day Notice Requirement](#)

[2016-1. Compensation of Professionals – Requirements – Supplemental Fee Applications](#) (revised by Standing Order [SO20120101c.pdf](#))

[2016-1. Compensation of Attorneys in Chapter 13 Cases](#)

[3001-1. Claims and Equity Security Interests – General](#)

[3002-1. Claim – Proof of by Creditor Holding a Secured Claim in Chapter 13 Case](#)

[3003-1. Claims – Chapter 11 Case](#)

[3009-1. Dividends – Chapter 7 Asset Cases - Deadline for Amending Claims](#)

[3015-1. Chapter 13 – Plan – Service of Plan](#)

[3015-2. Chapter 13 – Amendments to Plans – Service of Plan](#)

[3015-3. Chapter 13 – Confirmation](#)

[3017-1. Disclosure Statement – Approval](#)

[3020-1. Confirmation of Chapter 11 Plan – Hearing on](#)

[4001-1. Automatic Stay – Relief From](#)

[4001-2. Use of Cash Collateral, Obtaining Credit and Stipulations Relating to Same](#)

[4001-4. Hearings on Motions for Relief From Stay in the Lexington Division](#)

[4001-5. Hearings on Motions for Relief From Stay in Divisions Other Than Lexington](#)

[4003-1. Exemptions](#)

[4003-2. Lien Avoidance](#)

[4004-1 Discharge in Chapter 13 cases - Requirements](#)

[4008-1. Reaffirmation](#)

[5001-2. Clerk – Office Location/Hours](#)

[5005-1. Filing Papers – Requirements](#)

[5006-1. Court Papers – Uncertified Copies](#)

[6004-1. Sale of Estate Property](#)

[6008-1. Redemption](#)

[7007-1. Motion Practice \(in Adversary Proceedings\)](#)

[7026-1. Discovery – General](#)

[7067-1. Registry Fund](#)

[9014-1. Hearings on Motions](#)

[9014-2. Contested Matters – Under Submission](#)

[9022-1. Judgments & Orders – Notice of](#)

[9070-1. Exhibits](#)

RULE 1001-1. CITATION AND AUTHORITY

These rules shall be referred to as the Local Rules of the United States Bankruptcy Court for the Eastern District of Kentucky, and may be cited as E.D. Ky. LBR ____ - _____. These rules are adopted pursuant to Rule 9029 of the Federal Rules of Bankruptcy Procedure.

RULE 1001-2. ORGANIZATION OF LOCAL RULES

These local rules are numbered to correspond with the numbers of the Federal Rules of Bankruptcy Procedure dealing with the same general subject. Thus, the rules are not consecutively numbered. The first four numbers of each rule identify the Federal Rule of Bankruptcy Procedure which the local rule complements.

RULE 1002-1. PETITION - GENERAL - NUMBER OF COPIES OF PETITION AND SCHEDULES REQUIRED TO BE FILED WITH THE CLERK

(Abrogated - see [SO20090907](#))

The number of copies of the bankruptcy petition and schedules required to be filed with the clerk of the bankruptcy court to initiate a case under the Bankruptcy Code shall be as follows.

(a) An original and three copies of a petition requesting relief under chapter 7, chapter 12 or chapter 13 of the Code shall be filed. An original and four copies of a stockbroker's petition for relief under subchapter III of chapter 7 shall be filed, one copy of which shall be transmitted by the clerk to the Securities Investor Protection Corporation. An original and four copies of a commodity broker's petition for relief under subchapter IV of chapter 7 shall be filed, one copy of which shall be transmitted by the clerk to the Commodity Futures Trading Commission.

(b) An original and six copies of a petition requesting relief under chapter 9 or chapter 11 of the Code shall be filed. The clerk shall transmit one copy to the District Director of the Internal Revenue for the district in which the case is filed, one copy of a chapter 9 petition to the Secretary of State of the state in which the debtor is incorporated, one copy of a chapter 9 petition to the regional office of the Securities and Exchange Commission for the district in which the case is filed and, if a chapter 11 debtor is a corporation, one copy of the chapter 11 petition to the regional office of the Securities and Exchange Commission for the district in which the case is filed. If the petition seeks reorganization of a railroad under subchapter IV of chapter 11 of the Code, two additional copies of the petition shall be filed, and the clerk shall transmit one copy to the Surface Transportation Board and one copy to the Secretary of Transportation.

(c) The number of copies of the schedules, statement of financial affairs and any supplement to same, statement of intention, and lists of the 20 largest creditors shall be the same as the number of copies of the petition required to be filed.

(d) The additional copy of the petition, schedules and other documents for transmission to the United States Trustee in conformity with Rule 1002(b) of the Federal Rules of Bankruptcy Procedure is included in the number of copies required by this local rule.

RULE 1002-2. PETITION - ASSEMBLE, COLLATE, STAPLE

(Abrogated - see [SO20090907.pdf](#))

Prior to submission to the Clerk of Court the original petition and accompanying schedules and documents and the required number of copies thereof shall be assembled, collated and stapled in conformity with a "Guide to Assembly of Petitions" which may be obtained from the Clerk of Court.

RULE 1002-3. PETITION - CORPORATION

The petition of a corporation for relief under the Bankruptcy Code shall be accompanied by a resolution of the board of directors of the corporation authorizing the debtor to petition for the relief requested, designating the individual authorized to sign the petition in behalf of the corporation, and designating the individual or individuals responsible for performing the duties of the debtor. The petition and resolution shall be accompanied by an order designating the individual or individuals who shall perform the duties of the debtor. See Rules 4002 and 9001(5)(A), Federal Rules of Bankruptcy Procedure.

RULE 1004-1. PETITION - PARTNERSHIP

The petition of a partnership for relief under the Bankruptcy Code shall be signed by all the general partners or accompanied by a resolution signed by all the general partners authorizing the partnership to petition for the relief requested. Otherwise, each general partner who is not a petitioner shall be summoned, as provided by Rule 1004(b) of the Federal Rules of Bankruptcy Procedure, to respond to the petition. The petition shall be accompanied by a resolution and order designating the individual partner or partners who shall perform the duties of the debtor. See Rules 4002 and 9001(5)(B), Federal Rules of Bankruptcy Procedure.

RULE 1006-1. FEES - INSTALLMENT PAYMENTS

(See Standing Orders [SO20111101.pdf](#), [SO20031101.pdf](#), [SO19991229.pdf](#), [SO19980101.pdf](#), [SO20050915.pdf](#) and [SO20060409.pdf](#) and the current fee schedule at <http://www.kyeb.uscourts.gov>)

When leave is granted in accordance with Rule 1006 of the Federal Rules of Bankruptcy Procedure to pay in installments the applicable fees and charges required pursuant to title 28 U.S.C. § 1930, unless otherwise ordered by the court, such fees and charges shall be paid in installments as follows.

The fee and charges for filing a petition for relief under chapter 7 shall be paid in not more than four installments of \$43.75 each.

The fee and charges for filing a petition for relief under chapter 11 shall be paid in not more than four installments of \$200.00 each.

The fee and charges for filing a petition for relief under chapter 12 shall be paid in not more than four installments of \$50.00 each.

The fee and charges for filing a petition for relief under chapter 13 shall be paid in not more than four installments of \$40.00 each.

RULE 1007-1. LISTS, SCHEDULES & STATEMENTS -PETITION NOT ACCOMPANIED BY SCHEDULES AND STATEMENTS

(See Standing Orders [SO20091201.pdf](#), [SO20031201Amended.pdf](#) and [SO20061001.pdf](#) and [SO20081219.pdf](#))

If a petition is accepted for filing without the schedules and statements as permitted by Rule 1007(c) of the Federal Rules of Bankruptcy Procedure, the mailing list matrix will suffice as the list of creditors required by that rule only if the petition is accompanied by the unsworn declaration of the debtor incorporating the mailing list matrix by reference and certifying under penalty of perjury that to the best of the debtor's knowledge, information and belief the list is a true and correct list of the names and addresses of all the debtor's creditors.

RULE 1007-2. MAILING - LIST OR MATRIX

(See Standing Orders [SO20050526.pdf](#), [SO20020617.pdf](#), [SO20020501.pdf](#) and [SO20010301.pdf](#))

A petition initiating a case under the Bankruptcy Code shall be accompanied by a separate, unattached mailing list matrix containing the name, address and zip code of all creditors and parties in interest to be notified of the case. The mailing list shall be submitted on 8-1/2 inch x 11 inch size paper. The debtor is required to obtain from the Clerk of Court the most current version of the court document entitled **SPECIAL REQUIREMENTS FOR MAILING LIST MATRIX (Local Form No. 1)**. The mailing list matrix must fully comply with the specifications set forth in Local Form No. 1. The court may dismiss sua sponte any petition which is not accompanied by a mailing list matrix in compliance with the specifications set forth in Local Form No. 1.

The mailing list matrix submitted with a chapter 7, chapter 12 or chapter 13 petition shall include the address of the IRS or the Commonwealth of Kentucky, Revenue Cabinet, only if the debtor owes taxes to those entities.

The mailing list matrix submitted with a chapter 11 case shall contain the address of the Internal Revenue Service, 801 Broadway, MDP 146, Nashville, Tennessee 37203, whether or not the debtor is indebted to such taxing entity.

A mailing list matrix must be accompanied by a verification in compliance with the form attached to **SPECIAL REQUIREMENTS FOR MAILING LIST MATRIX (Local Form No. 1, Attachment No. 2)**. The court may dismiss sua sponte any petition that is not accompanied by a Verification of the Mailing List Matrix.

In addition to the original mailing list matrix, a copy thereof (with each page marked "copy") shall be filed with the Clerk of Court. The Clerk of Court shall transmit the copy of the mailing list matrix to the office of the U.S. Trustee.

If the debtor is a corporation the names and addresses of the officers and equity security holders of the corporation shall be included on the mailing list matrix. If the debtor is a partnership the names and addresses of all the general partners shall be included on the mailing list matrix.

In a case with more than 300 creditors the mailing list matrix may be submitted on a diskette in a format specified by the Clerk of Court.

The Clerk of Court shall not be required to compare the names and addresses on the petition and schedules or amendments thereto with the names and addresses on the mailing list matrix. The accuracy of the names and addresses of entities to be notified of the bankruptcy proceeding as set out on the mailing list matrix (whether provided on diskette or paper) is the responsibility of the debtor and/or counsel for the debtor.

A notice of appearance or request to receive a special notice or a change of address request made by a debtor or creditor or other party in interest shall be accompanied by an addendum to the mailing list matrix identifying the name and address of the party to be added to the list of creditors. The addendum to the mailing list matrix shall comply with the specifications set forth in Local Form No. 1. If such notice or request is not accompanied by a proper addendum to the mailing list matrix the clerk may delay adding the party's name to the mailing list until the conforming addendum to the mailing list matrix is provided.

RULE 1009-1 AMENDMENTS TO LISTS AND SCHEDULES

(created by [Standing Order SO20031201Amended.pdf](#))

An amendment must be signed by the debtor(s) and must be served by the debtor or counsel for debtor on the trustee and any affected entity.

In addition to the amendment, a copy of the original 341 meeting notice or the Statement of Social Security Number(s) must also be

served by the debtor or counsel for the debtor on any party being added to schedules D through H. The certificate of service included with the amendment must indicate the document containing the full social security number was served, but must not include a copy of any documentation showing the full social security number.

RULE 1071-1. DIVISIONS- BANKRUPTCY COURT

(See Standing Orders [SO20020901.pdf](#) and [SO20020401.pdf](#))

The divisions of the Bankruptcy Court shall be the same as the jury divisions of the United States District Court for the Eastern District of Kentucky as set out in LR 3.1(a) of the Joint Local Rules for the United States District Court for the Eastern and Western Districts of Kentucky, except the division identified therein as the London Division shall be identified as the Corbin Division of the Bankruptcy Court. Bankruptcy petitions shall be assigned by the clerk to the division of the Bankruptcy Court which encompasses the county in which the debtor resides at the time of filing. For purposes of this rule the residence of a partnership shall be the county in which the principal business of the partnership is located, and the residence of a corporation shall be the county in which the corporation maintains its registered office.

A motion that hearings in a chapter 7 bankruptcy case be held in a division of the court other than the division to which the case is assigned shall be filed with the original petition. Such a motion filed after the date of appointment of a trustee may be granted only for good cause shown that outweighs the inconvenience of the trustee having to travel to a different division of the court to attend hearings in the case.

RULE 2002-1. NOTICE TO CREDITORS & OTHER INTERESTED PARTIES - GENERAL 10 DAY NOTICE REQUIREMENT

(See Standing Order [SO20091201.pdf](#))

Unless the Federal Rules of Bankruptcy specifically state otherwise, any notice of hearing shall include a certificate of service indicating that each party served has been given at least 10 days' notice of the hearing date. At the discretion of the court, emergency matters may be heard on less than 10 days' notice when accompanied by a motion to shorten the time provided by this rule.

In chapter 11 cases, with the exception of the notice of the meeting pursuant to 11 U.S.C. § 341, noticing shall be the responsibility of the debtor in possession or the attorney for the debtor in possession or, if a trustee has been appointed, the trustee or the attorney for the trustee.

RULE 2016-1. COMPENSATION OF PROFESSIONALS – REQUIREMENTS – SUPPLEMENTAL FEE APPLICATIONS Abrogated - See Standing Order [SO20120101c.pdf](#)

In addition to the requirements of Rule 2016 of the Federal Rules of Bankruptcy Procedure, applications for the allowance of compensation or expenses of a professional person appointed under section 327 or 1103 of title 11 must have attached thereto a copy of the order of retention or authorization.

Supplemental fee applications shall, in the same manner as original fee applications, contain all the information required by Rule 2016 of the Federal Rules of Bankruptcy Procedure.

RULE 2016-1. COMPENSATION OF ATTORNEYS IN CHAPTER 13 CASES - See Standing Order [SO20120101c.pdf](#)

RULE 3001-1. CLAIMS AND EQUITY SECURITY INTERESTS - GENERAL

Each proof of claim, with supporting documents evidencing the claim and the perfection of a security interest, if any, shall be submitted in duplicate, one original copy, complete with supporting documents, for the court case file, and one conformed copy, complete with supporting documents, for the trustee's case file. The original copy, which must bear the original signature of the claimant, shall be retained by the clerk in the court case file. The conformed copy, which may bear a photocopy of the claimant's signature, but which otherwise shall be complete in all respects with supporting documents, shall be forwarded by the clerk to the trustee.

The trustee shall examine and object to any defective or insufficiently documented claim, if any useful purpose would be served thereby.

Upon request, the Clerk of Court shall provide claimants with instructions for filing proofs of claim.

The requirements for filing in duplicate and documenting proofs of claim apply with equal force to any proof of an equity security interest in a debtor corporation.

RULE 3002-1. CLAIM - PROOF OF BY CREDITOR HOLDING A SECURED CLAIM IN CHAPTER 13 CASE

A proof of claim in conformity with Local Rule 3001-1 by or on behalf of a creditor, including a creditor holding a secured claim, other than a claim secured by an interest in real estate, must be filed in a chapter 13 case before the debtor or trustee may make payments to such creditor in accordance with the plan. Proof of a secured claim filed after the expiration of the time fixed by Rule 3002(c) of the Federal Rules of Bankruptcy Procedure for filing claims shall be allowed only to the extent of the value of the collateral securing the claim.

RULE 3003-1. CLAIMS - CHAPTER 11 CASE

Unless the court for cause shown orders otherwise, the cutoff date for filing unsecured claims or claims scheduled as disputed, contingent, or unliquidated in a chapter 11 case shall be the date of the order approving the disclosure statement.

RULE 3009-1. DIVIDENDS - CHAPTER 7 ASSET CASES - DEADLINE FOR AMENDING CLAIMS

When estate funds are available in a chapter 7 case for payment of a dividend to creditors holding allowed unsecured claims, the deadline for filing an amended claim for any deficiency remaining after the liquidation of collateral or for requesting an extension of time

within which to file an amended claim shall be the date of the final hearing on applications for compensation or, in divisions other than the Lexington division, if applications for compensation are filed on a notice and opportunity basis, such deadline shall be the last date for objecting to such applications for compensation in accordance with the notice. No dividend shall be paid on an amended claim filed after that date by a creditor who did not timely request an extension of time within which to amend the claim.

RULE 3015-1. CHAPTER 13 - PLAN - SERVICE OF PLAN - Amended and restated effective 1/1/2012. See Standing Order [SO20120101a.pdf](#)

(See Standing Orders [SO20120101a.pdf](#), [SO20000801.pdf](#), [SO20051017Plan.pdf](#), and [SO20080307.pdf](#))

(a) Form of Plan. A chapter 13 plan shall conform substantially to Form No. 2 with such alterations as may be appropriate to suit the circumstances.

(b) Service of Plan. Concurrently with the filing of the plan the debtor or the debtor's attorney shall cause a copy of the plan to be served by first class mail upon all creditors of the debtor and other parties in interest. The debtor or the debtor's attorney shall file with the plan a certificate of service in the form prescribed by Form No. 3 certifying that a copy of the plan has been served by first class mail upon all creditors of the debtor and parties in interest.

RULE 3015-2. CHAPTER 13 - AMENDMENTS TO PLANS - SERVICE OF PLAN - Amended and restated effective 1/1/2012. See Standing Order [SO20120101a.pdf](#)

A modified chapter 13 plan shall be served upon all creditors and parties in interest and shall be accompanied by a certificate of service in the same manner as the original plan. The modified plan and the order confirming a modified plan shall identify the plan as the First, Second, etc. Modified Plan Dated _____.

RULE 3015-3. CHAPTER 13 - CONFIRMATION - Amended and restated effective 1/1/2012. See Standing Order [SO20120101a.pdf](#)

(See Standing Orders [SO20120101a.pdf](#), [SO20091201.pdf](#), [SO20000801.pdf](#), [SO20051017Plan.pdf](#), and [SO20080307.pdf](#))

(a)(1) Objections to Confirmation. An objection to confirmation of a chapter 13 plan is governed by Rule 9014 of the Federal Rules of Bankruptcy Procedure. Such objection shall be filed with the court not later than 10 days prior to the hearing on confirmation of the plan, shall be served upon the debtor, the attorney for the debtor and the chapter 13 trustee, and shall be noticed for hearing at the hearing on confirmation of the plan. An objection by a creditor to the recommendation of the chapter 13 trustee as to the allowed amount of the secured claim of such creditor may be presented at the hearing on confirmation of the plan.

(2) Hearing on Confirmation. The court shall rule on confirmation of a chapter 13 plan after hearing on notice to the debtor, the attorney for the debtor, and all creditors, including creditors holding secured claims, and any creditor who has timely filed an objection to confirmation of the plan. Notice of the hearing on confirmation of a chapter 13 plan may be combined with the notice of the meeting of creditors given pursuant to Rule 2002 of the Federal Rules of Bankruptcy Procedure. If no objection is timely filed, the court, without hearing evidence, may find that the plan has been proposed in good faith and not by any means forbidden by law.

(b) Order of Confirmation. The order of confirmation of a chapter 13 plan shall conform substantially to Form No. 4 and a copy of the order shall be served promptly upon the debtor or the attorney for the debtor, the chapter 13 trustee, and any creditor who timely filed an objection to confirmation of the plan.

RULE 3017-1. DISCLOSURE STATEMENT - APPROVAL

(See Standing Order [SO20091201.pdf](#))

In a chapter 11 case the proponent of a disclosure statement and plan shall prepare and submit an order setting the date of the hearing for consideration of the disclosure statement.

The order shall fix a cutoff date for filing objections to the disclosure statement which ordinarily shall be five days in advance of the date of the hearing for consideration of the disclosure statement.

The order may indicate the cutoff date as fixed by E.D. Ky. LBR 3003-1 for filing unsecured claims or claims scheduled as disputed, contingent, or unliquidated.

The proponent of the disclosure statement and plan shall cause copies of the order setting the hearing for consideration of the disclosure statement to be served upon the debtor, creditors, equity security holders and other parties in interest as provided in Rule 2002 of the Federal Rules of Bankruptcy Procedure and along with the order shall mail copies of the disclosure statement and plan to the parties specified in Rule 3017(a) of the Federal Rules of Bankruptcy procedure.

RULE 3020-1. CONFIRMATION OF CHAPTER 11 PLAN - HEARING ON

(See [Standing Order SO20091201.pdf](#))

The proponent of a disclosure statement and plan shall prepare and submit an order setting the date of the hearing on confirmation of the plan.

The order shall fix a cutoff date for filing objections to confirmation of the plan which ordinarily shall be ten days prior to the date of the hearing on confirmation of the plan.

The order shall fix the time within which holders of claims or interests may accept or reject the plan which ordinarily shall be fifteen days in advance of the hearing on confirmation of the plan.

The proponent of the plan shall cause a copy of the order setting the hearing on confirmation of the plan along with the disclosure statement and plan and a ballot conforming to the appropriate Official Form for acceptance or rejection of the plan to be served by mail upon all creditors and equity security holders entitled to vote on the plan, and the United States Trustee, as directed by Rule 3017(d) of the Federal Rules of Bankruptcy Procedure.

RULE 4001-1. AUTOMATIC STAY - RELIEF FROM

Rule 9014 of the Federal Rules of Bankruptcy Procedure mandates that relief from stay be requested by motion. The motion shall be styled in the same manner as the bankruptcy case and not as an adversary proceeding. A request for relief from stay appearing in the context of a complaint commencing an adversary proceeding, or in an answer, counterclaim, cross-claim, intervening complaint or third party complaint filed in such a proceeding, unless also requested by separate motion filed in the related bankruptcy case, shall be deemed as consent for the stay to remain in effect until final disposition of the adversary proceeding.

A motion for relief from stay pursuant to section 362(d) of the Bankruptcy Code with respect to an interest of the movant in property (of the estate or of the debtor) shall conform substantially to Form No. 5, with such alterations as may be appropriate to suit the circumstances. The motion shall be accompanied by --

- (1) a proof of claim with supporting documents establishing the perfected security interest or other interest of the movant in property that is the subject of the motion; and
- (2) a certificate of service indicating that parties in interest have been served in a manner provided by Rule 7004 of the Federal Rules of Bankruptcy Procedure with a copy of the motion and the documented proof of claim.

In a chapter 7, chapter 12, or chapter 13 case service shall be made upon the debtor, counsel for the debtor, and the trustee. In a chapter 11 case service shall be made upon the debtor in possession, counsel for the debtor in possession, or if a trustee has been appointed, upon the trustee and counsel for the trustee. Service also shall be made upon counsel employed by a committee or alternatively upon each member of the committee. In a chapter 11 case in which a committee has not been appointed service shall be made upon the creditors on the list filed pursuant to Rule 1007(d) of the Federal Rules of Bankruptcy Procedure and the United States Trustee.

A motion for relief from stay pursuant to section 1201 or 1301 of the Bankruptcy Code shall be served upon the codebtor as well as upon the debtor, counsel for the debtor, and the trustee. The motion shall be accompanied by a proof of claim with supporting documents evidencing the signature of the codebtor.

A motion for relief from stay for the purpose of pursuing a cause of action against the debtor, i.e., an action for damages for which an insurance carrier may be liable, shall set out in detail relevant information concerning the action.

An order granting relief from stay may be entered without an actual hearing unless a party in interest responds and requests a hearing within the time fixed in the motion, which shall be not less than 15 days from the date of service of the motion, plus the additional three days allowed by Rule 9006(f) of the Federal Rules of Bankruptcy Procedure when service is by mail. The response and request for a hearing shall state the grounds for opposition to the motion and shall give notice of the place, time and date of the hearing thereon, which unless otherwise agreed by the parties or ordered by the court for cause shown, shall be not later than 30 days after the date the motion for relief from stay was filed with the court. The hearing on the response may be treated as a preliminary hearing on the motion for relief from stay and the stay may be continued in effect for the limited time permitted by title 11 U.S.C. § 362(e) pending conclusion of the final hearing.

An agreed order granting relief from stay will not be entered by the court unless the party to be accorded relief has filed a proof of claim with supporting documents establishing the perfected security interest or other interest of the party in the property that is the subject of the agreed order.

RULE 4001-2. USE OF CASH COLLATERAL, OBTAINING CREDIT AND STIPULATIONS RELATING TO SAME

(created by Standing Order [SO19991229.pdf](#))

(a) A motion for use of cash collateral, for authority to obtain credit, or a stipulation relating to same shall set forth the total dollar amount of the request for use of funds, the specific uses to which the funds will be put, the debtor's proposed budget for the use of the funds, the amount of debt asserted to be owed to any creditor claiming an interest in the collateral, the value of the collateral which secures the creditor's asserted interest, and any proposal for providing adequate protection. If the debtor seeks authority to use cash collateral or to obtain credit on an emergency or expedited basis, the debtor shall state the nature of the emergency requiring an expedited hearing and determination. The motion shall be accompanied by copies of all documents, evidencing perfection, by which the interest of any entity claiming an interest in the cash collateral was created or perfected.

(b) A motion for use of cash collateral, for authority to obtain credit, or a stipulation relating to same shall be served on all creditors who assert an interest in the cash collateral and their attorneys, if known, any taxing authority that has a claim against the debtor, the debtor's twenty (20) largest unsecured creditors, the members of any committee appointed in the case and counsel to any committee, any parties who have filed a request for service of all pleadings and notices and the United States trustee.

(c) Subject to section (d), the following provisions contained in an agreement between the debtor and the holder of a secured claim as to use of cash collateral, obtaining credit, or adequate protection, or any order approving or authorizing the use of cash collateral, obtaining credit, or adequate protection, shall be unenforceable:

- (1) any acknowledgment of the validity, amount, perfection, priority, extent or enforceability of the secured claim, if the agreement or order purports to bind any party other than the debtor;

- (2) any releases of liability for the creditor's alleged prepetition torts or breaches of contract, waivers of avoidance actions or waiver of defenses by the debtor or estate representative;
- (3) any postpetition lien which purports to secure any claim of a secured creditor other than (i) a claim arising from postpetition advances which constitute an additional nonreplacement extension of credit; or (ii) a claim representing the diminution in value of the secured claim after the commencement of the case;
- (4) any grant of a security interest in avoidance power recoveries available to the trustee; or
- (5) any provision granting a creditor relief from the automatic stay without further order or hearing upon the breach of the cash collateral, adequate protection or postpetition financing order or agreement.

(d) Notwithstanding section (c), the Court may order the enforcement of any terms and conditions on the use of cash collateral or obtaining credit, provided that (i) the proposed order or agreement specifically states that the proposed terms and conditions vary from the requirements of section (c), and (ii) any such proposed terms and conditions are conspicuously and specifically set forth in the proposed agreement or order

RULE 4001-4. HEARINGS ON MOTIONS FOR RELIEF FROM STAY IN THE LEXINGTON DIVISION

(See Standing Orders [SO19990701.pdf](#) and [SO19981101.pdf](#))

Unless otherwise ordered by the court, motions for relief from the automatic stay in cases pending in the Lexington division may be noticed for hearing at a time set forth in E.D. Ky. LBR 9014-1 for hearing such motions.

RULE 4001-5. HEARINGS ON MOTIONS FOR RELIEF FROM STAY IN DIVISIONS OTHER THAN LEXINGTON

(See Standing Orders [SO20050201.pdf](#), [SO20030902.pdf](#), [SO20001201.pdf](#), [SO19990701.pdf](#), and [SO19981101.pdf](#))

Unless otherwise ordered by the court, motions for relief from the automatic stay in the Covington division shall be heard at Covington on the first Tuesday of the month at 10:00 a.m. prevailing time; motions for relief from the automatic stay in the Ashland division shall be heard at Ashland on the Wednesday following the first Tuesday of the month at 11:00 a.m. prevailing time; motions for relief from the automatic stay in the Pikeville division shall be heard at Pikeville on the second Tuesday of the month at 11:00 a.m. prevailing time; motions for relief from the automatic stay in the Corbin division shall be heard at Corbin on the Thursday following the second Tuesday of the month at 10:00 a.m. prevailing time; and motions for relief from the automatic stay in the Frankfort division shall be heard at Frankfort on the Wednesday following the second Tuesday of the month at 11:00 a.m. prevailing time.

For cases pending in any division other than the Lexington division, when the requirements set forth in the immediately preceding paragraph and those set forth in 11 U.S.C. § 362(e) cannot be met by noticing a motion for relief in the division in which the case is pending at the times stated above, a motion for relief from stay must be noticed for hearing before the court at Lexington on the fourth Tuesday of the month at 10:00 a.m. prevailing time.

RULE 4003-1. EXEMPTIONS

(See [Standing Order SO20091201.pdf](#))

An objection to an exemption claimed by a debtor or a dependent of the debtor shall conform substantially to Form No. 6, with such alterations as may be appropriate to suit the circumstances. The objection shall be served upon the person claiming the exemption and the attorney for such person within the time fixed by Rule 4003(b) of the Federal Rules of Bankruptcy Procedure and in a manner provided by Rule 7005(b) of the Federal Rules of Bankruptcy Procedure.

An order sustaining the objection may be entered without an actual hearing unless the person claiming the exemption responds and requests a hearing within the time fixed in the objection, which shall be not less than 15 days, plus the three additional days allowed by Rule 9006(f) of the Federal Rules of Bankruptcy Procedure when the objection is served by mail. The response and request for a hearing shall state the grounds for opposition to the objection and shall be noticed for a hearing on a regularly scheduled date fixed by the court for hearing such objections.

Unless otherwise ordered by the court, in the Lexington division, objections to exemptions may be noticed for hearing at a time set forth in E.D. Ky. LBR 9014-1 for hearing miscellaneous motions.

In all divisions of the court except the Lexington division, objections to exemptions may be noticed for hearing in the appropriate division at the times set forth in E.D. Ky. LBR 9014-1.

RULE 4003-2. LIEN AVOIDANCE

(See Standing Order [SO20091201.pdf](#))

A motion pursuant to section 522(f) of the Bankruptcy Code to avoid a judicial lien or a nonpossessory, nonpurchase-money lien on exempt property shall conform substantially to Form No. 7(a) or 7(b), with such alterations as may be appropriate to suit the circumstances. The motion shall be served on the lienholder in the manner provided by Rule 7004(b) of the Federal Rules of Bankruptcy Procedure.

An order sustaining the motion and avoiding a lien may be entered without an actual hearing unless the lienholder files a response and a request for hearing within the time specified in the motion, which shall be not less than 15 days from the date of the service of the motion, plus the additional three days allowed by Rule 9006(f) of the Federal Rules of Bankruptcy Procedure when service is by mail. The response shall state the grounds for opposition to the motion and shall be noticed for hearing at a regularly scheduled date fixed by the court for hearing such motions.

Unless otherwise ordered by the court, in the Lexington division motions pursuant to 11 U.S.C. § 522(f) in chapter 7 cases may be noticed for hearing at a time set forth in E.D. Ky. LBR 9014-1 for hearing miscellaneous motions.

In all divisions of the court except the Lexington division, motions pursuant to 11 U.S.C. § 522(f) of the Bankruptcy Code may be noticed for hearing in the appropriate division at the times set forth in E.D. Ky. LBR 9014-1.

RULE 4004-1. DISCHARGE IN CHAPTER 13 CASES – REQUIREMENTS - See Standing Order [SO20120101b.pdf](#)

RULE 4008-1. REAFFIRMATION

A motion for approval of a reaffirmation agreement entered into by an individual who was not represented by an attorney during the course of negotiating the agreement shall conform substantially to Form No. 8, with such alterations as may be appropriate to suit the circumstances.

The motion shall be served in the manner provided by Rule 7005(b) of the Federal Rules of Bankruptcy Procedure.

In the Lexington division a motion in a chapter 7 case for approval of a reaffirmation agreement may be noticed for hearing at a time set forth in E.D. Ky. LBR 9014-1 for hearing miscellaneous motions.

In all other divisions of the court, a motion for approval of a reaffirmation agreement shall be noticed for hearing at the times set forth in E.D. Ky. LBR 9014-1.

RULE 5001-2. CLERK - OFFICE LOCATION/HOURS

The address to which documents shall be delivered for filing and at which case files are maintained is 100 East Vine Street, Suite 202, Lexington, Kentucky 40507. The mailing address to which documents shall be mailed for filing is U.S. Bankruptcy Court, P.O. Box 1111, Lexington, Kentucky 40589-1111.

The office of the Clerk of the U.S. Bankruptcy Court for the Eastern District of Kentucky shall be open to the public from 8:30 a.m. until 4:30 p.m., Monday through Friday. Special arrangements may be made in advance with the clerk for the office to be open other than regular business hours. The office shall be closed on weekends and on all federal holidays. *[WEBMASTER'S NOTE: AS OF 5/3/2004, THE COURT IS OPEN 8:30 a.m.-4:00 p.m. Monday thru Friday.]*

RULE 5005-1. FILING PAPERS - REQUIREMENTS

Papers described in Rule 5005 of the Federal Rules of Bankruptcy Procedure which are served on any party or entity shall be filed in or mailed to the Clerk of Court no later than one business day following the date of service.

RULE 5006-1. COURT PAPERS - UNCERTIFIED COPIES

A party seeking by return mail an uncertified copy of an order, pleading, proof of claim or other paper filed in a case shall submit an additional copy thereof, together with a stamped, self-addressed envelope.

RULE 6004-1. SALE OF ESTATE PROPERTY

Whenever the trustee, or the debtor in possession, proposes to use, sell or lease property not in the ordinary course of business, such trustee or debtor in possession shall give the notice required by Rule 2002 and Rule 6004 of the Federal Rules of Bankruptcy Procedure. A notice of sale shall specify whether the property is to be sold free and clear of or subject to liens and encumbrances.

RULE 6008-1. REDEMPTION

(See Standing Order [SO20091201.pdf](#))

A motion pursuant to 11 U.S.C. § 722 to redeem tangible personal property from a lien securing a dischargeable consumer debt shall conform substantially to Form No. 9, with such alterations as may be appropriate to suit the circumstances. The motion shall be served on the lienholder in the manner provided by Rule 7004(b) of the Federal Rules of Bankruptcy Procedure.

An order granting redemption may be entered without an actual hearing unless the lienholder files a response and requests a hearing within the time specified in the motion, which shall be not less than 15 days from the date of service of the motion, plus the additional three days allowed by Rule 9006(f) of the Federal Rules of Bankruptcy Procedure when service is by mail. The response shall state the grounds for opposition to the motion and shall be noticed for hearing at a regularly scheduled date fixed by the court for hearing such motions.

Motions in chapter 7 cases in the Lexington division pursuant to 11 U.S.C. § 722 may be noticed for hearing at a time set forth in E.D. Ky. LBR 9014-1 for hearing miscellaneous motions.

In all divisions of the court except the Lexington division motions pursuant to 11 U.S.C. § 722 will be heard by the court at the times set forth in E.D. Ky. LBR 9014-1.

RULE 7007-1. MOTION PRACTICE (IN ADVERSARY PROCEEDINGS)

(See Standing Order [SO20091201.pdf](#))

a) LEXINGTON DIVISION

Unless otherwise ordered, a motion in an adversary proceeding pending in the Lexington division may be noticed for hearing at a time set forth in E.D. Ky. LBR 9014-1 for hearing such motions. The motion shall include a certificate indicating that each party to the motion has been given at least ten (10) days' notice of the hearing on the motion by service of the motion in a manner permitted by Rule 7005(b) of the Federal Rules of Bankruptcy Procedure.

Motions for a pretrial conference or trial date need not be noticed for hearing and, unless objection is made, will be acted on by the court without a hearing.

b) ALL OTHER DIVISIONS

In all other divisions of the court, motions in adversary proceedings shall be heard at the times set forth in E.D. Ky. LBR 9014-1. The motion shall include a certificate indicating that each party to the motion has been given at least ten (10) days' notice of the hearing on the motion by service of the motion in a manner permitted by Rule 7005(b) of the Federal Rules of Bankruptcy Procedure.

RULE 7026-1. DISCOVERY - GENERAL

(a) Unless otherwise ordered by the court, prior to a request for discovery a party to an adversary proceeding or contested matter is not required to make the disclosures required by paragraphs (1) through (3) of subsection (a) of Rule 26 of the Federal Rules of Civil Procedure, as made applicable by Rule 7026 of the Federal Rules of Bankruptcy Procedure.

(b) Unless otherwise ordered by the court, the provisions of subsection (f) of Rule 26 of the Federal Rules of Civil Procedure, as made applicable by Rule 7026 of the Federal Rules of Bankruptcy Procedure, shall not apply in adversary proceedings or contested matters.

RULE 7067-1. REGISTRY FUND

(a) Any order presented by a party or parties that directs the clerk to invest in an interest-bearing account or instrument funds deposited in the registry of the court pursuant to 28 U.S.C. § 2041, shall include the following:

(1) the amount to be invested;

(2) the name of the depository approved by the Treasurer of the United States as a depository in which funds may be deposited;

(3) a designation of the type of account or instrument in which the funds shall be invested;

(4) wording which directs the clerk to deduct from the income earned on the investment a fee, not exceeding that authorized by the Judicial Conference of the United States and set by the Director of the Administrative Office at 10% of the income earned while funds are held in the court's registry, whenever such income becomes available for deduction and without further order of the court.

(b) The fee assessed under subsection (a) of this rule shall be deducted periodically, without further orders of the court, either at the time income is credited to the account, or prior to any other distribution. Investments having a maturity date greater than one year will be assessed the fee at the time the investment instrument matures.

(c) Sample orders in conformity with this rule may be obtained upon request from the Clerk of Court.

RULE 9014-1. HEARINGS ON MOTIONS

(See Standing Orders [SO20100901](#) , [SO20090907](#) , [SO20090301.pdf](#) , [SO20070601.pdf](#) , [SO20061201.pdf](#) , [SO20050201.pdf](#) , [SO20040113.pdf](#) , [SO20030902.pdf](#) , [SO20010301.pdf](#) , [SO20001201.pdf](#) , [SO19990701.pdf](#) , and [SO19981101.pdf](#) ,

Motions, objections or applications that have not been resolved by or cannot await resolution by the notice and opportunity for a hearing process, including responses to any such motions, objections or applications, shall be noticed for hearing as follows:

(a) LEXINGTON DIVISION

Unless otherwise ordered by the court, motion days in the Lexington division shall be as follows:

1. Motions in adversary proceedings may be noticed for hearing at 10:00 a.m. prevailing time on the first and third Wednesday of each month, unless such day is a legal holiday, in which event the court may designate an alternate date.

2. Motions for relief from stay may be noticed for hearing at 1:30 p.m. prevailing time on the first or third Wednesday of each month, unless such day is a legal holiday in which event the court may designate an alternate date.

3. Miscellaneous motions in chapter 7 cases may be noticed for hearing at 1:30 p.m. prevailing time on the second Monday of each month, unless that day is a legal holiday, in which event, such motions may be noticed for hearing on the fourth Monday of the month.

4. Miscellaneous motions in chapter 13 cases may be noticed for hearing at 1:30 p.m. prevailing time on the third Monday of each month, unless that day is a legal holiday, in which event, such motions may be noticed for hearing on the fourth Monday of the month.

5. All other motions may be scheduled by contacting the judge's chambers.

(b) ALL DIVISIONS EXCEPT LEXINGTON

Unless otherwise ordered, for cases pending in the Ashland, Corbin, Covington, Frankfort and Pikeville divisions, any motion other than a motion for relief from stay shall be noticed for hearing in the division in which the case is pending at the following times. Motions in cases in the Ashland division shall be noticed for hearing at Ashland on the Wednesday following the first Tuesday of the month at 1:30 p.m. prevailing time; motions in cases in the Corbin division shall be noticed for hearing at Corbin on the Thursday following the second Tuesday of the month at 11:00 a.m. prevailing time; motions in cases in the Covington division shall be noticed for hearing at Covington on the first Tuesday of the month at 1:30 p.m. prevailing time; motions in cases in the Frankfort division shall be noticed for hearing at Frankfort on the Wednesday following the second Tuesday of the month at 10:00 a.m. prevailing time; and motions in cases in the Pikeville division shall be noticed for hearing at Pikeville on the second Tuesday of the month at 1:30 p.m. prevailing time.

In the event there is insufficient time to hear a motion scheduled at the above time, the motion shall be reset for hearing at the court's convenience. Motions which are expected to require more than 15 minutes of court time may be scheduled by contacting the judge's chambers.

RULE 9014-2. CONTESTED MATTERS - UNDER SUBMISSION

When a matter is to be taken under submission, the party filing the last memorandum or other paper concerning that matter shall submit an order of submission therewith.

RULE 9022-1. JUDGMENTS & ORDERS - NOTICE OF

(a) General Requirement. Each order or judgment submitted for entry by the court shall include thereon the name and complete address of each person and party to be served with a copy of the order.

(b) Adversary Proceedings. In an adversary proceeding, following the ruling of the court on a motion or other matter, the prevailing party shall submit an appropriate order or judgment in a sufficient number of copies accompanied by metered or stamped envelopes addressed to each person and party designated for receipt of service of the order.

(c) Proceedings in a Bankruptcy Case. A request for action in a bankruptcy case initiated by application, motion, objection, response, or other pleading, shall be accompanied by a proposed order. The proposed order shall be submitted in triplicate, an original and two copies, along with a self-addressed, metered or stamped envelope for returning a copy of the order to counsel for the prevailing party for service on the persons and parties named in the order. Counsel shall cause a copy of the order to be served on each of the persons and parties designated to receive the order and shall file with the court a certificate of service of the order upon such persons and parties.

RULE 9070-1. EXHIBITS

(created by [Standing Order SO20031201Amended.pdf](#))

Filers of exhibits are solely responsible for redacting social security numbers, and other personal identifiers such as dates of birth, financial account numbers, and names of minor children from any papers included as part of a pleading. The Court will not review each document for compliance with this rule.

[Standing Orders](#) for the United States Bankruptcy Court, E.D.Ky

These Orders must be read in conjunction with the Local Rules, above. The free

[Adobe Acrobat Reader](#) is required for these files. **The date indicated is the**

effective date of the Order, not necessarily the date it was entered.

2012 [January 1](#): [Standing Orders 11-02](#), [11-03](#) and [11-04](#)

2011 [November 1](#)

2010 [September 1](#)

2009 [December 1](#) [September 7](#) [March 1](#)

2008 [March 7](#) [December 1](#) [December 19](#)

2007 [June 1](#) / [November 5](#)

2006 [April 9](#) (amended by [SO20091201.pdf](#)) / [June 12](#) / [October 1](#) / [December 1](#)

2005 [February 1](#) / [May 26](#) / [September 15](#) / Effective 10/17/05: [Adopting Interim Rules](#) (Except

for Interim Bankruptcy Rule 5012, the Order Adopting Interim Bankruptcy Rules was repealed by [SO20081201](#)) /

(The following Orders remain in effect:) [Payment Advices](#) and [Amended Order on Payment Advices](#) /

[Pre-confirmation adequate protection](#) / [Chapter 13 plan](#) / [Revised Form 2](#)

- 2004 [January 13](#)
- 2003 [March 14](#) (*superseded - see 11/5/07 order*) / [May 1](#) / [July 2](#) / [September 2](#) / [September 9](#) / [November 1](#) / [December 1](#) / [December 1 AMENDED](#)
- 2002 [April 1](#) / [May 1](#) / [June 17](#) / [August 1a](#) / [August 1b](#) / [September 1](#)
- 2001 [March 1](#)
- 2000 [July 18](#) / [August 1](#) with [Revised Form #2](#) and [Revised form #4](#) / [December 1](#)
- 1999 [July 1](#) / [December 29](#)
- 1998 [January 1](#) / [November 1](#)

Forms for the United States Bankruptcy Court, E.D.Ky

Only *local* forms are referenced below. For Proofs of Claim and other official forms, visit <http://www.uscourts.gov>

Practitioners must also comply with all filing [Guidelines](#) for forms and other matters.

[1. Special Requirements for Mailing List Matrix](#)

[2. Updated Form 2: SO20051014Form2.pdf](#) and [Chapter 13 Order](#)

(See Standing Orders [SO20000801.pdf](#), and old Form 2: [SOstdch13plan20000801.pdf](#), [SO20051014Plan.pdf](#))

[2. Chapter 13 Plan and Motions - Local Form 2](#) revised effective January 1, 2012 - See Standing Order [11-02](#)

[3. Certificate of Service of Plan](#)

[4-Order Confirming Chapter 13 Plan](#)

(See Standing Orders [SO20000801.pdf](#) and [SO20000801ch13orderconfplan.pdf](#))

[4. Order Confirming Chapter 13 Plan - Local Form 4](#) revised effective January 1, 2012 - See Standing Order [11-02](#)

[5. Motion for Relief From Stay](#)

[6. Objection to Exemptions](#) (See Standing Order [SO20091201.pdf](#))

[7\(a\). Motion for Order Avoiding Lien on Exempt Property](#) (See Standing Order [SO20091201.pdf](#))

[7\(b\). Motion for Order Avoiding Lien on Exempt Property](#) (See Standing Order [SO20091201.pdf](#))

[8. Reaffirmation Agreement](#) (*local version for pre-10/17/05 cases*) and [Motion for Approval of Reaffirmation Agreement](#)

(Note: *For cases filed 10/17/05 and after use Form 240A on the US Courts site*)

[9. Motion to Redeem Property](#) (See Standing Order [SO20091201.pdf](#))

[10. Proof of Claim \(PDF\)](#) Because the AO's national Proof of Claim form can now be completed in interactive PDF format, we have discontinued use of our local copy. Click here for the [national form](#).

[11. Order form for Transcripts](#) from the Court's Digital Voice Recording System

Note: Official transcripts for hearings held 12/1/2003 or later may only be obtained by submitting to the court a completed Transcript Order Form. The recording and other pertinent records will be sent directly to the transcriber by the court. See the [Standing Order of 11/5/07](#) for official transcript costs. Any unofficial transcript prepared from a CD purchased from the court would be for the personal use of the requesting party only.

[12. Form 21, Statement of Social Security Numbers](#) -- Online format (you can also still use the [national version](#))

[13. Form for Amendment to Schedules - Word or WordPerfect versions](#)

[14. Local Form 14 - Rights and Responsibilities of Chapter 13 Debtors and Their Attorneys](#) - See Standing Order [11-04](#)

[15. Local Form 15 - Certification Regarding Chapter 13 Rights and Responsibilities](#) - See Standing Order [11-04](#)

(WEBMASTER'S NOTE: Please contact the Clerk's office to obtain a printed copy of the Mailing Matrix discussed in the Rules and Forms.

The matrix will not display or print properly online and is therefore not reprinted here.)

FORM NO. 1 (Revised 4/97)

UNITED STATES BANKRUPTCY COURT

EASTERN DISTRICT OF KENTUCKY

SPECIAL REQUIREMENTS FOR MAILING LIST MATRIX

(See E.D. Ky. LBR 1007-2)

TO THE DEBTOR(S) AND THE ATTORNEY FOR DEBTORS(S), IF ANY:

The debtor shall prepare and submit to the Court, at the time the petition is filed, a mailing list matrix which complies with the computerized noticing guidelines contained herein. The accuracy and completeness of this creditor listing shall be the total responsibility of the debtor and the debtor's attorney. Failure to comply may cause the petition to be dismissed. The Court shall rely upon the mailing list matrix for all mailings. This mailing list matrix is required in addition to the various schedules required by Rule 1007 of the Federal Rules of Bankruptcy Procedure.

In order to ensure that the mailing list matrix or amendments you file can be properly read by the Optical Character Reader (OCR) currently used by the Court, we ask that you observe the following guidelines. Your cooperation is essential in helping us make improvements in our existing system and to better serve the public.

1.0 FORMAT AND REQUIREMENTS FOR MAILING LIST MATRIX

(A) Filing Requirements - A mailing list matrix (see Attachment No. 1) is required whenever the following occurs:

- (1) A new chapter 7, 11, 12 or 13 petition is filed.
- (2) A case is converted to a chapter 7, 11, 12 or 13 after August 1, 1991. (See Section C on conversions to determine if a partial or complete matrix is required)
- (3) An amendment to a case under chapter 7, 11, 12 or 13 is filed after August 1, 1991, which adds, deletes or changes creditor address information on the debtor's Schedule of Debts and/or Schedule of Equity Security Holders.

(B) Matrix Format Requirements - All matrices must comply with the following:

- (1) Characters should be a standard block-style type (ex. Courier or Times Roman). Type should NOT be proportional, italic, bold or exotic. Letters should not be touching each other and characters should be a minimum of 10 pitch.
- (2) Lists shall be typed in a single column on the page rather than in two or three columns. See Attachment No. 1. Lists must be typed so that no address is closer than 2" from any edge of the paper (top, bottom, left or right).
- (3) Addresses must be single spaced and each name/address must consist of no more than five (5) total lines, with at least two (2) blank lines between each of the name/address blocks. Entire ZIP codes must be located on the same line as city and state. No address information should be typed below the ZIP code.
- (4) To comply with postal regulations, names and addresses should not contain any punctuation other than hyphens.
- (5) All states must be two-letter abbreviations. Example: correct = KY; wrong = Kentucky. Do NOT use punctuation within the two-letter state abbreviations (Ex. N.D. would be incorrect). Do NOT use abbreviations for city names. (Ex. Phila. for Philadelphia).
- (6) Each line must be 40 characters or less in length.
- (7) ALL CREDITORS ARE TO BE IN ALPHABETICAL ORDER. DO NOT DUPLICATE NAMES AND ADDRESSES. Entities with more than one (1) address may be listed as many times as necessary to assure proper notice.
- (8) Do NOT include the following entities since they will be retrieved automatically by the computer for noticing:
 - * Debtor
 - * Joint Debtor
 - * Attorney for the Debtor(s).
- (9) Do NOT use a dot matrix printer.

(C) Converted Cases

- (1) For cases filed prior to June 1, 1983, and subsequently converted after August 1, 1991 to a chapter 7, 11, 12 or 13, ALL creditors must be listed on the mailing list matrix.
- (2) For cases filed after June 1, 1983 and then converted after August 1, 1991 to a chapter 7, 11, 12 or 13, only postpetition creditors need be listed on the mailing list matrix. The matrix and verification must be filed with the conversion petition.

(D) Amendment to Schedule of Debts and/or Schedule of Equity Security Holders

- (1) A separate matrix page is required for creditors being "added", a separate page for those being "deleted", and a separate page for those which require "correction". Indicate on the REVERSE side of each matrix page which category that particular page belongs in.
- (2) The matrix with Verification is a document separate from the amended schedules and may not be used to substitute for any portion of the schedules. IT MUST BE SUBMITTED WITH THE AMENDMENT.

(E) Avoiding Problems

Although the court is using sophisticated equipment and software to ensure accuracy in creditor list reading, certain problems may still occur. By following these guidelines, you will avoid delays in the initial processing of your bankruptcy petition.

The following problems can result in your lists being improperly read by the optical scanner, requiring you to resubmit your creditor list in an acceptable form.

- (1) Extra marks on the list - such as letterhead, dates, debtor name, coffee stains, handwritten marks.
- (2) Non-standard paper such as onion skin, half-sized paper, or colored (i.e., yellow, blue, etc.) paper; some recycled paper (if the print bleeds a little).
- (3) Poor quality type caused by submitting a photocopy or a carbon copy, using an exhausted typewriter ribbon, or using a typewriter with a fabric ribbon.
- (4) Unreadable type faces or print types such as proportionally-spaced fonts, dot-matrix printing, or exotic fonts (such as Olde English or Script).
- (5) Incorrect typewriter settings will cause unreadable lists. Make certain that your typewriter is set for 10 pitch if you are using a 10-pitch type style.
- (6) Stray marks should be avoided. Do NOT type lines, debtor name, page numbers, or anything else on the front of a creditor list. Any identifying marks you choose to add can be typed on the back of the list.
- (7) Nine-digit ZIP codes should be typed with a hyphen separating the two groups of digits. Do NOT type "attention" lines or account numbers on the last line. If needed, this information must be placed on the second line of the name/address. Account numbers may not exceed 15 characters. (The entire ZIP code must be at the end of the same line as the city and state in order for the U.S. Postal ZIP code sorting equipment to find it.) Except, if the ZIP code is a 9-digit ZIP code, it can be on the last line by itself.
- (8) Be sure to type the number "1" (one) rather than the lower case letter "l" (L) when using numerics.

(F) United States Attorney

When listing an indebtedness to the United States for other than taxes, the debtor shall include both the United States Attorney and the federal agency through which the debtor became indebted. The name and address of the United States Attorney must include, in parentheses, the name of the federal agency. For example:

United States Attorney
(For Department of Education)
PO Box 3077
Lexington, KY 40596-3077

2.0 CHAPTER 11 CASES WITH AN EXCESS OF 300 CREDITORS:

Please contact the Clerk of Court for specific instructions.

3.0 OTHER CHAPTERS.

Please contact the Clerk of Court for specific instructions when filing stockbroker chapter 7, commodity broker chapter 7, chapter 9 or chapter 11 railroad reorganization petitions.

Attachment 1 is on the following page

SUMMARY OF MAILING LIST MATRIX REQUIREMENTS

1. List creditors alphabetically
2. Use only one column of creditors per page
3. No address can be longer than 40 characters in width and no address can be longer than 5 lines.
4. Leave 2 spaces between addresses.
5. Put no extra marks of any kind on front of the matrix page. Identifying marks such as the debtor's name may be put on the back of each matrix page if you wish.
6. In addition to the original mailing list matrix, a copy of the mailing list matrix (with each page marked "copy") shall be filed with the Clerk of Court.

(NOTE: Please contact the Clerk's office to obtain a printed copy of the Matrix. The matrix will not display or print properly online and is therefore not reprinted here.)

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF KENTUCKY
_____ DIVISION**

IN RE:

CASE NO. _____

DEBTOR(S)

VERIFICATION OF MAILING LIST MATRIX

I, _____, the petitioner(s) in the above-styled bankruptcy action, declare under penalty of perjury that the attached mailing list matrix of creditors and other parties in interest consisting of _____ pages is true and correct and complete, to the best of my (our) knowledge.

DATED: _____

DEBTOR

JOINT DEBTOR

I, _____, counsel for the petitioner(s) in the above-styled bankruptcy action, declare that the attached mailing list matrix consisting of _____ pages has been verified by comparison to Schedules D through H to be complete, to the best of my knowledge. I further declare that the attached mailing list matrix can be relied upon by the Clerk of Court to provide notice to all creditors and parties in interest as related to me by the debtor(s) in the above-styled bankruptcy action until such time as any amendments may be made.

DATED: _____

(Signature of attorney) (Name of attorney typed out)

COUNSEL FOR DEBTOR(S)

ATTACHMENT 2

FORM NO. 2, Chapter 13 Plan:

See [SOstdch13plan20000801.pdf](#)

EFFECTIVE 10/17/2005 see Revised Form 2, [SO20051014Form2.pdf](#)

FORM NO. 3

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
_____ DIVISION**

IN RE:

CASE NO. _____

DEBTOR

CERTIFICATE OF SERVICE OF PLAN

I certify that on the date shown below I mailed a copy of the debtor's plan dated _____, to all creditors of the debtor at their addresses as shown in the schedules accompanying the debtor's petition.

Date plan mailed to creditors:

Attorney For Debtor

Note

This form is for use in complying with the requirements of E.D. Ky. LBR 3015-1 which requires service of a copy of the plan on all creditors of the debtors and parties in interest.

Each plan should be dated to distinguish between plans in the event a substituted or amended plan is filed.

FORM NO. 4, Order Confirming Chapter 13 Plan:

See [SO20000801ch13orderconfplan.pdf](#)

FORM NO. 5

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
_____ DIVISION**

IN RE:

CASE NO. _____

DEBTOR(S)

MOTION FOR RELIEF FROM STAY

_____, by counsel, a creditor in the above-referenced case, moves the court pursuant to 11 U.S.C. ' 362(d) for an order granting relief from the automatic stay in order that movant may enforce its lien against property of the debtor as hereinafter described.

The debtor filed a petition for relief under chapter 7 of the Bankruptcy Code in this court on _____. The trustee of the estate of the debtor in this case is _____.

As of the date of the filing of the petition the debtor was indebted to the movant in the amount of \$_____, representing the balance due on a note and security agreement dated _____.

The indebtedness evidenced by the note and security agreement is secured by a security interest in the following collateral:

_____.

The security interest was perfected by the filing of a financial statement on _____, in the office of _____.

A copy of the proof of claim filed in this case by movant, along with copies of the note, security agreement, financing statement and supporting documents establishing the movant's perfected security interest in the above-described collateral, is attached hereto.

Movant seeks relief from stay on the following grounds: the interest of the movant is not adequately protected; or the debtor has no equity in the property and the property is not necessary to an effective reorganization.

Respectfully submitted,

Attorney for Movant

NOTICE

Please take notice that unless a party in interest, within 15 days from the date of this motion, files a response to the motion and a request for and notice of hearing on such response, the enclosed order may be entered by the court without a hearing on the motion.

OR

Please take notice that parties in interest shall have 15 days from the date of this motion within which to file a response to the motion and a request and notice of hearing on such response. If no response is timely filed, the enclosed order may be entered by the court without a hearing on the motion.

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing motion was served on the debtor, counsel for the debtor, the trustee, and other parties in interest, by mailing a copy to them this _____ day of _____, 19____.

Attorney for Movant

FORM NO. 6 (See Standing Order [SO20091201.pdf](#))

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
_____ DIVISION**

IN RE:

CASE NO.

DEBTOR(S)

OBJECTION TO EXEMPTIONS

_____, a creditor, objects to the exemption of (describe property) included in the list of property claimed as exempt by the debtor (or a dependent of the debtor). In support of its objection, creditors states as follows:

The debtor filed a petition for relief under chapter _____ of the Bankruptcy Code on (date).

The debtor listed in the schedule of assets (describe property) which the debtor claims as exempt. The meeting of creditors was concluded on (date).

OR

The debtor filed an amendment to the list of property claimed as exempt or supplemental schedules on (date), and claimed (describe property) as exempt.

OR

On (date), (name and identity of dependent), a dependent of the debtor, filed a list of property, including (describe property), which he/she claimed as exempt.

Creditor objects to the exemption for the following reasons: .

For these reasons, creditor requests the court to sustain its objection to exemption.

Respectfully submitted,

Attorney for Creditor

NOTICE

Please take notice that unless a party in interest, within 15 days from the date of this objection to exemption, files a response to the objection and a request for and notice of hearing on such response, the enclosed order may be entered by the court without a hearing on the objection.

OR

Please take notice that parties in interest shall have 15 days from the date of this objection to exemption within which to file a response to the objection and a request for and notice of hearing on such response. If no response is timely filed, the enclosed order may be entered by the court without a hearing on the objection.

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing objection to exemption was served by (state method of service) on the debtor, counsel for the debtor (or person claiming the exemption and counsel for such person), and the trustee this ____ day of _____, 19__.

Attorney for Creditor

FORM NO. 7(a) (See Standing Order [SO20091201.pdf](#))

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
_____ DIVISION**

IN RE:

CASE NO. _____

DEBTOR(S)

MOTION FOR ORDER AVOIDING LIEN ON EXEMPT PROPERTY

Debtor hereby moves the court pursuant to section 522(f)(1)(A) of title 11, United States Code, for an order avoiding the lien of _____ as a lien that impairs the interest of the debtor in exempt property.

Such lien is a judicial lien.

Such lien impairs the interest of the debtor in property in which the debtor is entitled to claim and has claimed an exemption in this case. Such property is more particularly described as follows: _____

Wherefore, the debtor requests entry of an order avoiding the lien of _____ and providing that, unless this case is dismissed, such lien shall not survive this bankruptcy proceeding or affix to or remain enforceable against the interest of the debtor in any of the aforementioned property following the conclusion of this case.

Attorney for Debtor

NOTICE

Please take notice that, unless within 15 days of the date of service of this motion, you, as lienholder, file a response to the motion and a request for and notice of hearing on the response, an order may be entered without a hearing sustaining the motion and avoiding your lien on property of the debtor.

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing motion for order avoiding lien on exempt property was served by (state method of service) upon the lienholder this ____ day of _____, 19__.

Attorney for Debtor

FORM NO. 7(b)

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
_____ DIVISION**

IN RE:

CASE NO. _____

DEBTOR(S)

MOTION FOR ORDER AVOIDING LIEN ON EXEMPT PROPERTY

Debtor hereby moves the court pursuant to section 522(f) of title 11, United States Code, for an order avoiding the lien of _____ as a lien that impairs the interest of the debtor in exempt property.

Such a lien is a nonpossessory, nonpurchase-money lien.

Such lien impairs the interest of the debtor in property of a kind described in subparagraph (i), (ii) or (iii) of paragraph (B) of subsection (f) of section 522 of title 11, United States Code, in which the debtor is entitled to claim an exemption and has claimed an exemption in this case. Such property is more particularly described as follows: _____

Wherefore, the debtor requests entry of an order avoiding the lien of _____ and providing that, unless this case is dismissed, such lien shall not survive this bankruptcy proceeding or affix to or remain enforceable against the interest of the debtor in any of the aforementioned property following the conclusion of this case.

Attorney for Debtor

NOTICE

Please take notice that, unless within 15 days of the date of service of this motion, you, as the lienholder, file a response to the motion and a request for and notice of hearing on the response, an order may be entered without a hearing sustaining the motion and avoiding your lien on property of the debtor.

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing motion for order avoiding lien on exempt property was served by (state method of service) upon the lienholder this ____ day of _____, 19__.

Attorney for Debtor

FORM NO. 8

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
_____ DIVISION**

IN RE:

CASE NO. _____

DEBTOR(S)

MOTION FOR APPROVAL OF REAFFIRMATION AGREEMENT

Debtor hereby moves the court for an order approving an agreement between the debtor and _____ for payment of a debt owed by the debtor to said creditor.

The debt owed by the debtor to said creditor is a dischargeable consumer debt that is not secured by real property.

The debtor believes the reaffirmation agreement pursuant to which the debtor proposes to pay said debt is in the best interest of the debtor and will not impose an undue hardship on the debtor or a dependent of the debtor for the following reasons: [Explain (1) the reasons for wanting to reaffirm the debt, and (2) circumstances indicating reaffirmation will not impose an undue hardship on the debtor and dependents]:

Pro Se Debtor

NOTICE OF HEARING

Notice is hereby given that this motion will be brought on for hearing before the court on (insert date and time of hearing) at (insert location of hearing).

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing motion for approval of reaffirmation agreement was served by (state method of service) upon the creditor and the trustee this ____ day of _____, 19 ____.

Pro Se Debtor

Note: This form should be used when the debtor is not represented by counsel during the course of negotiating the reaffirmation of a dischargeable consumer debt that is not secured by real property.

FORM NO. 9 (See Standing Order [SO20091201.pdf](#))

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF KENTUCKY
_____ DIVISION**

IN RE:

CASE NO. _____

DEBTOR(S)

MOTION TO REDEEM PROPERTY

Debtor hereby moves the court pursuant to section 722 of title 11, United States Code, for an order permitting the debtor to redeem an item of tangible personal property from a lien securing a dischargeable consumer debt.

The item of personal property involved is _____, which is intended primarily for personal, family or household use.

The security interest of _____

in said property, except as to the extent of the amount of the allowed secured claim of said creditor, is a dischargeable consumer debt.

The amount of the allowed claim of said creditor has been or should be fixed by the court as the sum of _____.

Wherefore, the debtor moves the court for an order permitting the debtor to redeem said property by paying said creditor the aforesaid sum,

and finding that the remainder of the claim of said creditor is a dischargeable consumer debt.

Attorney for Debtor

NOTICE

Please take notice that, unless within 15 days from the date of service of this order, you, as lienholder, file a response to the motion and a request for and notice of hearing on the response, an order may be entered sustaining the motion, permitting the debtor to redeem the property from your lien for the amount indicated, and finding that the balance of the indebtedness owed to you by the debtor is an unsecured, dischargeable consumer debt.

CERTIFICATE OF SERVICE

This is to certify that a true and accurate copy of the foregoing motion to redeem property was served by (state method of service) upon the creditor this ____ day of _____, 19 ____.

Attorney for Debtor

If you need a copy of any of these materials in an alternate format, please call us at (859) 233-2608.

Disclaimer: *By selecting certain of the links below you will be leaving the website of the U.S. Bankruptcy Court for the Eastern District of Kentucky. Hypertext links below contain information created and maintained by other public and private organizations. These links are provided for the user's convenience. The U.S. Bankruptcy Court for the Eastern District of Kentucky has no control over nor does it guarantee the accuracy, relevance, timeliness, or completeness of this outside information. Further, the inclusion of links to particular items is not intended to reflect their importance, nor is it intended to endorse any views expressed, or products or services offered, on these outside sites, or the organizations sponsoring the sites. If you would like to see a particular link added, please contact our [webmaster](#).*