

NOTE: THIS PACKET CONTAINS A "CLEAN" VERSION OF THE LOCAL RULES WITH THE PROPOSED REVISIONS INCORPORATED.

PROPOSED NEW APPENDICES "Q," "R," AND "S" ARE ALSO ATTACHED AT THE END.



UNITED STATES BANKRUPTCY COURT DISTRICT OF CONNECTICUT

LOCAL RULES OF BANKRUPTCY PROCEDURE

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**PART I. COMMENCEMENT OF CASE; PROCEEDINGS
RELATING TO PETITION AND ORDER FOR RELIEF**

Local Bankr. R. 1001-1 Scope, Incorporation of District Court Rules, and Short Title.

(a) Scope of Rules and Short Title.

- (1) These rules shall be known as the Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for the District of Connecticut. They shall be cited as D. Conn. Bankr. L. R., and referred to as the "Local Bankruptcy Rules," "Local Bankruptcy Rule ____" or "L. Bankr. R. ____" where the meaning is clear. The Local Rules of Bankruptcy Procedure govern the practice and procedure in the United States Bankruptcy Court for the District of Connecticut (the "Bankruptcy Court"), in all cases under Title 11 of the United States Code (the "Bankruptcy Code"). The Local Rules of Bankruptcy Procedure supplement, but do not replace the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Federal Rules of Bankruptcy Procedure, or the Local Rules of Civil Procedure of the United States District Court for the District of Connecticut.
- (2) The Appendices to the Local Rules of Bankruptcy Procedure may be modified by the Bankruptcy Court without the necessity of a formal amendment to the Local Rules of Bankruptcy Procedure.
- (3) These Local Rules of Bankruptcy Procedure, as revised on _____, 2026, and subject to subsequent amendments, shall be effective on _____, 2026 (the "Effective Date"). The Effective Date of any subsequent amendments to specific Local Rules shall be noted within the Local Rule.
- (4) Upon the Effective Date, the Local Rules of Bankruptcy Procedure effective August 2, 2021, are superseded.
- (5) Also upon the Effective Date, the following General Orders are superseded:
 - i. General Order 2024-02, which established Interim Local Rule 2016-2(b)
 - ii. General Order 2025-01, which established Interim Local Rule 3015-2
 - iii. General Order 2025-03, which established Interim Local Rule 9014-1

(b) Incorporation of District Court Rules.

The [Local Rules of Civil Procedure of the United States District Court for the District of Connecticut](#) shall apply in all cases or proceedings in the Bankruptcy Court to the extent they are relevant and not inconsistent with the [Bankruptcy Code](#), the [Federal Rules of Bankruptcy Procedure](#), or these [Local Rules of Bankruptcy Procedure](#).

Local Bankr. R. 1001-2 Definitions.

In addition to the definitions found in Fed. R. Bankr. P. 9001, the following definitions apply to these Local Bankruptcy Rules:

- (a) “Bankruptcy Code” or “11 U.S.C. § ____” means [Title 11 of the United States Code](#).
- (b) “Bankruptcy Court” or “Court” means, in addition to the definition in Bankruptcy Rule 9001(4), the Bankruptcy Judges of the United States Bankruptcy Court for the District of Connecticut, as a collective body.
- (c) “Bankruptcy Rule(s),” “Fed. R. Bankr. P.,” or “FRBP” means the [Federal Rules of Bankruptcy Procedure](#) currently in effect, and as hereafter amended.
- (d) “Certificate of Service” or “Proof of Service” means a document identifying the pleading or document a party has served, the manner of service, the date of service, and the address where service was made. When applicable, a Certificate of Service or Proof of Service can be the Notice of Electronic Filing issued by the Bankruptcy Court’s electronic filing system (CM/ECF). *See* District Court Local Civil Rule 5(c); and Appendix A to these Local Rules, Section 4(c).
- (e) “Clerk” or “Clerk of Court” means the Clerk of the United States Bankruptcy Court for the District of Connecticut and any deputy clerk acting under the direction of the Clerk of Court.
- (f) “Court Registry Investment System” or “CRIS” means the national investment program managed by the Administrative Office of the United States Courts that pools registry deposits from multiple courts.
- (g) “Debtor” means a debtor or debtors. When referring to an individual or individuals, Debtor means an individual or individuals who are represented by an attorney or who are proceeding in a case as a Self-Represented Filer/Litigant(s).
- (h) “District” means the District of Connecticut.
- (i) “District Court Clerk” means Clerk of the United States District Court for the District of Connecticut.
- (j) “District Court Local Civil Rule(s),” “D. Conn. L. Civ. R.,” or “USDC Local Rules” means the [Local Rules of Civil Procedure of the United States District Court for the District of Connecticut](#).
- (k) “ECF No. ____” means the electronic case filing number for a pleading or document entered on the docket of a bankruptcy case or an adversary proceeding.
- (l) “FRCP” or “Fed. R. Civ. P.” means the [Federal Rules of Civil Procedure](#).

- (m) “Local Bankruptcy Rules,” “Local Bankr. R. ___,” or “D. Conn. Bankr. L. R. ___” means these Local Rules of Bankruptcy Procedure of the United States Bankruptcy Court for District of Connecticut.
- (n) Plan
- (1) “Chapter 11 Plan” or “Plan of Reorganization” or “Plan of Liquidation” means a plan filed in a Chapter 11 case in accordance with 11 U.S.C. §§ 1123 and 1172, or or in a Chapter 11, Subchapter V case in accordance with 11 U.S.C. § 1190.
 - (2) “Chapter 12 Plan” means a plan filed by the Debtor in a Chapter 12 case in accordance with 11 U.S.C. § 1222.
 - (3) “Chapter 13 Plan” means a plan filed by the Debtor in a Chapter 13 case in accordance with 11 U.S.C. § 1322.
- (o) “Pro se” – *see Self-Represented Filer/Litigant*
- (p) “[Self-Represented Filer/Litigant](#)” refers to an individual who is a Debtor, creditor, or party-in-interest, including a plaintiff or defendant in an adversary proceeding, and is not represented by an attorney (self-represented parties are also referred to as *pro se* parties).
- (q) “Sponsoring Attorney” means a member in good standing of the Bar of the United States District Court for the District of Connecticut who files a motion to permit a Visiting Attorney (see definition below) to appear in bankruptcy case, adversary proceeding, or miscellaneous proceeding before this Court pursuant to D. Conn. L. Civ. R. 83.1(e).
- (r) “Subchapter V” means the Subchapter V of Chapter 11, *Reorganization*, of the Bankruptcy Code (11 U.S.C. §§ 1181-1195).
- (s) Trustees
- (1) “Case Trustee” means the individual(s) appointed by the United States Trustee to serve as trustee in a bankruptcy case in this District.
 - (2) “Chapter 7 Trustee” means the individual(s) from the District’s Standing Panel of Chapter 7 Trustees appointed by the United States Trustee to serve as trustee in a Chapter 7 case filed in this District.
 - (3) “Chapter 11 Trustee” means the individual(s) appointed by the United States Trustee and approved by Court Order to serve as trustee in a Chapter 11 case filed in this District.
 - (4) “Chapter 12 Trustee” means the individual(s) appointed by the United States Trustee to serve as trustee in a Chapter 12 case filed in this District.

- (5) “Chapter 13 Trustee” means the individual(s) appointed by the United States Trustee to serve as a Standing Trustee in Chapter 13 cases filed in this District.
- (6) “Subchapter V Trustee” means the individual(s) from the District’s Standing Panel of Subchapter V Trustees appointed by the United States Trustee to serve as trustee in a Chapter 11, Subchapter V case filed in this District.
- (t) “United States Trustee” or “U.S. Trustee” or “UST” means the individual appointed by the President with the advice and consent of the United States Senate to serve as the United States Trustee for Region 2. The United States Trustee may be represented in the Bankruptcy Court by an Assistant United States Trustee and trial attorneys.
- (u) “Visiting Attorney” means an attorney who is not a member of the Bar of the United States District Court for the District of Connecticut, but who is a member in good standing of the bar of another Federal or state court and may be permitted to represent clients in bankruptcy cases, adversary proceedings, and miscellaneous proceedings in this Court after approval by the Court, pursuant to D. Conn. L. Civ. R. 83.1(e) and upon written motion by a Sponsoring Attorney (see definition above).

Local Bankr. R. 1002-1 Commencement or Continuation of Case Without Counsel.

(a) Individual Filers.

Only an individual may file a voluntary bankruptcy petition or appear in Court without being represented by an attorney as a Self-Represented Filer/Litigant. All other entities, including but not limited to corporations, limited liability companies, partnerships, and trusts, may not appear in Court or sign pleadings, including the petition, without being represented by an attorney. If a Debtor that is not an individual files a petition without an attorney, the Court may dismiss the case without notice, either *sua sponte*, or on motion of a party-in-interest after notice and an opportunity for a hearing.

If an agent on behalf of an individual, such as a court-appointed conservator, court-appointed guardian or the holder of an unexpired power of attorney or other authority pursuant to non-bankruptcy law files a pleading/document with the Court, the filer shall file evidence of such authority and shall attach such authority simultaneously with the pleading/documents filed on behalf of the individual. Failure to file such authority may result in a dismissal of the case (if the document filed is the petition) or no action being taken on the pleading/document, either *sua sponte*, or on motion of a party-in-interest after notice and an opportunity for a hearing.

(b) Responsibility of Individual Self-Represented Filers/Litigants.

An individual proceeding on his or her own behalf is considered to be proceeding as a Self-Represented Filer or Self-Represented Litigant. Self-Represented individuals must read and follow these Local Bankruptcy Rules, the Bankruptcy Code, the Federal Rules of Civil

Procedure, the Federal Rules of Bankruptcy Procedure, and the Local Rules of the United States District Court for the District of Connecticut. See [USDC Local Rules](#) and [Notice to Self-Represented Filers/Litigants](#).

(c) Corporation, Partnership, Unincorporated Association, or Trust Must Be Represented by An Attorney

A corporation, a partnership including a limited liability partnership, a limited liability company, or any other unincorporated association, or a trust may not file a petition, pleading, document or otherwise appear without counsel in any case or proceeding, including any adversary proceeding; provided however, it may file a proof of claim, file or appear in support of an application for professional compensation, or file a reaffirmation agreement, if signed by an authorized representative of the entity.

Local Bankr. R. 1002-2 Notice to Office of United States Trustee Regarding Filing of a Chapter 11 Petition.

Unless there are exigent circumstances, counsel for a prospective Chapter 11 Debtor are urged to contact the United States Trustee's Office for the District of Connecticut and the Clerk of Court at least two (2) business days prior to filing a voluntary petition for relief under Chapter 11 of the Bankruptcy Code, including under Subchapter V, for the purpose of advising of the anticipated filing of the petition (without disclosing the identity of the Debtor) and the matters on which the Debtor intends to seek immediate relief.

Local Bankr. R. 1004-1 Business Entity Petition.

An authorized officer filing a petition on behalf of a business entity shall file with the petition or within five (5) business days thereafter, documentation evidencing the requisite authority or consent, as applicable, of that business entity to file the petition. Such documentation must include the name and address of each signatory, and state the basis of the authority to authorize the filing of the petition. Failure to file such documentation may result in a dismissal of the case without notice, either *sua sponte*, or on motion of a party-in-interest after notice and an opportunity for a hearing.

Local Bankr. R. 1006-1 Filing Fees-Required Filing Fee, Petition Filing Fee, Application to Pay Filing Fee in Installments, Application to Have the Chapter 7 Filing Fee Waived, and Manner of Payment.

- (a) Filing fees are prescribed by the Judicial Conference and may be found in [28 U.S.C. § 1930](#).
- (b) Every bankruptcy petition shall be accompanied by the required filing fee unless Official Form B-103A, *Application to Pay the Filing Fee in Installments*, or Official Form B-103B, *Application to Have the Chapter 7 Filing Fee Waived*, is simultaneously filed with the Petition. An *Application to Have the Chapter 7 Filing Fee Waived* is not available except in a Chapter 7 case. The failure to pay the required filing fee with the bankruptcy petition,

or to file with the petition either an *Application to Pay the Filing Fee in Installments* or an *Application to Have the Chapter 7 Filing Fee Waived*, shall result in the dismissal of the case, unless the Court orders otherwise. An *Application to Pay the Filing Fee in Installments* shall be made by completing and filing [Official Form 103A](#) pursuant to [FRBP 1006\(b\)](#). A filing fee paid in installments must be paid in full within four (4) months after the filing of the petition, unless the Court orders otherwise. Applications to Have the Chapter 7 Filing Fee Waived shall be made by completing and filing [Official Form 103B](#) pursuant to FRBP 1006(c).

- (c) Filing fees associated with motions, applications, complaints, or any pleading that requires a filing fee as prescribed by the Judicial Conference, must be paid at the time the motion, application, complaint, or other pleading is filed. The failure to pay the required filing fee associated with motions, applications, complaints, or other pleadings may result in no action being taken by the Court on the motion, application, complaint, or other pleading.
- (d) Filing fees may be paid by cash, certified check, money order, check drawn on an attorney's account, an approved credit card, or through Pay.gov. The Clerk may refuse to accept personal checks and checks from an attorney filing the attorney's personal petition. The Clerk may also refuse to accept a check from any person who is known by the Clerk to have previously presented a form of payment that was subsequently refused. Checks shall be payable to "Clerk, U.S. Bankruptcy Court." A check is accepted subject to collection.

Local Bankr. R. 1007-1 Lists, Schedules, and Statements.

(a) Creditor List.

- (1) A list of creditors ("Creditor List"), including all creditors and parties-in-interest, shall be filed by the Debtor or party responsible for filing documents required by [11 U.S.C. § 521](#) contemporaneously with every voluntary petition or within fourteen (14) days of the entry of an order for relief in an involuntary case. The failure to file the Creditor List in compliance with this Local Bankruptcy Rule 1007-1 may result in dismissal of the case after notice of the deficiency and failure to cure deficiency, but without further notice or hearing.
- (2) A Creditor List shall contain the name and address of each individual or entity included, or to be included, on Schedules D, E, F, G, and H. The Court expects a Debtor or Debtor's counsel to carefully consider whether relevant parties-in-interest are included in the Schedules, in a Creditor List, or both. A list of potentially relevant parties-in-interest can be found on Appendix S of these Local Bankruptcy Rules.
- (3) The Creditor List shall be filed:
 - (A) As a PDF document consistent with the Court's Administrative Procedures for Electronic Filing, and

- (B) As a “.txt” file of the addresses uploaded to the creditor maintenance table of the case.

Instructions to create and upload the .txt file of the creditor list and address data is appended to Appendix A of these Local Rules, and also found on the Court’s website at: <https://www.ctb.uscourts.gov/cmecf-information>.

- (4) In accordance with Local Bankruptcy Rule 2002-1(a), the Creditor List shall contain the address of any business entity such as a corporation, partnership, or bank, and shall also include in the address an attention line to a President, Officer, Director, Manager, or General Agent of the business entity, though not necessarily by individual name.
- (5) A Creditor List shall include those agencies and offices of the United States required to receive notice pursuant to [FRBP 2002\(j\)](#).

(b) Privacy Information.

- (1) All Lists, Schedules, and Statements must be redacted in compliance with FRCP 5.2, FRBP 9037, and Local Bankruptcy Rule 9037-1.
- (2) Responsible Party. The responsibility for redacting personal identifying information rests solely with the filer. The Clerk’s Office will not review filed documents for compliance with this rule.

(c) Schedules and Statements.

All Schedules and Statements required to be filed pursuant to [11 U.S.C. § 521](#) shall be filed in accordance with the time limits set forth in [FRBP 1007\(c\)](#). No motion for extension of time to file any or all Schedules and Statements required to be filed by [FRBP 1007](#) shall be granted unless cause is shown for the requested extension of time. Failure to timely file all Schedules and Statements may result in dismissal of the case after notice of the deficiency and a failure to cure the deficiency, without further notice or hearing.

Local Bankr. R. 1009-1 Amendments to Creditor Lists, Schedules, and Statements.

- (a) **Adding Creditor(s).** If any Creditor List, Schedule, or Statement is amended to add one or more parties or parties-in-interest or to make corrections or changes to mailing addresses by adding creditors or parties-in-interest, the Debtor shall pay any applicable fee and within seven (7) days of the filing of any amendment, file an amended Creditor List, Schedule or Statement that identifies as necessary the names, addresses of the parties to be added or corrected, and the amounts of such claims, and clearly identify the changes from the originally filed document.
- (b) **Deleting Creditors.** If any Creditor List, Schedule, or Statement is amended to remove one or more parties or parties-in-interest or to make corrections or changes to mailing

addresses by removing creditors or parties-in-interest, the Debtor shall file a list clearly and conspicuously identifying the names of the creditor(s) being removed and the fact that such creditor(s) is/are being removed. The Creditor List maintained by the Clerk shall not be modified to remove any creditor or party-in-interest who has already filed a proof of claim.

- (c) **Certificate of Service.** A Certificate of Service shall be filed with each amendment, evidencing service on any party or party-in-interest affected by an amendment or correction to be made to the Creditor List.
- (d) **Deadlines To be Set for Added Creditors and Parties-in-Interest.** The Court may set a new deadline for an added creditor or party-in-interest to file a proof of claim, to file a complaint to determine dischargeability of a debt or object to discharge, or to file an objection to a Debtor's new assertion of an exemption.

Local Bankr. R. 1014-1 Transfer to or from Another District (Change of Venue)

- (a) On motion of a party-in-interest, or on the Court's own motion, the Court may transfer a case, an adversary proceeding, or a contested matter to another District in the interest of justice or for the convenience of the parties.
- (b) Unless the Court orders otherwise, whenever a case is ordered transferred from this District, promptly after entry of the order, the Clerk of the Court shall effectuate the transfer of the case to the transferee court.
- (c) When a case is transferred to this District from another district, the Clerk of the Court must give notice of the transfer, with a new case number and assignment of a new trustee, if applicable, to the Debtor, the U.S. Trustee, all creditors, and all other parties-in-interest that had filed appearances in the district where the case was previously pending.
- (d) Failure to timely file a motion or an objection challenging venue constitutes a waiver and bars a party from later challenging venue.

Local Bankr. R. 1014-2 Assignment and Reassignment of Cases or Proceedings within the District.

- (a) This Local Bankruptcy Rule 1014-2 does not affect a judge's self-recusal pursuant to 28 U.S.C. § 455, which may become effective without notice or hearing.
- (b) All cases shall be assigned by the Clerk to a Bankruptcy Judge as follows:
 - (1) those cases in which the Debtor resides or has its principal place of business in Fairfield or Litchfield Counties shall be assigned to the Bridgeport Division;

- (2) those cases in which the Debtor resides or has its principal place of business in Middlesex or New Haven Counties shall be assigned to the New Haven Division; and
 - (3) those cases in which the Debtor resides or has its principal place of business in Hartford, New London, Tolland, or Windham Counties shall be assigned to the Hartford Division.
- (c) If a judge to whom a case, an adversary proceeding, or a contested matter has been assigned concludes after notice and a hearing or on its own consideration that reassignment of a case, adversary proceeding, or contested matter to another Division would be in the best interests of the estate, creditors or parties-in-interest, the Clerk shall reassign a case or proceeding.

Local Bankr. R. 1015-1 Joint Administration of Cases.

- (a) Any motion for joint administration of two or more cases shall be scheduled for a hearing. *See* [Appendix N](#). A motion for joint administration pursuant to [FRBP 1015](#) must be supported by an affidavit, declaration, or verification which establishes that the joint administration of two or more cases pending in this Court under the Bankruptcy Code is warranted. An Order granting a motion for joint administration entered in accordance with this Local Bankruptcy Rule may be reconsidered for cause upon the motion of any party-in-interest at any time.
- (b) Upon entry of an Order granting a motion for joint administration of cases, unless otherwise ordered, the Debtor shall serve the Order in all affected cases on all creditors and other parties-in-interest within seven (7) days after entry of the Order.
- (c) Jointly administered cases shall be assigned to the Bankruptcy Judge to whom the first filed lead case was assigned.
- (d) All pleadings and other papers filed in jointly administered cases shall bear a combined caption that includes the legend "Jointly Administered." Except as provided in subsection (e) and (f) of this Rule, pleadings and other papers shall be filed in the lead case only.
- (e) Any proof of claim filed in a case that is jointly administered must be filed by the claimant in the claims register for the Debtor against whom the claim is asserted.
- (f) Notwithstanding the joint administration of cases, each Debtor shall file in its own case all Schedules, Statements and other documents required pursuant to Bankruptcy Code § 521 unless an order for substantive consolidation has entered.
- (g) An Order granting a motion for joint administration under this Local Rule is for procedural purposes only and shall not be cause for substantive consolidation of the respective Debtors' estates.

Local Bankr. R. 1016-1 Death or Incompetency of a Debtor.

Within thirty (30) days of learning of (i) the death of a Debtor or (ii) a finding of incompetency or legal incapacity of a Debtor through appropriate legal process, the attorney for the Debtor shall file and serve on all parties-in-interest in the bankruptcy case a Notice of the Debtor's Death or Incompetency. If the Debtor is a Self-Represented Filer/Litigant, any person who becomes aware of the Debtor's death or incompetency may file the Notice.

A Notice of Death must be accompanied either by a copy of the death certificate, published obituary, a copy of some other government-issued document evidencing the death, or a brief explanation of why none of these can be obtained. The Notice of Death or Incompetency must provide only notice of the death or incompetency of a Debtor and may not include any other request for relief. Any relief related to the death or incompetency of a Debtor must be requested by separate motion.

Local Bankr. R. 1017-1 Simultaneous Petitions.

Unless otherwise ordered by the Court, after notice and an opportunity for a hearing, or unless a motion for permission to maintain simultaneous petitions is granted, no Debtor as defined by 11 U.S.C. §§ 101(13) or 109 may maintain more than one bankruptcy petition under any Chapter or Chapters of the United States Bankruptcy Code at the same time. The subsequent petition filed may be dismissed by the Court *sua sponte* or pursuant to motion after notice and an opportunity for a hearing.

Local Bankr. R. 1019-1 Conversion of Case to Chapter 7 or 13; Documents Required to Be Filed.

- (a) **Conversion of Case to Chapter 7.** A motion to convert a Chapter 11 or 12 case to Chapter 7 filed by a Debtor, or a motion to convert a Chapter 11, 12, or 13 case to a Chapter 7 case filed by a party other than a Debtor, shall be set for hearing. See [Appendix N](#). A motion to convert a Chapter 13 case to Chapter 7 filed by a Debtor may be set for hearing. See [Appendix M](#).

When applicable, the following documents may be filed by a Debtor:

- (1) Notice of Conversion from Chapter 13 to 7 filed pursuant to 11 U.S.C. § 1307(a) and FRBP. 1017(f)(3) – [Connecticut Local Form CTB-LF240](#); or
- (2) Notice of Conversion from Chapter 12 to 7 filed pursuant to 11 U.S.C. § 1208(a) and FRBP 1017(f)(3) – [Connecticut Local Form CTB-LF241](#).

Within fourteen (14) days after the entry of an order converting a case to Chapter 7, the Debtor shall file a schedule of assets remaining in the Debtor's possession as of the date of conversion, a list of abandoned property, a list of property against which relief from the automatic stay was granted, a schedule of assets and a schedule of unpaid post-petition obligations or expenses. If the Debtor is an individual, a statement of current monthly

income and a means test calculation shall also be timely filed on the [Official Forms](#). The schedules and statements shall be signed by the Debtor under penalty of perjury certifying that the schedules and statements and any attachments have been read by the Debtor and that they are true and correct to the best of the Debtor's knowledge, information, and belief.

- (b) **Conversion of Case to Chapter 13.** If a case is converted to a case under Chapter 13, a Statement of Current Monthly Income and Calculation of Commitment Period and Disposable Income shall be filed using the [Official Forms](#) and served on the Chapter 13 Trustee.

PART II. OFFICERS AND ADMINISTRATION; NOTICES; MEETINGS; EXAMINATIONS; ELECTIONS; ATTORNEYS AND ACCOUNTANTS

Local Bankr. R. 2002-1 Notice and Service to Creditors and Other Interested Parties.

- (a) **Notice and Service to Debtor, Creditor, and Parties-in-Interest.** In addition to the requirements of any other applicable rule governing service, *see* Local Bankruptcy Rule 9036-1 and [Appendix A](#), and unless otherwise ordered by the Court, a copy of all motions, pleadings, applications, petitions, and other papers filed in a case or in an adversary proceeding shall be timely served on all Debtors, creditors, parties, other parties-in interest entitled to service, including the U.S. Trustee, and on any CM/ECF filer through the Court's CM/ECF system. A Certificate of Service shall be filed evidencing that such service has been made. *See* D. Conn. L. Civ. R. 5. When serving documents in hard copy on a business entity such as a corporation, partnership, or bank that is not represented by an attorney in the case or adversary proceeding, such service shall be made using the entity's full address including an attention line to an Officer, President, Director, Manager, or General Agent of the business entity, though not necessarily by individual name. Service on an individual Debtor must be made to the Debtor's address of record even if the individual Debtor is represented by appearing counsel.
- (b) **Debtor to Provide Notice and Service if Creditor List not filed.** If the Creditor List required by 11 U.S.C. § 521(a)(1)(A) and Local Bankruptcy Rule 1007-1(a) has not been timely filed, and notice is required to be served by the Clerk or a party other than the Debtor, the Debtor shall serve the notice and file a Certificate of Service evidencing that such service has been made. *See* D. Conn. L. Civ. R. 5.

Local Bankr. R. 2002-2 Omnibus Hearing Calendar.

Upon motion or *sua sponte* order by the Court, for cause shown in any pending case, the Court may establish an omnibus hearing calendar with pre-set dates established for any and all matters related to that case in the interests of efficient and cost-effective case management.

Local Bankr. R. 2004-1 Rule 2004 Examinations.

- (a) Except for the provisions of FRCP 26 (a), (b), (d), (f) and (g), the provisions of FRBP 7026, 7037, and 9016, and D. Conn. L. Civ. R. 26(a)-(e) and 37 shall apply to examinations and the production of documents under [FRBP 2004](#). Proportionality considerations apply to a request for the production of documents or electronically stored information in connection with a FRBP 2004 examination.
- (1) For purposes of this Local Bankruptcy Rule 2004-1, “2004 Parties” means a party-in-interest seeking an examination pursuant to [FRBP 2004 \(a\)](#) and the party to be examined.
- (2) For purposes of this Local Bankruptcy Rule 2004-1, “Notice Parties” means (i) the Debtor; (ii) the case trustee, if any; (iii) the United States Trustee; (iv) any official committee; (v) any party-in-interest that has filed a notice of appearance in the case; (vi) the proposed witness, examinee, or party producing documents; and (vii) any appearing counsel of record.
- (b) The 2004 Parties may agree orally or in writing (a “2004 Agreement”) on an examination taking place, the date, time, and place of such examination, and the production of documents pursuant to [FRBP 2004\(c\)](#) and [FRBP 9016](#), without necessity of a motion or subpoena.
- (1) A notice of a 2004 Agreement shall be filed with the Court and served upon the 2004 Parties and the Notice Parties. Such notice shall include at a minimum the identity of the individual or entity to be examined, the date, time, and place of the proposed examination, a list of the documents to be produced, and the date for production of documents.
- (2) Any objecting party-in-interest shall file and serve upon the 2004 Parties and the Notice Parties an objection to the proposed examination or production of documents within seven (7) days after the filing of the notice of a 2004 Agreement.
- (A) If no objection is filed and served within that time, the 2004 Agreement shall be deemed ordered, without requiring the entry of an order.
- (B) If an objection is filed and served within seven (7) days after the filing of the notice of a 2004 Agreement, then, notwithstanding any requirements of the Contested Matter Procedure, *see* Local Bankr. R. 9014-1, (i) the Clerk shall issue a notice of hearing on the objection; and (ii) the objecting party-in-interest shall serve the notice of such hearing upon the 2004 Parties and the Notice Parties and shall file a Certificate of Service. *See* D. Conn. L. Civ. R. 5.
- (C) Any objection to a 2004 Agreement shall be no more than five (5) pages and shall state the specific legal and factual basis for the objection.

- (D) Failure to comply with the requirements of [D. Conn. L. Civ. R. 37](#) shall be grounds for overruling any objection to a 2004 Agreement.
- (3) A written 2004 Agreement between the 2004 Parties as to the date, time, and place of examination and/or documents to be produced is enforceable by a motion to compel or for sanctions without necessity of a Court order or authorized service of a subpoena.
- (c) In the absence of a 2004 Agreement, a party-in-interest may file a motion seeking relief pursuant to FRBP 2004. A party-in-interest that files a motion under [FRBP 2004\(a\)](#) shall serve the motion, a proposed order, a notice, and a copy of any subpoena for the production of documents to be served pursuant to [FRBP 2004\(c\)](#) and [FRBP 9016](#) upon the Notice Parties.
 - (1) The notice shall include: (A) an objection deadline of at least seven (7) days after the date the motion, proposed order, notice, copy of a proposed subpoena and certificate of service for such documents is filed with the Court, and (B) a statement that in the absence of a timely filed objection, the proposed order may enter without further notice and hearing.
 - (2) Any objection or response to the motion shall be no more than five (5) pages and shall state the specific legal and factual bases for the objection, be filed no later than the response date, and be served upon the movant and the Notice Parties. The Court may schedule a hearing on the matter as soon as is practical. *See*, Appendix M.
 - (3) The failure to file a response or objection pursuant to this Rule shall not prejudice the proposed examinee, witness, or party from whom documents are sought from filing a motion for protective order, to quash the subpoena, or to vacate an order entered pursuant to the motion after the seven (7) day period has passed.
 - (4) The failure to comply with the requirements of [D. Conn. L. Civ. R. 37](#) shall be grounds for overruling any objection filed to a motion.
 - (5) Service of a subpoena for a Rule 2004 examination shall comply with FRCP 45 as applicable through FRBP 9016. *See also*, FRBP 7004(d).

Local Bankr. R. 2014-1 Employment of Professionals.

(a) Statement Required by Rule 2016(b).

- (1) The statement required by FRBP 2016(b), [Form B2030](#), shall be filed:
 - (A) at the commencement of a case by every attorney for a Debtor, whether or not the attorney applies for compensation;

- (B) with any application for employment of counsel for the Debtor or any application or motion seeking substitution of counsel for the Debtor; and
 - (C) at any other time required by FRBP 2016(b) (*i.e.*, within 14 days after any payment or agreement not previously disclosed) or Local Bankruptcy Rule 2016-2 (with an application for allowance of compensation for a debtor's attorney).
- (2) The [Form B2030](#) shall indicate: (i) whether the filing fee has been paid simultaneously with the filing of the petition; (ii) the amount of the filing fee that has been paid simultaneously with the filing of the petition; and (iii) the source of the filing fee that has been paid simultaneously with the filing of the petition. A copy of an engagement or retainer agreement shall be filed with [Form B2030](#). The failure to fully complete and file [Form B2030](#) with any application or motion seeking employment or substitution of employment may result in denial of the application.

(b) Employment of Special Counsel Pursuant to 11 U.S.C. § 327 (e).

Applications to employ special counsel pursuant to 11 U.S.C. § 327(e) shall include an affidavit by the attorney to be employed: (1) acknowledging the attorney has read the Local Bankruptcy Rules; (2) acknowledging the status of the representation the attorney is to be engaged upon, including that any affirmative claim is or may be property of the bankruptcy estate; (3) identifying the client (which may be the bankruptcy estate or the trustee, and may no longer be the Debtor); (4) acknowledging any claim that is property of the bankruptcy estate may not be arbitrated or settled before a motion on notice to all parties-in-interest, an opportunity for a hearing and an order from the Bankruptcy Court (see FRBP 9019); (5) acknowledging that any attorney compensation is not allowed and may not be paid before an application on notice to all parties-in-interest, an opportunity for a hearing and an order from the Bankruptcy Court; and (6) acknowledging that any prior employment or agreement for legal representation is superseded.

(c) Retroactive or *Nunc Pro Tunc* Employment.

- (1) If an application to employ a professional is filed within thirty (30) days after the commencement of services provided by that professional or the petition date, whichever is later, the application shall be deemed timely filed unless the Court orders otherwise.
- (2) If an application to employ a professional is filed more than thirty (30) days after the later of the petition date or the commencement of services by the professional and the application seeks an order authorizing employment as of the petition date, the application shall include:

- (A) an affidavit setting forth the basis for delaying the filing of an application to employ the professional and whether there is any prejudice to any party in interest from the proposed employment; and
- (B) the legal authority the applicant relies on as to why the retroactive relief sought is appropriate under applicable law, including whether the applicant asserts excusable neglect as a basis for retroactive relief.

(d) Contingency Fee Agreement.

Any application seeking approval of a contingent fee shall: (i) include as an exhibit the engagement or retainer agreement; and (ii) include sufficient information to confirm its enforceability under applicable non-bankruptcy laws and the applicable Rules of Professional Conduct, including the Connecticut Rules of Professional Conduct.

(e) Maintenance of Retainer Funds.

Unless the Court orders otherwise, in any pending case, any professional employed by a Debtor or a trustee shall deposit funds paid upon or in anticipation of the commencement of the case for professional services and expenses to be rendered after the petition date, regardless of the source of funds (*i.e.*, whether received from the Debtor, an insider of the Debtor as defined in 11 U.S.C. § 101(31), or a third party), in a trust account, clients' funds account, escrow account, or IOLTA account consistent with Rule 1.15 of the Connecticut Rules of Professional Conduct.

(f) Application of Retainer Funds.

Any funds required to be deposited into a trust account, clients' funds account, escrow account, or IOLTA account consistent with Rule 1.15 of the Connecticut Rules of Professional Conduct, shall not be applied to fees earned or expenses incurred by a professional after the petition date absent a prior court order authorizing such application.

Local Bankr. R. 2014-2 Retention of Ordinary Course Professionals.

Where appropriate, the Debtor in a Chapter 11 case in which a trustee has not been appointed, the Debtor in a Chapter 12 or 13 case, or a trustee appointed in a Chapter 7, 11, 12 or 13 case, upon motion and upon notice and a hearing which is an exception to the Contested Matter Procedure and shall be set for a hearing, *see* [Appendix N](#), may for good cause seek to hire and compensate certain professionals and advisors in the ordinary course of business, who serve in roles ancillary to the core administration of the estate, or in the ordinary course of the Debtor's business.

Local Bankr. R. 2015-1 Post-Confirmation Reports in Chapter 11 Cases and Subchapter V Cases.

Within forty-five (45) days after the entry of an order confirming a plan in a Chapter 11 case or Subchapter V case, and until the entry of the final decree, every ninety (90) days thereafter, the debtor-in- possession, trustee, distributor, or plan proponent shall file a report with the Court and serve a copy upon any extant committee appointed in the case, and the United States Trustee, which report shall set forth the action taken and progress made in the consummation of the plan pursuant to 11 U.S.C. § 1106(a)(7).

Local Bankr. R. 2015-2 Subchapter V Trustee Deposit

- (a) Unless the Court orders otherwise, the Debtor shall make monthly periodic payments to the Subchapter V Trustee for the purpose of providing for the payment of fees and expenses of the Subchapter V Trustee once allowed. No later than seven (7) days after the filing of the Notice of Appointment of Subchapter V Trustee, and unless the Court orders otherwise, the Debtor shall tender to the Subchapter V Trustee the sum of \$1,000.00 in good funds for the payment of legal fees and expenses of the Trustee. The Debtor shall make additional payments of \$1,000.00 every thirty (30) days thereafter, unless otherwise ordered.
- (b) The Subchapter V Trustee shall hold the Debtor's funds in escrow pending a further Court order. The amount of each deposit or of the aggregate of deposits shall be subject to adjustment by the Court upon the motion of any party-in-interest. The Debtor shall include these payments when proposing any cash collateral budget, borrowing budget or other budget or projection, and shall account for such funds in each monthly operating report.
- (c) Any payment of compensation and reimbursement to the Subchapter V Trustee from the escrowed funds shall be subject to allowance and approval by order of the Court under 11 U.S.C. §§ 503(b), 330, 331 and 1194, FRBP 2016, and Local Bankruptcy Rule 2016-1.
- (d) Any failure of the Debtor to tender the required amount within seven (7) days after the filing of the Notice of the Appointment of Subchapter V Trustee, or to timely fund any subsequent monthly installment payment, may be cause for conversion or dismissal of the case.
- (e) Funds delivered by the Debtor to the Subchapter V Trustee, or funds held by the Debtor that are due in amounts contemplated by this Local Bankruptcy Rule 2015-2 shall not be subject to any pre-petition or post-petition lien of any secured lender, shall not be subject to setoff or recoupment, and otherwise shall remain available solely for the payment of allowed Subchapter V Trustee fees and expenses. The provisions of this Local Bankruptcy Rule 2015-2 shall apply notwithstanding any dismissal or conversion of the case, any termination or expiration of any cash collateral order, borrowing order, and any order granting relief from stay in favor of a secured lender.

Local Bankr. R. 2016-1 Compensation of Professionals.

- (a) Applications for allowance of compensation and reimbursement of expenses shall, at a minimum:
 - (1) Include a [Fee Application Cover Sheet](#);
 - (2) Comply with the [Court's Guidelines for Allowance of Compensation and Expense Reimbursement of Professionals \(Appendix D\)](#);
 - (3) Follow the Contested Matter Procedure pursuant to Local Bankruptcy Rule 9014-1 and provide a response date of at least twenty-one (21) days for any objection or response to the application; and
 - (4) Comply with any other applicable guidelines and Court orders.
- (b) Applications for compensation for a Chapter 7 Trustee's statutory compensation pursuant to 11 U.S.C. § 326(a) and any applications for professionals retained by the Chapter 7 Trustee which are filed with a Chapter 7 Trustee's Proposed Final Report and Proposed Distribution do not follow the Contested Matter Procedure.

Local Bankr. R. 2016-2 Compensation of Debtor's Counsel in Chapter 13 Cases.

- (a) **Prepetition Retainers.** The amount of any retainer received by the Debtor's counsel paid within one year before the filing of the petition in bankruptcy or agreed to be paid for services rendered or to be rendered in contemplation of or in connection with the Chapter 13 bankruptcy case shall be included in the Disclosure of Compensation of Attorney for Debtor, [Form B2030](#).
- (b) Unless otherwise ordered by the Court, if a Chapter 13 Debtor's attorney seeks allowance of attorney's fees excluding costs for services rendered before confirmation of a Chapter 13 Plan in an amount equal to or less than the amount stated in Appendix E, Local Form Chapter 13 Plan, Section 4.3, then the filing of a Disclosure of Compensation of Attorney for Debtor, [Form B2030](#), shall be sufficient for the allowance of the attorney's fees and the filing of an itemized application for allowance of compensation pursuant to 11 U.S.C. § 330 shall be excused.
- (c) Nothing in this Rule shall be construed to limit the Court's discretion to review the amount of fees paid to or agreed to be paid to the Debtor's counsel, and to enter appropriate orders allowing, disallowing, disgorging, or subordinating such fees.

Local Bankr. R. 2021-1 Creditors' Committees.

Within five (5) days of the appointment of any committee, the United States Trustee shall file with the Court a list containing the names, addresses, and telephone numbers of persons serving on such committee. If after reasonable efforts a creditors' committee is not constituted, a

statement to that effect stating the reasons for not appointing such a committee shall be filed by the United States Trustee with the Court. The United States Trustee shall facilitate the initial organizational meeting of any committee and appropriately advise it of its authority, duties, and responsibilities.

Local Bankr. R. 2022-1 Notice to Other Courts

- (a) **Notice of Bankruptcy Petition.** Notice of the filing of a bankruptcy petition in this District shall be served by the Debtor or Debtor's counsel, at the earliest possible date, to:
 - (1) The clerk of any Federal or state court in which the Debtor is a party to pending litigation or other criminal or civil proceedings; and
 - (2) All counsel of record in such litigation or proceedings, and to all parties to the action not represented by counsel.
- (b) **Certificate of Service of Notice:** The Debtor or Debtor's counsel shall file on the docket of the bankruptcy case, a certificate of service indicating the notice required by subsection (a) of this rule was served by U.S. mail, postage prepaid, and listing each party served and its address of service.
- (c) **Effect of Not Serving Notice.** The failure to serve the notice required by subsection (a) of this rule may constitute cause for annulment of the stay imposed by 11 U.S.C. §§ 362, 922, 1201, or 1301, and may result in the imposition of sanctions or other relief.

PART III. CLAIMS AND DISTRIBUTION TO CREDITORS AND EQUITY INTEREST HOLDERS; PLANS

Local Bankr. R. 3001-1 Proofs of Claim: Secured Claims in Individual Debtor Case.

Proofs of claim asserting a secured claim against a residence in individual Debtor cases, in addition to the requirements of FRBP 3001, 3002, and 3002.1, shall:

- (a) Be filed in compliance with the [Instructions](#) for the [Official Form B-410, Proof of Claim](#).
 - (1) For Chapter 13 cases, this rule applies in addition to the requirements of FRBP 3002 and FRBP 3002.1.
- (b) Official Bankruptcy Forms [B410-A](#), [B410S-1](#) and [B410S-2](#) shall be attached to a filed Proof of Claim, as applicable, in compliance with their instructions.
- (c) Official Bankruptcy Forms related to a filed Proof of Claim may also include, but are not restricted to, the following (to be filed on the docket of the case):
 - (1) Official Form 410C13-M1 (12/25), Motion Under Rule 3002.1(f)(1) to Determine the Status of the Mortgage Claim,

- (2) Official Form 410C13-M1R (12/25), Response to [Trustee's/Debtor's] Motion Under Rule 3002.1(f)(1) to Determine the Status of the Mortgage Claim,
- (3) Official Form 410C13-N (12/25), Trustee's Notice of Payments Made,
- (4) Official Form 410C13-NR (12/25), Response to Trustee's Notice of Payments Made,
- (5) Official Form 410C13-M2 (12/25), Motion Under Rule 3002.1(g)(4) to Determine Final Cure and Payment of Mortgage Claim,
- (6) Official Form 410C13-M2R (12/25), Response to [Trustee's/Debtor's] Motion to Determine Final Cure and Payment of the Mortgage Claim.

Local Bankr. R. 3003-1 Filing Proof of Claim or Equity Security Holder Interest in a Chapter 9 or 11 Case, Notice to Disputed, Contingent, Unliquidated Creditors.

Unless otherwise ordered, the Debtor in a Chapter 9 or Chapter 11 case shall serve creditors and equity security holders whose claims or interests are listed on the Schedules as disputed, contingent, or unliquidated, with a notice of deadline for filing proofs of claim upon the earlier of forty-five (45) days prior to the proof of claim bar date or the initial confirmation hearing scheduled in the case. See [Order and Notice to Disputed, Contingent and Unliquidated Creditors \(Appendix K\)](#).

Local Bankr. R. 3007-1 Claim Objections.

- (a) **Contents of the Objection.** Every objection to a claim shall identify the proof of claim, if any, by claim number as set forth in the Claims Register; the claimant; the amount; the priority classification; and the filing date of the proof of claim. If the amount or classification of the claim is disputed, the objection shall state the amount of the claim, if any, that is not in dispute and the classification considered proper by the objecting party. The objection shall state with particularity the basis for the objection.
 - (1) The objecting party must attach the [Local Form 420B Notice of Objection to Claim Form](#) to every objection to a claim.
- (b) **Service.** The objecting party shall serve the [Local Form 420B Notice of Objection to Claim Form](#) with any claim objection and the notice of hearing upon the claimant at the address provided on the proof of claim, and if applicable, upon the claimant's attorney of record. The objecting party shall file a Certificate of Service with the objection. See D. Conn. L. Civ. R. 5.

Local Bankr. R. 3007-2 Omnibus Claim Objection Procedures.

If an omnibus claim objection is to be filed, the objecting party must attach the [Local Form 420B Notice of Objection to Claim Form](#) to the omnibus claim objection. The following procedures shall apply:

- (a) The objecting party shall object to no more than one hundred (100) proofs of claim in one pleading;
- (b) Copies of the claims need not be attached to the omnibus claim objection. However, the objecting party shall comply with Local Bankr. R. 3007-1(a) and notify each claimant that a copy of the claim may be obtained from the objecting party upon request; and,
- (c) The notice of hearing and objection shall be served in accordance with [FRBP 2002\(g\)](#) and [FRBP 7004](#). See D. Conn. L. Civ. R. 5.

Local Bankr. R. 3007-3 Estimation of Claims.

- (a) If a claim is scheduled as an unliquidated claim, if an objection to a proof of claim is filed, or if a proof of claim is filed in an unliquidated amount, the objecting party, the claimant, the trustee, the Debtor in possession, or any plan proponent may file a motion requesting that the claim be estimated in accordance with 11 U.S.C. § 502(c). Unless the Court orders otherwise, a motion filed to estimate commences a contested matter and must follow the Contested Matter Procedure set forth in Local Bankr. R. 9014-1.
- (b) The motion to estimate a claim shall include those purposes (*e.g.*, voting, allowance, etc.) for which estimation is sought, and an explanation of why estimation, as opposed to full trial of the claim objection, is appropriate. As soon as practicable following filing of the motion to estimate, the movant shall consult with the claimant and any objecting party to determine whether either party opposes the motion.
- (c) In cases where the unliquidated claim would receive no distribution if allowed, the Court may deny any motion seeking estimation of the claim without conducting a hearing.

Local Bankr. R. 3011-1 Unclaimed Funds in Cases Under Chapter 7, Subchapter V of Chapter 11, Chapter 12, and Chapter 13

(a) Deposit.

- (1) A trustee must file [Local Form CTB-LF3011-N](#), Notice of Deposit of Small Dividends or Unclaimed Funds to deposit unclaimed funds into the Court Registry without court order.
- (2) The trustee must serve [Local Form CTB-LF3011-N](#) Notice of Deposit of Small Dividends or Unclaimed Funds on the Debtor(s) in the bankruptcy case, Debtor'(s) counsel, if any, original payee, any preceding payee, and the U.S. Trustee.

(b) Application for Payment of Unclaimed Funds.

- (1) Claimants to unclaimed funds must file an Application for Payment of Unclaimed Funds using [Local Form CTB-LF1340 Application for Payment of Unclaimed Funds](#).
- (2) The Application for Payment of Unclaimed Funds (“Application”) and any supporting documents must comply with Appendix R, “Instructions for Filing Application for Payment of Unclaimed Funds,” and with Local Bankr. R. 9037-1.
- (3) The Application must include [Local Form CTB-LF3011-O](#), Proposed Order Granting Application for Payment of Unclaimed Funds.
- (4) The Application must be served on the United States Attorney for District of Connecticut pursuant to 28 U.S.C. § 2042, and on the Debtor(s) in the bankruptcy case, Debtor(s) attorney (if any), original owner(s) of record, subsequent owner(s) of record (if any), the case trustee (if any), and the U.S. Trustee.

(c) Claimants, Assignors, and Assignees.

- (1) A claimant to unclaimed funds must be:
 - (A) An owner of record (original payee) or a legal successor; or
 - (B) An owner of record’s assignee or a legal successor, or lien creditor.
- (2) Assignors of unclaimed funds shall provide proof of identity with their notarized assignment of interest, evidencing their interest in unclaimed funds, and their authority to assign that interest to another individual or entity.
- (3) Assignees of unclaimed funds in interest seeking to claim funds on behalf of a creditor must provide proof of their interest and proof of identity evidencing their authority to claim such funds.

(d) Objection. Unless any party-in-interest files an objection on or before the deadline set in the “Notice of Deadline to Object to the Application for Payment of Unclaimed Funds,” the request will be considered by the Court without a hearing. The Court may schedule a hearing on any objection or any application that appears deficient, irregular, or otherwise raises concerns about compliance with the rules. See, Appendix M.

(e) Motion to Reopen. If a bankruptcy case or adversary proceeding is closed, no motion to reopen or the corresponding fee for filing a motion to reopen will be required if the sole purpose to reopen the bankruptcy case or adversary proceeding is to file the Application for Payment of Unclaimed Funds.

Local Bankr. R. 3014-1 Time for Secured Creditor to Exercise Election under Bankruptcy Code § 1111(b) in Subchapter V Case.

Unless the Court rules that 11 U.S.C. § 1125 applies, an election of the application of § 1111(b) of the Code by a class of secured creditors in a Chapter 11 Subchapter V case may be made at any time on or before seven (7) days after the filing of the Debtor's initial Plan of Reorganization, or such later time as the Court may establish.

Local Bankr. R. 3015-1 Chapter 12 – Confirmation.

The Chapter 12 Procedures set forth in [Appendix F](#) must be followed in Chapter 12 cases.

Unless the Court orders otherwise, an objection to confirmation of a Chapter 12 Plan shall be filed no later than seven (7) days prior to the date set for the plan confirmation hearing. The hearing on the confirmation of a Chapter 12 Plan may be continued by the Court, or by a party filing a Motion to Continue Hearing, which may be granted upon cause shown.

Local Bankr. R. 3015-2 Chapter 13 - Confirmation.

- (a) All Chapter 13 Plans shall be filed using the Local Form Chapter 13 Plan in [Appendix E](#). Unless the Court orders otherwise, an objection to confirmation of a Chapter 13 Plan shall be filed no later than seven (7) days prior to the date set for the plan confirmation hearing. The hearing on the confirmation of a Chapter 13 Plan may be continued by the Court, or by a party filing a Motion to Continue Hearing, which may be granted upon cause shown.
- (b) Unless the Court orders otherwise, the hearing on confirmation of the plan may be held not earlier than 20 days and not later than 45 days after the first date set for the meeting of creditors under § 341(a). The Debtor's attorney, or the Debtor, if not represented by counsel, must appear at the confirmation hearing unless specifically excused by Court order.
- (c) **Service of Chapter 13 Plan Before Confirmation and Notice of Chapter 13 Plan Confirmation Hearing.**

- (1) *Initial Chapter 13 Plans and Amended Plans Filed When No Hearing is Scheduled.*

Upon the filing of the Debtor's initial Chapter 13 Plan or the filing of an amended Chapter 13 Plan at a time when no confirmation hearing is scheduled, a Notice of Chapter 13 Plan Confirmation Hearing shall be issued by the Clerk's Office.

The Debtor or Debtor's counsel shall serve both the Notice of Chapter 13 Plan Confirmation Hearing and the Chapter 13 Plan (or amended Chapter 13 Plan) on all creditors, parties in interest, and the Chapter 13 Trustee.

Within three (3) business days after the issuance of the Notice of Chapter 13 Plan Confirmation Hearing, the Debtor or Debtor's counsel shall file a Certificate of

Service evidencing service of the Chapter 13 Plan (or amended Chapter 13 Plan) and the Notice of Chapter 13 Plan Confirmation Hearing using the Local Form Chapter 13 Certificate of Service in Appendix E. The Certificate shall identify each entity served and specify the method of service.

(2) *Amended Plans Filed Before a Scheduled Confirmation Hearing.*

If a Debtor files an amended Chapter 13 Plan in advance of a confirmation hearing that is already scheduled, the Debtor or Debtor's counsel shall serve a copy of the amended Chapter 13 Plan on all creditors, parties in interest, and the Chapter 13 Trustee, and file a Certificate of Service evidencing service of the amended Chapter 13 Plan using the Local Form Chapter 13 Certificate of Service in Appendix E. The Certificate shall identify each entity served and specify the method of service.

(d) *Service of Chapter 13 Plan After Confirmation and Notice of Hearing Regarding Motion to Modify a Confirmed Chapter 13 Plan.*

Upon the filing of a motion to modify a confirmed Chapter 13 Plan and a proposed modified Chapter 13 Plan, a Notice of Hearing shall be issued by the Clerk's Office.

The Debtor or Debtor's counsel shall serve both the Notice of Hearing, the motion to modify, and the proposed modified Chapter 13 Plan on all creditors, parties in interest, and the Chapter 13 Trustee.

Within three (3) business days after the issuance of the Notice of Hearing, the Debtor or Debtor's counsel shall file a Certificate of Service evidencing service of the modified Chapter 13 Plan and the Notice of Hearing using the Local Form Chapter 13 Certificate of Service in Appendix E. The Certificate shall identify each entity served and specify the method of service.

Local Bankr. R. 3016-1 Chapter 11 - Plan.

(a) *Extension of Exclusivity Period.*

If a Debtor desires an extension of the exclusivity period for filing a Plan of Reorganization, the Debtor shall file a motion prior to the expiration of the exclusivity period requesting the extension that includes a statement of the reason(s) why a plan has not been filed and an appropriate timetable of the steps to be taken in order to file a plan.

(b) *Small Business Cases.*

If the Debtor desires an extension of the periods provided for filing or confirming a Plan of Reorganization in a small business case as provided in 11 U.S.C. § 1121(e)(3), then the Debtor shall file and serve a motion requesting the extension, as described in subsection (a), upon all parties-in-interest. The motion must be filed in advance of the expiration of the time periods provided in 11 U.S.C. § 1121(e) to provide at least fourteen (14) days'

notice of the hearing as required by the Contested Matter Procedure provided for under these rules. Motions seeking expedited or emergency hearings will be granted only in exceptional circumstances.

Local Bankr. R. 3017-1 Transmission and Notice of Plan and Disclosure Statement.

- (a) **Transmittal.** Unless the Court orders otherwise, the proponent of a plan shall transmit all notices and other documents required by FRBP 3017(a).
- (b) **Disclaimer Other Than in Small Business Cases.** Except in a case where the Debtor is a small business, before a proposed Disclosure Statement has been approved by the Court, the proposed Disclosure Statement shall have on its cover, in boldface type, the following or comparable language:

This is not a solicitation of acceptance or rejection of the plan. Acceptances or rejections may not be solicited until a disclosure statement has been approved by the Bankruptcy Court. This disclosure statement is being submitted for approval but has not been approved by the Court.

Local Bankr. R. 3017-1.1 Consideration of Disclosure Statement in a Small Business Case.

Disclaimer in Small Business Cases. In a case where the Debtor is a small business, if the Court conditionally approves a proposed Disclosure Statement, the conditionally approved Disclosure Statement shall have on its cover, in boldface type, the following language, or words of similar import:

The Debtor in this case is a “small business” as defined in the Bankruptcy Code. The Debtor has received conditional approval of this Disclosure Statement; the Bankruptcy Court will consider final approval, and any timely filed objections thereto, at the time of or before the hearing on confirmation of the plan.

Local Bankr. R. 3017-2 Approval of Disclosure Statement in Small Business Cases.

- (a) **Procedure for Conditional Approval Under Federal Rule of Bankruptcy Procedure 3017.1.**

A plan proponent in a small business case may seek conditional approval of a Disclosure Statement, subject to final approval after notice and hearing, by filing a motion with the Court contemporaneously with the filing of the proposed Plan of Reorganization. Such motion shall contain a Certificate of Service evidencing service upon the parties and shall be accompanied by a proposed order.

(b) Waiver.

A plan proponent in a small business case may seek to waive the requirement of a Disclosure Statement because the proposed Plan of Reorganization itself provides adequate information. Such waiver may be sought by motion to be filed contemporaneously with the proposed Plan of Reorganization.

Local Bankr. R. 3018-1 Certification of Acceptances and Rejections of Chapter 11 Plans.

Unless the Court orders otherwise, not less than two (2) business days prior to the hearing on confirmation, the proponent of a Chapter 11 Plan of Reorganization, or other party who receives the ballots accepting or rejecting such plan, shall file with the Court a certification of the amount and number of allowed claims or interests in each class accepting or rejecting the plan. On the basis of the certification, the Court may find that the plan has been accepted or rejected.

See [Official Form B314—Ballot for Accepting or Rejecting Plan](#).

Local Bankr. R. 3020-1 Chapter 11 - Confirmation.

Unless the Court orders otherwise, an objection to confirmation of a Chapter 11 Plan of Reorganization shall be filed and served no later than four (4) days prior to the date set for a hearing on confirmation of the plan. The hearing on the confirmation of a Chapter 11 Plan may be continued by the Court, or by a party filing a Motion to Continue Hearing, which may be granted upon cause shown.

Local Bankr. R. 3022-1 Application for Final Decree.

Unless the Court orders otherwise, the date for filing an application for a final decree in a Chapter 11 case will be set by the Court at the confirmation hearing. The application for the final decree shall: (i) contain a breakdown of the disbursements, as applicable from the commencement of the case, for fees for the Debtor's counsel, other professional fees and expenses, any Chapter 11 Trustee fees, and fees for the trustee's attorney; (ii) state the percentage of dividend paid and to be paid to unsecured creditors, or whether the future dividend percentage is not yet determinable; (iii) state the steps taken to consummate the plan and whether the initial plan distribution is complete; and (iv) include a proposed order.

PART IV. THE DEBTOR: DUTIES AND BENEFITS

Local Bankr. R. 4001-1 Automatic Stay; Relief from Stay Worksheet.

A [Motion for Relief from Stay Worksheet \(Appendix B\)](#) shall be completed and filed with all motions seeking relief under 11 U.S.C. § 362(d) with respect to the enforcement of rights and remedies regarding real property. See [Appendix B](#).

Local Bankr. R. 4001-2 Continuation or Imposition of Automatic Stay.

- (a) **Motion and Hearing Required.** The Debtor or any party-in-interest seeking a continuation or imposition of the automatic stay under 11 U.S.C. §§ 362(c)(3)(B) or (c)(4)(B) shall file a motion and proposed order and serve it on all parties against whom the movant seeks to continue or impose the stay. The motion shall be filed with the petition or as soon as practicable thereafter. A motion to continue the automatic stay under 11 U.S.C. § 362(c)(3)(B) may be scheduled for a hearing. See [Appendix M](#). A motion to impose the automatic stay under 11 U.S.C. § 362(c)(4)(B) shall be scheduled for a hearing. See [Appendix N](#).
- (b) **Content of Motion.** An affidavit or declaration of the movant shall be attached to the motion and shall:
- (1) specifically allege the identity of the creditor(s) as to which the movant seeks to continue or impose the stay;
 - (2) identify, by case number, all prior bankruptcy filings by the Debtor;
 - (3) state whether the Debtor has had more than one previous case pending within the preceding year;
 - (4) state whether any previous case was dismissed within the preceding year after the Debtor failed to perform any of the acts set forth in 11 U.S.C. § 362(c)(3)(C)(i)(II);
 - (5) state whether there has been a substantial change in the financial or personal affairs of the Debtor and, if so, support the statement with specific factual allegations;
 - (6) state whether any creditor moved for relief from the automatic stay in a previous case and, if so, the disposition of that motion; and
 - (7) allege specific facts entitling the movant to relief.

Local Bankr. R. 4001-3 Use of Cash Collateral and Debtor in Possession Financing.

In order to facilitate the expeditious hearing and review of motions seeking authority to use cash collateral and seeking approval of Debtor in possession financing, a [checklist \(Appendix H\)](#) for each motion pursuant to 11 U.S.C. § 363 and 11 U.S.C. § 364 shall be completed and attached to the motion and shall clearly and concisely disclose the following:

- (a) **Contents of Motion.** The following provisions, to the extent applicable, are added to the enumerated lists of material provisions set forth in FRBP 4001(b)(1)(B), (c)(1) and (d)(1)(B):

- (1) pricing and economic terms, including letter of credit fees, commitment fees, any other fees, and the treatment of costs and expenses to the lender, any agent for the lender, and their respective professionals;
 - (2) any effect on existing liens of the granting of collateral or adequate protection provided to the lender and any priority or super priority provisions;
 - (3) any carve-outs, or subordinations, from liens or super priorities;
 - (4) any cross-collateralization provision that elevates pre-petition debt to administrative expense (or higher) status or that secures pre-petition debt with liens on post-petition assets (which liens the creditor would not otherwise have by virtue of the pre-petition security agreement or applicable law);
 - (5) any provision that applies the proceeds of post-petition financing to pay, in whole or in part, pre-petition debt or which otherwise has the effect of converting pre-petition debt to post-petition debt (i.e., any “roll-up” provision);
 - (6) any provisions that would affect the Court’s power to consider the equities of the case under 11 U.S.C. § 552(b)(1);
 - (7) any terms that provide that the use of cash collateral or the availability of credit will cease on (i) the filing of a challenge to the lender’s pre-petition lien or the lender’s pre-petition claim based on the lender’s pre-petition claim; (ii) entry of an order granting relief from the automatic stay other than an order granting relief from the stay with respect to material assets; (iii) the grant of a change of venue with respect to the case or any adversary proceeding; (iv) management changes or the departure, from the Debtor, of any identified employees; (v) the expiration of a specified time for filing a plan; or (vi) the making of a motion by a party-in-interest seeking any relief (as distinct from an order granting such relief);
 - (8) any provision establishing a deadline for, or otherwise requiring, the sale of property of the estate or filing or confirming a plan;
 - (9) in jointly administered cases, terms that govern the joint liability of Debtors including any provision described in subdivision (e) of this rule; and
 - (10) any provision for the funding of non-Debtor affiliates with cash collateral or proceeds of the loan, as applicable, and the approximate amount of such funding.
- (b) **Disclosure of Efforts to Obtain Financing and Good Faith.** A motion for authority to obtain credit pursuant to 11 U.S.C. § 364 shall describe in general terms the efforts of the trustee or debtor-in-possession to obtain financing, the basis upon which the debtor-in-possession or trustee determined that the proposed financing is on the best terms available, and material facts bearing on the issue of whether the extension of credit is being extended in good faith.

(c) **Inadequacy of Notice After Event of Default.**

- (1) If the proposed order contains a provision that modifies or terminates the automatic stay or permits the lender to enforce remedies after an event of default, either the proposed order shall require at least seven (7) days' notice to the trustee or debtor-in-possession, the United States Trustee and each committee appointed under 11 U.S.C. §§ 1102 or 1114 (or the 20 largest creditors if no committee has been appointed under 11 U.S.C. § 1102), before the modification or termination of the automatic stay or the enforcement of the lender's remedies, or the motion shall explain why such notice provision is not contained in the proposed order.
- (2) If the proposed order contains a provision that terminates the use of cash collateral, either the proposed order shall require at least five (5) days' notice before the use of cash collateral ceases (provided that the use of cash collateral conforms to any budget in effect), or the motion shall explain why such notice provision is not contained in the proposed order.

- (d) **Joint Obligations.** In jointly-administered cases, if one or more Debtors will be liable for the repayment of indebtedness for funds advanced, used, or transferred to or for the benefit of another Debtor, the motion and the proposed order shall describe, with specificity, any provisions of the agreement or proposed order that would affect the nature and priority, if any, of any inter-Debtor claims that would result if a Debtor were to repay debt incurred by or for the benefit of another Debtor.

- (e) **Investigation Period Relating to Waivers and Concessions as to Prepetition Debt.** If a motion seeks entry of an order in which the Debtor stipulates, acknowledges, or otherwise admits to the validity, enforceability, priority, or amount of a claim that arose before the commencement of the case, or of any lien securing the claim, either the proposed order shall include a provision that permits a committee appointed under 11 U.S.C. § 1102 and other parties-in-interest to undertake an investigation of the facts relating thereto and proceedings relating to such determination, or the motion shall explain why the proposed order does not contain such a provision. The minimum time period for such committee or other party-in-interest to commence, or to file a motion to obtain authority to commence, any related proceedings as representative of the estate shall ordinarily be sixty (60) days from the date of entry of the order authorizing the use of cash collateral or the obtaining of credit, or such other period of time as the Court orders for cause shown prior to the expiration of such period.

- (f) **Content of Interim Orders.** A motion that seeks entry of an emergency or interim order before a final hearing under FRBP 4001(b)(2) or (c)(2) shall describe the amount and purpose of funds sought to be used or borrowed on an emergency or interim basis and shall set forth facts to support a finding that immediate or irreparable harm will be caused to the estate if immediate relief is not granted before the final hearing.

(g) **Provisions of the Proposed Order.**

(1) **Findings of Fact.**

- (A) A proposed emergency or interim order shall include a finding that immediate and irreparable loss or damage will be caused to the estate if immediate financing or authorization of use of cash collateral is not obtained and should state with respect to notice only that the hearing was held pursuant to FRBP 4001(b)(2) or (c)(2), that notice was given to certain parties in the manner described, and that the notice was, in the Debtor's belief, the best available under the circumstances.
- (B) A proposed order may include factual findings as to notice and the adequacy thereof.
- (C) To the extent that a proposed order incorporates by reference to, or refers to a specific section of, a pre-petition or post-petition loan agreement or other document, the proposed order shall also include a statement of such section's import.

(2) **Cross-Collateralization and Rollups.** Unless otherwise determined by the Court, a proposed order approving cross-collateralization or a rollup shall include language that reserves the right of the Court to unwind, in whole or in part, after notice and hearing, the post-petition protection provided to the pre-petition lender or the pay down of the pre-petition debt, whichever is applicable, in the event that there is a timely and successful challenge to the validity, enforceability, extent, perfection, or priority of the pre-petition lender's claims or liens, or a determination that the pre-petition debt was under secured as of the petition date, and the cross-collateralization or rollup unduly advantaged the lender.

(3) **Waivers, Consents, or Amendments with Respect to the Loan Agreement.** A proposed order may permit the parties to enter into waivers or consents with respect to the loan agreement or amendments thereof without the need for further Court approval provided that (i) the agreement as so modified is not materially different from that approved, (ii) notice of all amendments is filed with the Court, and (iii) notice of all amendments (other than those that are ministerial or technical and do not adversely affect the Debtor) is provided in advance to counsel for any committee appointed under 11 U.S.C. §§ 1102 or 1114, all parties requesting notice, and the United States Trustee.

(4) **Conclusions of Law.** A proposed order may provide that the Debtor is authorized to enter into the loan or other agreement, but it shall not state that the Court has examined and approved the loan or other agreement, unless specifically authorized by the Court.

- (5) **Order to Control.** The proposed order shall state that to the extent that a loan or other credit agreement differs from the order, the Court Order shall control.
- (6) **Statutory Provisions Affected.** The proposed order shall specify those provisions of the Bankruptcy Code, Bankruptcy Rules, and Local Rules relied upon as authority for granting relief, and shall identify those sections that are, to the extent permitted by law, being limited or abridged.
- (7) **Conclusions of Law Regarding Notice.** A proposed order may contain conclusions of law with respect to the adequacy of notice under 11 U.S.C. §§ 363 and 364 and FRBP 4001.
- (h) **Exception to Contested Matter Procedure.** Motions for authority to use cash collateral pursuant to 11 U.S.C. § 363 and FRBP 4001(b) and motions for authority to obtain credit pursuant to 11 U.S.C. § 364 and FRBP 4001(c) are exceptions to the Contested Matter Procedure and shall be set for hearing, *see* Appendix N.

Local Bankr. R. 4001-4 Loan Modifications.

- (a) The provisions of [FRBP 4001\(d\)](#) shall apply to any motion for authorization to enter into a loan modification. A Movant shall file a motion for approval of any loan modification only with the consent of the other party to the agreement pursuant to FRBP 4001(d). The motion must state the basis of the Movant's authority to represent the other party's consent.
- (b) Any motion filed in accordance with FRBP 4001(d) shall identify the following, and in a case filed under Chapter 12 or 13, the proposed order shall include the following:
 - (1) The obligation to be modified including the date it was made, the parties to any agreement, the original principal amount, and the address of the property securing the obligation;
 - (2) The confirmation date, with the ECF number of the confirmation order, and any confirmed plan, with its ECF number;
 - (3) The date and number of any proof of claim the obligee filed, including the mechanism for any transfer of claim, with its ECF number;
 - (4) The treatment of the obligation under any confirmed Chapter 13 Plan;
 - (5) The treatment of the claim under the approved modification agreement; and
 - (6) The effect of the modification on any other liens or encumbrances asserted against the collateral or creditors.

Local Bankr. R. 4002-1 Documents to Be Delivered to Trustee Prior to Section 341 Creditors' Meeting.

- (a) In Chapter 7 cases, no later than seven (7) days prior to the first scheduled meeting of creditors, the Debtor shall deliver to the Trustee in a legible form the documents listed in [Appendix I](#) with the completed Domestic Support Obligation Disclosure and Personal Injury Information Forms, to the extent that they apply, and such other documents as the trustee reasonably requests and as he/she deems relevant to and in aid of the prompt administration of the case and the bankruptcy estate. The documents shall be delivered in the form reasonably requested by the trustee. If documents apply but are not available, the Debtor shall inform the trustee why the documents are not available. The Debtor shall use best efforts to provide copies of the documents that are unavailable to the trustee as soon as possible thereafter.
- (b) In Chapter 13 cases, no later than seven (7) days prior to the first scheduled meeting of creditors, the Debtor shall deliver to the Trustee in a legible form the documents listed in [Appendix J](#) with the completed Domestic Support Obligation Disclosure and Personal Injury Information Forms, to the extent that they apply, and such other documents as the trustee reasonably requests and as he/she deems relevant to and in aid of the prompt administration of the case and the bankruptcy estate. The documents shall be delivered in the form reasonably requested by the trustee. If documents apply but are not available, the Debtor shall inform the trustee why the documents are not available. The Debtor shall use best efforts to provide copies of the documents that are unavailable to the trustee as soon as possible thereafter.
- (c) Unless the Court orders otherwise, copies of all payment advices or other evidence of payment received by an individual Debtor within sixty (60) days before the date of the filing of the petition from any employer of the Debtor:
 - (1) shall not be filed with the Court; and
 - (2) shall be provided to the Chapter 7 Trustee, Chapter 12 Trustee, or Chapter 13 Trustee, as the case may be, no later than seven (7) days prior to date of the initially scheduled § 341 Creditors' Meeting.
- (d) **Failure to Provide Documents.** The failure to provide the documents required in subsections (a), (b) and (c) of this Rule may constitute cause for dismissal of the bankruptcy case.

Local Bankr. R. 4004-1 Entry of Discharge in Individual Chapter 11, Chapter 12, and Chapter 13 Cases.

- (a) In accordance with the applicable provisions of 11 U.S.C. §§ 1141, 1228, and 1328, an individual Debtor seeking the entry of a discharge in Chapter 11, Chapter 12, and Chapter 13 cases shall file a Certification and Application for Entry of Discharge (the "Application"), on forms approved for use by the Court.

- (b) The Application forms approved for use in Chapter 11, Chapter 12, and Chapter 13 cases are:
- (1) [Chapter 11](#): Certification and Application for Entry of Discharge After Completion of Plan.
 - (2) [Chapter 11](#): Certification and Application for Entry of Discharge Before Completion of Plan Payment.
 - (3) [Chapter 12](#): Certification and Application for Entry of Discharge After Completion of Plan Payments.
 - (4) [Chapter 12](#): Certification and Application for Entry of Discharge Before Completion of Plan Payments – Hardship Discharge.
 - (5) [Chapter 13](#): Certification and Application for Entry of Discharge After Completion of Plan Payments.
 - (6) [Chapter 13](#): Certification and Application for Entry of Discharge Before Completion of Plan Payments – Hardship Discharge.
- (c) An Application filed in accordance with this Rule will be reviewed as soon as practicable after filing and will be approved or set for a hearing at the discretion of the Court. See [Appendix M](#).

PART V. COURTS AND CLERKS

Local Bankr. R. 5003-1 Clerk of Court - General Authority.

- (a) **Clerk of Court Authorized to Amend Form of Creditor List.** The Clerk of Court shall be authorized to change the form of the Creditor List required by Local Bankr. R. 1007-1(a) to meet requirements of any automated case management system employed by the Clerk. The Bankruptcy Clerk shall give appropriate notice to the bar of any such change in form.
- (b) **Clerk of Court Authorized to Refuse Payment Based on Prior Dishonor of Payment.** The Bankruptcy Clerk may decline to accept a check or any other form of payment based upon a prior dishonor of payment and in such event may require an alternative form of payment.
- (c) **Clerk of Court Authorized to Refund or Return Electronic Filing Fee Payments.** The Clerk of Court shall be authorized to establish policy and procedures for issuing refunds in accordance with the Guide to Judiciary Policy, Volume 4, Chapter 6, § 650. In addition, the Clerk is authorized to refund all duplicate or erroneous fees paid through Pay.gov

directly or through the Pay.gov electronic filing fee tool in CM/ECF under the following circumstances:

- (1) When the Clerk's Office discovers that a duplicate fee or an erroneous payment has been paid; or
- (2) When an attorney files a request for a refund and the Clerk's Office confirms that the fee was a duplicate or an erroneous payment.

CM/ECF Filers and Users seeking a refund shall submit a written application in the form of a letter. The letter shall include the name, address, telephone number, and e-mail address of the party requesting the refund. Supporting documentation shall be attached, including a copy of the electronic payment receipt and the Notice(s) of Electronic Filing generated from CM/ECF, if applicable. The letter and supporting documentation shall be mailed or e-mailed as follows:

Mailing Address:

United States Bankruptcy Court
Attn: Finance Department
450 Main Street, 7th Floor
Hartford, CT 06103

Email Address: finance@ctb.uscourts.gov

Upon verification of the information submitted by a CM/ECF Filer or User, under the direction of the Clerk of Court, the Finance Department shall process the refund to the same credit card from which the duplicate or erroneous payment was made and shall record the refund on the case or adversary proceeding docket. Refund checks will not be issued.

Local Bankr. R. 5005-1 Filing Papers - Requirements.

[D.Conn.L.Civ. R. 10](#) applies to pleadings and documents filed with the Bankruptcy Court.

Local Bankr. R. 5009-1 Order Declaring Lien Satisfied in Chapter 12 and Chapter 13 Cases.

Following the completion of all payments under a confirmed plan in a Chapter 12 or Chapter 13 case, a Debtor may file a Motion requesting an order under FRBP 5009(d) declaring the lien satisfied and declaring the lien has been released under the terms of the completed plan. The Motion shall be accompanied by a proposed order specifying the holder of the lien and the volume and page of the recordation of the lien on the applicable land records. The Motion shall be set for hearing. See Appendix N.

The Motion and Notice of Hearing shall be served by the Debtor in accordance with FRBP [5009](#) and [7004](#). Unless good cause is shown, the Court will not entertain motions to compel the

release of such liens or to impose sanctions against creditors who do not release such liens, unless the Debtor first complies with [FRBP 5009\(d\)](#).

Local Bankr. R. 5010-1 Reopening Cases.

- (a) A Motion to Reopen a case pursuant to [11 U.S.C. § 350\(b\)](#) and [FRBP 5010](#) is an exception to the Contested Matter Procedure, may be set for a hearing, and shall state with specificity the reason for the reopening. *See* [Appendix M](#). The Court, upon a finding of cause, may grant the motion, subject to appropriate limitations.
- (b) A filing fee for a case reopened pursuant to [11 U.S.C. § 350\(b\)](#), [28 U.S.C. § 1930](#), the [Bankruptcy Court Miscellaneous Fee Schedule](#), and FRBP 5010, shall be filed with the Motion to Reopen, unless the case is being reopened:
 - (1) to permit a party to file a complaint to obtain a determination under [FRBP 4007\(b\)](#);
 - (2) when a Debtor files a Motion to Reopen a case based upon an alleged violation of the terms of the discharge injunction under [11 U.S.C. § 524](#);
 - (3) to correct an administrative error; or
 - (4) to redact a record or document already filed in a case pursuant [FRBP 9037](#), if the redaction is the only reason for reopening the case.
- (c) A Motion to Reopen is not required to file an Application for Payment of Unclaimed Funds in a closed bankruptcy case or adversary proceeding, if the payment of unclaimed funds is the only reason for reopening, pursuant to Local Bankr. R. 3011-1 (e).
- (d) Any substantive motion filed with the Motion to Reopen may not be acted upon unless and until the Motion to Reopen is granted. If the substantive motion is a Contested Matter in accordance with Local Rule 9014-1, the substantive motion shall not be acted on, and a Notice of Contested Matter Bar Date shall not be served, unless and until the Motion to Reopen is granted.

Local Bankr. R. 5011-1 Withdrawal of Reference.

A motion for withdrawal of the reference provided under [28 U.S.C. §§ 1334](#) and [157](#) shall be filed with the Clerk of the Bankruptcy Court. The Clerk of the Bankruptcy Court shall promptly transmit the motion to the Clerk of the United States District Court and notify the movant of the transmission. The movant shall notify all other parties of the transmission. Following transmission of the motion to the Clerk of the District Court, all further filings with respect to the motion shall be filed with the Clerk of the District Court.

Local Bankr. R. 5073-1 Photography, Broadcasting, Recording, and Televising.

Absent a prior order of the Court, no person may photograph, electronically record, televise, or broadcast, duplicate, post, or otherwise make available on the internet, any judicial proceeding, any courtroom or any virtual courtroom proceeding. This rule applies to any depiction of any courtroom or court-occupied space, courtroom personnel, and any hearing or judicial proceeding conducted via audio or video-conferencing technology or other remote means. Any individual or entity violating this rule may be subject to one or more sanctions, which may include but are not limited to: temporary or permanent ejection from the courtroom, seizure of any technology or device used to violate this rule, including any smartphone, laptop, camera, or other electronic or digital device used in a violation of this rule, revocation of CM/ECF privileges, imposition of monetary sanctions, imposition of conditions restricting or conditioning future access to the courtroom or to court space, and referral to appropriate bar grievance committee(s) or law enforcement agency, including to the United States Marshals Service.

This rule shall not apply to ceremonial or educational proceedings with prior permission of the Court or official electronic recordings for the Court by an official Court reporter or other authorized Court personnel.

PART VI. COLLECTION AND LIQUIDATION OF THE ESTATE

Local Bankr. R. 6004-1 Sale of Estate Property – General.

- (a) **Notice of Proposed Sale of Estate Property.** A party proposing to sell property of a bankruptcy estate by a public or private sale must complete, file, and serve the [Local Form Notice of Sale of Estate Property \(Appendix O\)](#) pursuant to FRBP 2002(a)(2), and must include information supporting the proposed consideration, the evidence of value of the property, and the efforts undertaken to obtain a higher and better purchase price for the sale of the property. Unless otherwise ordered by the Court upon a showing of good cause, a party proposing to sell real property must do so by public sale. A hearing on the Notice of Proposed Sale of Estate may be held in accordance with [Appendix M](#). See Local Bankr. R. 6004-2(h) and (i) for specific provisions regarding Chapter 13 Debtors who have confirmed a Chapter 13 Plan seeking to sell real property when all lienholders will be paid in full.

NOTE: Appendix O includes four (4) forms of notices used to address different procedural situations. Each form includes a description of the form's purpose. Appendix O also includes a Reference Chart summarizing and comparing the four (4) forms of notice.

- (b) **Motion to Sell Estate Property.** If property of the estate is to be sold, or to be sold free and clear of liens with liens attaching to the proceeds pursuant to 11 U.S.C. § 363(f), in addition to the filing and service of [Local Form Notice of Sale of Estate Property \(Appendix O\)](#) required by section (a) of this Rule, the moving party shall file a motion which names as a respondent all entities asserting a lien on or interest in the property to be sold, describes with particularity the nature of the lien or interest claimed, how it is perfected and whether or not the lien or interest is disputed by the movant. The motion

and proposed order shall also detail what items will be paid at the time of consummation of the sale and what items will be paid pursuant to a future order of the Court. A hearing on the Motion to Sell Estate Property shall be held in accordance with [Appendix N](#). Notwithstanding this subsection (b), see Local Bankr. R. 6004-2 (h) and (i) for specific provisions regarding Chapter 13 Debtors with a confirmed a Chapter 13 Plan who seek to sell real property when all lienholders will be paid in full.

- (c) No trustee, appraiser, auctioneer, officer, director, stockholder, agent, employee, or relative of a trustee, appraiser, or auctioneer, shall directly or indirectly purchase any of the property of any bankruptcy estate in which such trustee, appraiser, or auctioneer is employed, retained or engaged.
- (d) Unless otherwise ordered by the Court: (i) a public sale shall be advertised at least fourteen (14) days before the sale, although the trustee may require further advertising; (ii) the property to be sold shall be open to public inspection for such reasonable period prior to the sale as the trustee may determine; and (iii) an auctioneer shall, before receiving bids, announce the terms of sale, including the statement that no sale is final without the approval of the trustee and the Bankruptcy Court if required by the order authorizing the auction. If the auction is conducted on the Internet/electronically, this announcement shall be posted
- (e) A purchaser at any public sale shall not be entitled to a refund on account of an immaterial discrepancy between the assets offered for sale by the auctioneer and the assets as listed in any inventory that is provided to bidders prior to the sale. Any property that, because of reclamation proceedings or for other reasons, is not included in the sale, shall be segregated and conspicuously marked "not included in sale," and such fact shall be announced by the auctioneer before the sale. Except upon prior approval of the Court, only items constituting assets of the estate being administered shall be sold at any sale held pursuant to provisions of the Bankruptcy Code, and such sales shall not be conducted in conjunction with any non- bankruptcy sale.
- (f) When the trustee acts as auctioneer, he or she shall receive no compensation in excess of the amount provided by the Bankruptcy Code and Rules.
- (g) Unless the Court orders otherwise, trustees must be in attendance throughout all in-person auction sales and attend all subsequent closings for the sale of property of the estate.
- (h) The sanctions that may be imposed for violation of this rule, include, but are not limited to, disgorgement, fines, and the disqualification of a person from future employment on behalf of bankruptcy estates.
- (i) **Internet Auction Mechanisms.**
 - (1) With prior Court approval, after appropriate notice as required by FRBP 2002(a), a Chapter 7 Trustee, Chapter 11 Trustee, Chapter 11 debtor-in-possession, Chapter 12 Trustee, and Chapter 13 Debtor (collectively, the "Movant"), may sell any

property of the estate by public auction through the use of an automated Internet auction, listing or brokerage mechanism ("Internet Auction Mechanism").

(2) In any motion requesting such approval, the movant must:

- (A) Identify the name and uniform resource locator(s) (URL) of the proposed Internet Auction Mechanism;
- (B) State why the movant believes that use of the Internet Auction Mechanism is in the best interests of the estate;
- (C) Disclose whether the movant has, or any party-in-interest is known to have, any connections with the proposed Internet Auction Mechanism or any expected bidder;
- (D) Disclose all fees associated with use of the Internet Auction Mechanism;
- (E) Disclose whether use of the Internet Auction Mechanism is subject to rules, policies, procedures or terms or conditions and, if so, summarize any such rules, policies, procedures or terms or conditions that are likely to result in any restrictions on bidding for the asset(s) proposed to be sold or limitations on the estate representative in offering asset(s) for sale with full or partial reserve or otherwise controlling the determination to sell each asset;
- (F) Identify the mechanism for payment to the estate;
- (G) Unless the Internet Auction Mechanism is maintained and operated by the auctioneer, must represent that, to the best knowledge of the movant, the Internet Auction Mechanism will not provide auction services or any other services beyond access to its automated on-line services and related customer support; and
- (H) Request authority to:
 - i. comply with any rules, policies, procedures, or terms or conditions of the Internet Auction Mechanism disclosed in the motion and enter into any required agreements in support thereof;
 - ii. consummate such sale(s); and
 - iii. pay any and all fees associated with use of the Internet Auction Mechanism, each without further order of the Court.

(j) Nothing in this Rule shall limit applicability of the requirements of Local Bankr. R 6005-1 with respect to any auctioneer hired by an estate representative to provide services beyond access to an Internet Auction Mechanism.

- (k) Unless the Court orders otherwise, a listing placed on an Internet Auction Mechanism shall state the bankruptcy case name and number and that the sale procedure has been approved by the United States Bankruptcy Court for the District of Connecticut.

Local Bankr. R. 6004-2 Sales and Sale Procedures Motions.

- (a) **Applicability of Rule.** Except as otherwise provided in these Local Rules or ordered by the Court, this rule applies to motions to sell property of the estate under 11 U.S.C. § 363(b) (“Sale Motions”) and motions seeking approval of sale, bid or auction procedures in anticipation of or in conjunction with a Sale Motion (“Sale Procedures Motions”).
- (b) **Sale Motions.** In addition to the filing and service of a separate Local Form Notice of Sale of Estate Property ([Appendix O](#)) in accordance with Local Bankr. R. 6004-1, Sale Motions shall be scheduled for a hearing in accordance with [Appendix N](#). Except as otherwise provided in these Local Rules, the Bankruptcy Code, the Bankruptcy Rules, or an Order of the Court, all Sale Motions shall attach or include the following:
- (1) If applicable, a copy of the proposed purchase agreement;
 - (2) A copy of a proposed form of sale order;
 - (3) A request, if necessary, for the appointment of a consumer privacy ombudsman under 11 U.S.C. § 332; and
 - (4) A description of the means by which the movant determined the fair market value of the property to be sold.
- (c) **Provisions to be Highlighted.** The Sale Motion must highlight material terms, including but not limited to: (a) whether the proposed form of sale order and/or the underlying purchase agreement constitutes a sale or contains any provision of the type set forth below; (b) the location of any such provision in the proposed form of order or purchase agreement; and (c) the justification for the inclusion of the following material provisions:
- (1) **Sale to Insider.** If the proposed sale is to an insider, as defined in 11 U.S.C. § 101(31), the Sale Motion must: (a) identify the insider; (b) describe the insider’s relationship to the Debtor; and (c) set forth any measures taken to ensure the fairness of the sale process and the proposed transaction.
 - (2) **Agreements with Management.** If a proposed buyer has discussed or entered into any agreements with management or key employees regarding compensation or future employment, the Sale Motion must disclose: (a) the material terms of any such agreement; and (b) what measures have been taken to ensure the fairness of the sale and the proposed transaction in the light of any such agreements.

- (3) **Releases.** The Sale Motion must highlight any provisions pursuant to which an entity, individual or party is being released or claims against any entity are being waived or otherwise satisfied. The Sale Motion must also describe the consideration, if any, to the estate for any such release.
- (4) **Private Sale/No Competitive Bidding.** The Sale Motion must disclose whether an auction is contemplated and highlight any provision in which the Debtor has agreed not to solicit competing offers for the property subject to the Sale Motion or to otherwise limit shopping of the property.
- (5) **Closing and Other Deadlines.** The Sale Motion must highlight any deadlines for the closing of the proposed sale or deadlines that are conditions to closing the proposed transaction.
- (6) **Good Faith Deposit.** The Sale Motion must highlight whether the proposed purchaser has submitted or will be required to submit a good faith deposit and, if so, the conditions under which such deposit may be forfeited.
- (7) **Interim Arrangements with Proposed Buyer.** The Sale Motion must highlight any provision pursuant to which a Debtor is entering into any interim agreements or arrangements with the proposed purchaser, such as interim management arrangements (which, if out of the ordinary course, also must be subject to notice and a hearing under 11 U.S.C. § 363(b) of the Bankruptcy Code) and the terms of such agreements.
- (8) **Use of Proceeds.** The Sale Motion must highlight any provision pursuant to which a Debtor proposes to release sale proceeds on or after the closing without further Court order, or to provide for a definitive allocation of sale proceeds between or among various sellers/lenders or collateral.
- (9) **Tax Exemption.** The Sale Motion must highlight any provision seeking to have the sale declared exempt from taxes under 11 U.S.C. § 1146(a) of the Bankruptcy Code, the type of tax (e.g., recording tax, stamp tax, use tax, capital gains tax) for which the exemption is sought. It is not sufficient to refer simply to “transfer” taxes and the state or states in which the affected property is located.
- (10) **Record Retention.** If the Debtor proposes to sell substantially all of its assets, the Sale Motion must highlight whether the Debtor will retain, or have reasonable access to, its books and records to enable it to administer its bankruptcy case.
- (11) **Sale of Avoidance Actions.** The Sale Motion must highlight any provision pursuant to which the Debtor seeks to sell or otherwise limit its rights to pursue avoidance claims under Chapter 5 of the Bankruptcy Code.

- (12) **Requested Findings and Order as to Successor Liability.** The Sale Motion and proposed Order should highlight any provisions relating to the proposed purchaser's responsibility as a successor.
- (13) **Sale Free and Clear of Unexpired Leases.** The Sale Motion must highlight any provision by which the Debtor seeks to sell property free and clear of a possessory leasehold interest, license, or other right.
- (14) **Credit Bid.** The Sale Motion must highlight any provision by which the Debtor seeks to allow, disallow, or affect in any manner, credit bidding pursuant to 11 U.S.C. § 363(k).
- (15) **Relief from Bankruptcy Rule 6004(h).** The Sale Motion must highlight any provision whereby the Debtor seeks relief from the fourteen-day stay imposed by FRBP 6004(h).
- (16) **Carve-Outs and/or "Gifts."** The Sale Motion must highlight any provision by which the lender(s) or party-in-interest is allowing the distribution of its collateral for the benefit of others.
- (17) **Residual Assets.** The Sale Motion must describe what residual assets, if any, will exist following the Sale Closing.
- (d) **Sale Procedures Motions.** A Sale Procedures Motion may be scheduled for a hearing in accordance with [Appendix M](#). A party-in-interest may file a Sale Procedures Motion seeking approval of an order (a "Sale Procedures Order") approving bidding and auction procedures either as part of the Sale Motion or by a separate motion filed in anticipation of an auction and a proposed sale. The Sale Procedures Motion should highlight the following provisions in any Sale Procedures Order:
- (1) **Provisions Governing Qualification of Bidders.** Any provision governing an entity becoming a qualified bidder, including but not limited to, an entity's obligation to:
- (A) Deliver financial information by a stated deadline to the Debtor and other key parties (ordinarily excluding other bidders);
 - (B) Demonstrate its financial wherewithal to consummate a sale;
 - (C) Maintain the confidentiality of information obtained from the Debtor or other parties or execute a non-disclosure agreement; and
 - (D) Make a non-binding expression of interest or execute a binding agreement.
- (2) **Provisions Governing Qualified Bids.** Any provision governing a bid being a qualified bid, including, but not limited to:

- (A) Any deadlines for submitting a bid and the ability of a bidder to modify a bid not deemed a qualified bid;
 - (B) Any requirements regarding the form of a bid, including whether a qualified bid must be (a) marked against the form of a “stalking horse” agreement or a template of the Debtor’s preferred sale terms, showing amendments and other modifications (including price and other terms), (b) for all of the same assets or may be for less than all of the assets proposed to be acquired by an initial or “stalking horse” bidder, or (c) remain open for a specified period of time;
 - (C) Any requirement that a bid include a good faith deposit, the amount of that deposit, and under what conditions the good faith deposit is not refundable; and
 - (D) Any other conditions a Debtor requires for a bid to be considered a qualified bid or to permit a qualified bidder to bid at an auction.
- (3) **Provisions Providing Bid Protections to “Stalking Horse” or Initial Bidder.** Any provisions providing an initial or “stalking horse” bidder a form of bid protection, including, but not limited to the following:
- (A) **No-Shop or No-Solicitation Provisions.** Any limitations on a Debtor’s ability or right to solicit higher or otherwise better bids;
 - (B) **Break-Up/Topping Fees and Expense Reimbursement.** Any agreement to provide or seek an order authorizing break-up or topping fees and/or expense reimbursement, and the terms and conditions under which any such fees or expense reimbursement would be paid;
 - (C) **Bidding Increments.** Any requirement regarding the amount of the initial overbid and any successive bidding increments; and
 - (D) **Treatment of Break-Up and Topping Fees and Expense Reimbursement at Auction.** Any requirement that the “stalking horse” bidder receive a “credit” equal to the break-up or topping fee and/or expense reimbursement when bidding at the auction and in such case whether the “stalking horse” is deemed to have waived any such fee and expense upon submitting a higher or otherwise better bid than its initial bid at the auction.
- (4) **Modification of Bidding and Auction Procedures.** Any provision that would authorize a Debtor, without further order of the Court, to modify any procedures regarding bidding or conducting an auction.

- (5) **Closing with Alternative Backup Bidders.** Any provision that would authorize the Debtor to accept and close on alternative qualified bids received at an auction in the event that the bidder selected as the “successful bidder” at the conclusion of the auction fails to close the transaction within a specified period.
- (6) **Request for Prior Approval of Sale Terms and Conditions; Notice and Service.** In connection with any Sales Procedures Motion, any party may seek prior approval from the Court of the form and content of any notice of the terms and conditions of the sale to be served on parties, including but not limited to, the scope or limitation of the parties to be served with such notice, the requisite platforms for advertising of the sale, a description of the property to be sold, the sale process, the terms of sale, the necessity of subsequent Court approval, and opportunities for inspection of the property.
- (e) **Provisions Governing the Auction.** Unless otherwise ordered by the Court, the Sale Procedures Order shall:
- (1) Specify the date, time, and place at which the auction will be conducted, and the method for providing notice to parties of any changes thereto; and
 - (2) Provide that each bidder participating at the auction will be required to certify in writing that it has not engaged and will not engage in any collusion with respect to the bidding or the sale.
- (f) **Expedited Sale Disclosures.** In connection with any hearing to approve the sale of substantially all assets at any time before sixty (60) days after the filing of the petition, a motion for an order authorizing a sale procedure and hearing or the sale motion itself when regularly noticed, should include factual information on the following points:
- (1) **Creditors’ Committee.** If a creditors’ committee existed pre-petition, indicate the date and manner in which the committee was formed, as well as the identity of the members of the committee and the companies with which they are affiliated.
 - (2) **Counsel for Committee.** If the pre-petition creditors’ committee retained counsel, indicate the date counsel was engaged and the selection process, as well as the identity of committee counsel.
 - (3) **Sale Contingencies.** Statement of all contingencies to the sale agreement, together with a copy of the agreement.
 - (4) **Creditor Contact List.** If no committee has been formed, a list of contact persons, together with available contact information for each of the twenty (20) largest unsecured creditors.

- (5) **Administrative Expenses.** Assuming the sale is approved, an itemization and an estimate of administrative expenses relating to the sale to be incurred before closing and the source of payment for those expenses.
- (6) **Deductions from Proceeds of Sale.** Itemize all deductions, including any applicable taxes, that are to be made from gross sale proceeds and include a brief description of the basis for any such deductions. If the amount of a deduction will not be fixed until the date of the closing, an estimate may be provided.
- (7) **Debt Structure of Debtor.** A brief description of the Debtor's debt structure, including the amount of the Debtor's secured debt, priority claims, and general unsecured claims.
- (8) **Need for Quick Sale.** An extensive description of why the assets of the estate must be sold on an expedited basis. Include a discussion of alternatives to the sale.
- (9) **Negotiating Background.** A description of the length of time spent in negotiating the sale, and which parties-in-interest were involved in the negotiation, along with a description of the details of any other offers to purchase, including, without limitation, the potential purchaser's plans in connection with the retention of the Debtor's employees.
- (10) **Marketing of Assets.** A description of the manner in which the assets were marketed for sale, including the period of time involved and the results achieved.
- (11) **Decision to Sell.** The date on which the Debtor accepted the offer to purchase the assets.
- (12) **Relationship of Buyer.** A statement identifying the buyer and setting forth all of the buyer's (including its officers, directors and shareholders) connections with the Debtor, creditors, any other party-in-interest, their respective attorneys, accountants, the United States Trustee or any person employed in the office of the United States Trustee.
- (13) **Post Sale Relationship with Debtor.** A statement setting forth any relationship or connection the Debtor (including its officers, directors, shareholders, and employees) will have with the buyer after the consummation of the sale, assuming it is approved by the Court.
- (14) **Relationship with Secured Creditors.** If the sale involves the payment of all or a portion of secured debt(s), a statement of all connections between Debtor's officers, directors, employees, or other insiders and each secured creditor involved (for example, release of insider's guaranty).
- (15) **Insider Compensation.** Disclosure of current compensation received by officers, directors, key employees, or other insiders pending approval of the sale.

- (16) **Successor Liability.** Any sale requesting findings or the entry of relief regarding successor liability shall delineate the scope and form of notice and the relief requested.

(g) **Service of Sale Motions and Sale Procedure Motions.**

In addition to compliance with FRBP 2002(a)(2), Motions to Sell must be served by the Movant on all parties indicating interest in the purchase of the property, and, if the trustee was not represented by a broker, at least one trade publication or website organized for the purpose of permitting bankruptcy trustees to advertise the sale of estate property.

(h) **Motions to Sell Real Property by Chapter 13 Debtors with a Confirmed Chapter 13 Plan**

- (1) Chapter 13 Debtors with a confirmed Chapter 13 Plan seeking to sell real property shall file a motion as described in subsection (h)(2) if:
- the confirmed Chapter 13 Plan did not provide for a sale of real property and property did not vest upon confirmation, or
 - the confirmed Chapter 13 Plan contemplated a sale of real property on materially different terms.

If the confirmed Chapter 13 Plan does not provide for the proposed sale of real property and property vested upon confirmation, the motion to sell described in subsection (h)(2) is not required. If Debtors intend to modify the terms of a confirmed Plan to apply sale proceeds to the balance owed under the Plan or otherwise modify the terms of the Plan, a motion to modify a confirmed plan is required.

- (2) **Motions by Chapter 13 Debtors with a Confirmed Plan to Sell Real Property and Satisfy All Liens Pursuant to 11 U.S.C. §363(b).**

(A) If a Chapter 13 Debtor with a confirmed Chapter 13 Plan desires to sell real property pursuant to 11 U.S.C. § 363(b) and FRBP 6004, the Debtor may file a Motion to Sell Real Property After Confirmation of a Chapter 13 Plan and Notice of Proposed Sale and Deadline to Object to the Proposed Sale (“Local Form Motion to Sell”) as found in Appendix O-5. The Local Form Motion to Sell may only be used if:

- i. The Debtor has confirmed a Chapter 13 Plan;
- ii. The proposed sale will satisfy in full all liens and claims secured by the property; and
- iii. The property will be or has been marketed for sale by a real estate broker or agent, employed by the Debtor, using the Multiple Listing

Service, or other public marketing method, for a minimum of thirty (30) days prior to the proposed sale.

- (B) The Local Form Motion to Sell permits a Debtor to request allowance of a commission or compensation due to a real estate broker or agent employed by the Debtor and authority to pay it at closing without further application pursuant to 11 U.S.C. §§ 328, 330, in the absence of any objection, unless otherwise ordered.
 - (C) The “Notice of Motion to Sell Real Property and Deadline to Object” included as part of the Local Form Motion to Sell shall be served on all creditors and parties-in-interest along with the Local Form Motion to Sell.
 - (D) In the absence of a timely filed objection or response to the Local Form Motion to Sell, the Court may grant the Local Form Motion to Sell, without further notice or hearing. If a timely objection is filed, the Court may adjudicate the objection without further hearing or may schedule a hearing on notice to the objecting party
- (3) Motions by Chapter 13 Debtors with a Confirmed Plan to Sell Real Property Free and Clear of Liens Pursuant to 11 U.S.C. § 363(f).
- (A) If a Chapter 13 Debtor with a confirmed Chapter 13 Plan desires to sell real property free and clear of liens pursuant to 11 U.S.C. § 363(f), the Debtor shall file a motion in accordance with FRBP 6004(c) and Local Rule 6004-1(b).
- (4) If a Chapter 13 Debtor files a motion to sell real property pursuant to 11 U.S.C. §§ 363(b) and the motion proposes a sale which will satisfy a lien or liens the Chapter 13 Trustee is paying under the terms of a confirmed Chapter 13 Plan (the “Lien”), the motion shall seek an order:
- (A) Requiring the Chapter 13 Trustee to file a statement indicating the balance due on the Lien under the confirmed Chapter 13 Plan, with a calculation of the commission due on the portion of the Lien to be paid through the confirmed Chapter 13 Plan, within a reasonable period of time from the date of the order;
 - (B) Requiring that the Debtor attach a closing statement to the statement required under FRBP 6004(f)(1);
 - (C) Providing that the docketing of the closing statement and the statement under FRBP 6004(f)(1) shall contain a declaration by the Debtor and his or her closing attorney that the Lien was satisfied in full at closing;

- (D) Stating whether the Chapter 13 Trustee's commission due on the portion of the Lien paid through the confirmed Chapter 13 Plan will be paid at closing; and
 - (E) Providing that the docketing of the closing statement and the statement under FRBP 6004(f)(1) shall relieve the Chapter 13 Trustee of any obligation to pay the Lien through the confirmed Chapter 13 Plan.
- (i) **Motions to Sell Real Property by Chapter 13 Debtors before Confirmation of a Chapter 13 Plan**
 - (1) Debtors seeking to sell real property before confirmation of Chapter 13 Plan shall file a motion to sell real property pursuant to 11 U.S.C. § 363(b) or a motion to sell property free and clear of liens pursuant to 11 U.S.C. §§ 363(b) and (f), consistent with this Local Bankruptcy Rule 6004-2.

Local Bankr. R. 6004-3 Statement under FRBP 6004(f)(1).

- (a) Statements filed under FRBP 6004(f)(1) shall contain:
 - (1) A closing statement setting forth the receipts and disbursements at closing; and
 - (2) A declaration by the seller and its closing attorney that the distributions set forth in the closing statement were made in good funds.

Local Bankr. R. 6005-1 Employment of Auctioneers.

- (a) Unless otherwise ordered by the Court, the following shall apply to the employment of all auctioneers and the conduct of auctions.
- (b) The employment of an auctioneer shall be submitted to the Court for approval upon application which shall be set for a hearing, *see* [Appendix N](#), setting forth:
 - (1) The auctioneer's qualifications for the proposed employment;
 - (2) The need for an auctioneer's services;
 - (3) A description of the property to be sold, its estimated value, and the location thereof;
 - (4) How the auctioneer is to be paid, and, if payment is to be made from assets of the estate, whether the estate will have adequate funds with which to pay the auctioneer's fee and the terms of any buyer's premium;

- (5) If the items to be auctioned constitute collateral, entirely or in part, whether or not the party claiming a security interest in such collateral has agreed to pay any or all of the auctioneer's expenses;
 - (6) To the extent additional compensation or reimbursement of assistants is sought, how many assistants will be required to help the auctioneer and why such assistance is required, a statement by the trustee in support of the number required and the expense to be incurred for each assistant, based upon an hourly fee; and
 - (7) A bond obtained for the purpose of the auction in an amount such as will exceed the estimated value of the property to be sold by at least twenty-five percent (25%), a copy of which shall be attached to the application to employ.
- (c) An auctioneer employed with Court approval shall not act until he or she gives in each estate, at his or her own expense, a surety bond in favor of the United States of America, to be approved by and in such sum as may be fixed by the Court, conditioned upon:
- (1) The faithful and prompt accounting for all monies and property which may come into his or her possession as auctioneer;
 - (2) Compliance with all rules, orders, and decrees of the Court; and
 - (3) The faithful performance of his or her duties in all respects.
- (d) Said bond shall contain a provision that it may not be canceled or terminated without sixty (60) days' notice being given to the Clerk and the United States Trustee. In lieu of a bond in each case, an auctioneer may be permitted to file a blanket bond covering all cases in which he or she may act. Such blanket bond shall be in favor of the United States of America, shall be in the sum of one million dollars (\$1,000,000.00), and shall be conditioned for each estate on the same terms as bonds in separate estates.
- (e) **Compensation and Expenses.**
- (1) Any allowance of compensation and reimbursement of expenses to an auctioneer shall be paid only upon proper application and subject to the approval of the Court.
 - (2) An auctioneer shall be reimbursed for reasonable and necessary expenses directly related to the sale, including printing, advertising, insurance, and bond costs. Where the auctioneer has a blanket bond, the auctioneer may be reimbursed a proportionate amount of the costs, based upon the value of the assets sold by the auctioneer in the particular estate. When directed by the trustee to transport goods, the auctioneer shall be reimbursed for expenditures related thereto. No travel expenses shall be allowed except as ordered by the Court. The auctioneer may be reimbursed for his or her expenses only if the application for reimbursement is supported by a sworn affidavit, setting forth the specific expenses incurred and the necessity for such. Vouchers, invoices, receipts, or other appropriate supporting

documentation shall accompany the application. Where disbursements were made for advertising, copies of the actual advertisements shall be attached to the affidavit.

- (f) A person shall not at any time, directly or indirectly, designate or refer to himself or herself as "Official United States Auctioneer," or as "Official Bankruptcy Auctioneer," or use any similar title or designation which states expressly or by implication that such person is an officer of the United States District Court or Bankruptcy Court, or that such person holds any permanent designation by the Court as an auctioneer.
- (g) Except as otherwise ordered, every auctioneer acting hereunder shall at all times keep proper records of all transactions and shall submit a report of each sale which shall include the following information:
 - (1) The time and place of sale;
 - (2) The gross amount of the sale and when property is sold in lots, the items in each lot and the amount received for each lot, with the name of the purchaser, as well as any bulk bid;
 - (3) An itemized statement of the expenditures, disbursements, and commissions allowable under this Rule, together with appropriate vouchers as described in paragraph (e)(2) above; and
 - (4) Whenever articles are sold free and clear of liens, with the liens to attach to the proceeds, the articles and liens shall be itemized separately.
- (h) Except as otherwise ordered by the Court, a trustee shall not delegate any of his or her fiduciary responsibilities to an auctioneer.
- (i) The sanctions that may be imposed for violation of this Rule, include, but are not limited to, the disqualification of the person from future employment on behalf of bankruptcy estates.

Local Bankr. R. 6005-2 Employment of Appraisers.

- (a) In addition to [Local Bankr. R. 2014-1](#), all applications for the appointment of an appraiser or a valuation expert ("appraiser") shall be filed with the Court for approval and shall be set for a hearing, *see* [Appendix N](#). Said applications shall contain among other things the following information:
 - (1) The appraiser's qualifications for the proposed employment;
 - (2) A statement setting forth in what manner and by whom the costs of the appraisal will be paid, and if payment is to be made from assets of the estate, a statement that the estate has adequate funds with which to pay the appraisal fee;

- (3) The name and address of the appraiser and the estimated maximum amount of the appraisal fee;
 - (4) A description of the item(s) to be appraised, their estimated value and the time required for the appraisal; and
 - (5) If the appraiser sought to be appointed will incur travel expenses in connection with the appraisal, an explanation as to why a local appraiser is unavailable or unsuitable.
- (b) All applications for allowance of appraiser's fees for services rendered or reimbursement of expenses which exceed one thousand dollars (\$1,000.00) or more, shall, in addition to the requirements set forth in the [Bankruptcy Code](#) and [FRBP 2016\(a\)](#), contain the following information:
- (1) The date of the order of appointment;
 - (2) In concise form, a general narrative statement of the nature of the services provided; and
 - (3) A statement, based upon records prepared contemporaneously with the services rendered, indicating:
 - (A) The dates the services were rendered;
 - (B) The identity of the person or persons rendering such services; and
 - (C) The total compensation sought by each person providing the services.

Local Bankr. R. 6070-1 Tax Refunds in Chapter 12 and 13 Cases.

The Chapter 12 and Chapter 13 Trustees are authorized to endorse on behalf of any Chapter 12 or Chapter 13 Debtor for deposit to the Chapter 12 or Chapter 13 Trustee's trust fund account, any and all Federal, state, or local income tax refunds payable to the Debtor.

PART VII. ADVERSARY PROCEEDINGS

Local Bankr. R. 7001-1 Adversary Proceedings - General.

An adversary complaint shall be filed in the division in which the related Debtor case is pending. Motions to proceed *in forma pauperis* shall be governed by [D. Conn. L. Civ. R. 3\(d\)](#).

Local Bankr. R. 7002-1 Adversary Proceeding Cover Sheet.

Unless filed electronically through the Court's CM/ECF system, an adversary proceeding cover sheet shall be filed with each adversary proceeding complaint. See [Director's Form B1040](#).

Local Bankr. R. 7004-1 Process; Service of Summons, Complaint

(a) Serving an Individual or Entity within a Judicial District of the United States

- (1) Certificate of Service.** The plaintiff or petitioning creditor shall file, within seven (7) days after service, a certificate of service demonstrating service of the summons upon individuals or entities within a Judicial District of the United States in compliance with FRBP 7004(e) within the time frame set forth in the summons.
- (2) Amended or Subsequent Summons.**
 - (A)** Summonses directed towards individuals or entities within a Judicial District of the United States expire in accordance with the timeframe set forth in FRBP 7004(e). Within the timeframe set forth in FRCP 4(m), made applicable by FRBP 7004(a)(1), the Clerk shall issue an amended or subsequent summons upon written request by a plaintiff or petitioning creditor who fails to effect service within the timeframe set forth in FRBP 7004(e).
 - (B)** If the timeframe set forth in FRCP 4(m) within which to serve a summons on an individual or entity within a Judicial District of the United States has elapsed, the adversary proceeding or involuntary bankruptcy case may be dismissed unless the plaintiff or petitioning creditor demonstrate good cause for the failure to timely serve the summons, in which case, an order shall enter requiring service of a subsequent summons within an appropriate period of time.

(b) Serving an Individual or Entity in a Foreign Country

- (1) Certificate of Service.** The plaintiff or petitioning creditor shall file, within seven (7) days after service, a certificate of service demonstrating service of the summons on an individual or entity in a foreign country in compliance with FRCP 4(f), (h), and (j), made applicable by FRBP 7004(a)(1).
- (2) Expired Summons.** If a summons directed towards an individual or entity in a foreign country is expired or otherwise deficient under applicable law, a subsequent summons may issue upon request in writing, or the adversary proceeding or involuntary bankruptcy case may be dismissed upon request, in accordance with applicable law.
- (3) Service of Answer or Motion by a Party Served in a Foreign Country.** Pursuant to FRBP 7012(a), a defendant served with a summons and a complaint in a foreign country, must file a motion or answer to the complaint within 30 days from proper service of the summons and complaint, unless the Court orders a different deadline to file a motion or answer to the complaint upon motion made.

Local Bankr. R. 7004-2 Limitations on Service by Marshal

- (a) **General.** Unless otherwise ordered or when required by the treaties or statutes of the United States, civil process on behalf of a non-governmental party must not be presented to the United States Marshal for service.
- (b) **Exception.** Upon request by the United States government, civil process on behalf of the United States government or an officer or agency thereof may be made by the United States Marshal.

Local Bankr. R. 7005-1 Service of Pleadings and Other Papers by Electronic Means.

Parties are permitted to make service through the Bankruptcy Court's CM/ECF system on parties who have electronically filed a Notice of Appearance or parties who have filed a Request and Consent to Electronic Service and Notice of Documents ([Electronic Service, Request and Consent - Bankruptcy Case / Adversary Proceeding](#)), as permitted by [FRCP 5\(b\)\(2\)\(E\)](#) and [D. Conn. L. Civ. R. 5\(c\)](#). The certificate of service generated by the Notice of Electronic Filing ("NEF") shall be deemed the certificate of service and if all parties in the adversary proceeding received the NEF, the NEF will be deemed to be sufficient service of the filed pleading.

This rule is not applicable to the service of process of a summons and complaint, which must be served in accordance with [FRBP 7004](#), or of a subpoena, which must be served in accordance with [FRBP 9016](#).

Local Bankr. R. 7007-1 Motion Practice.

Motion practice in adversary proceedings follows the Local Rules for the District Court, including without limitation [D. Conn. L. Civ. R. 7 and 56](#). Unless otherwise ordered by the Court or set forth in a Notice of Hearing, the 21-day response deadline in [D. Conn. L. Civ. R. 7](#) will apply to all motions filed in an adversary proceeding.

Local Bankr. R. 7007-2 Briefs.

- (a) **Length.**

A brief shall not exceed twenty-five (25) pages (excluding the table of contents and table of authorities). A reply brief shall not exceed ten (10) pages. Permission to file a brief in excess of these page limitations will be granted only on motion, filed at least seven (7) days before the deadline for the filing, upon a showing of cause.

- (b) ***Amicus* Briefs.**

An *amicus* brief may not be filed without leave of the Court. The brief shall specifically set forth the interest of the *amicus curiae* in the outcome of the litigation.

Local Bankr. R. 7012-1 Motions to Dismiss.

[D. Conn. L. Civ. R. 12](#) applies to motions to dismiss adversary proceedings, including the requirement that any represented party moving to dismiss a complaint of a Self-Represented/Filer/Litigant shall file and serve as a separate document a "Notice to Self-Represented Litigant Concerning Motion to Dismiss."

Local Bankr. R. 7016-1 Pretrial Procedures.

(a) Initial Pretrial Conference-Initial Pretrial Order/Initial Joint Pretrial Order.

Upon the filing of the complaint, a summons will be issued which will contain a date and time for the initial pretrial conference in the adversary proceeding. Unless otherwise ordered, an initial pretrial order/initial joint pretrial order shall be filed seven (7) days before the initial Pretrial Conference scheduled in the adversary proceeding. If the defendant(s) has/have not appeared seven (7) days prior to the initial pretrial conference, the plaintiff shall file the initial pretrial order. If the defendant(s) has/have appeared, the parties shall file an initial joint pretrial order. The initial pretrial order/initial joint pretrial order shall contain the following information:

- (1) a summary of the claims and defenses of each party;
- (2) a list of any additional matters that might aid in scheduling or the disposition of the case; and
- (3) the signature of each attorney.

(b) Conflict Between Orders and Local Rules.

If a conflict exists between any pretrial order, joint pretrial order, scheduling order, or other order entered by the Court in an adversary proceeding and these Local Bankruptcy Rules, the provisions of the order(s) of the Court shall control in the adversary proceeding.

Local Bankr. R. 7026-1 Discovery; Duty of Disclosure; Filing of Discovery.

[D. Conn. L. Civ. R. 5\(f\) and 26](#) apply to discovery in adversary proceedings.

Local Bankr. R. 7037-1 Discovery Disputes.

[D. Conn. L. Civ. R. 37](#) applies to discovery disputes.

Local Bankr. R. 7055-1 Default and Default Judgment.

(a) Request for Entry of Default by Bankruptcy Clerk.

Before the Clerk is required to enter a default, the party requesting such entry shall file with the Court a written request for entry of default, submit a proposed form of entry of default, and file any other materials required by FRCP 55(a).

(b) Compliance with Service Members Civil Relief Act (50 U.S.C. § 3931).

The plaintiff shall file an affidavit in compliance with [50 U.S.C. § 3931](#) with any motion for default judgment against an individual.

(c) Order Scheduling Hearing on Default Judgment; Failure to Obtain Default Judgment.

A hearing on a Motion for Default Judgment may be scheduled by the Court. *See* [Appendix M](#). If a defendant has been in default for ninety (90) days or more, the Court may require the plaintiff to move for entry of a default judgment. If the plaintiff fails to do so within the prescribed time, the Court may dismiss the proceeding, without prejudice, as to that defendant.

Local Bankr. R. 7056-1 Summary Judgment.

[D. Conn. L. Civ. R. 56](#) applies to motions for summary judgment, including the requirement that any represented party moving for summary judgment against a Self-Represented Filer/Litigant shall file and serve as a separate document a "Notice to Self-Represented Litigant Concerning Motion for Summary Judgment." Parties shall file Local Rule 56(a)1 and 56(a)2 statements as required by [D. Conn. L. Civ. R. 56](#).

Parties are required to abide by the Summary Judgment Principles and Certification in D. Conn. L. Civ. R. 56(c), which remind counsel and self-represented parties of the standard for summary judgment and of their obligations with respect to motions for summary judgment, that a party moving for summary judgment bears a heavy burden, and that a party may obtain summary judgment as to a claim or defense only when there is no genuine dispute as to any material fact and the moving party is entitled to judgment as a matter of law as to that claim or defense – or the part of that claim or defense – on which summary judgment is sought.

Local Bankr. R. 7064-1 Seizure of Person or Property.

[D. Conn. L. Civ. R. 4\(c\)](#) applies to applications for pre and post judgment remedies.

Local Bankr. R. 7067-1 Registry Fund.

(a) Investment of Registry Funds

- (1)** A party seeking authorization to deposit funds into the Court's registry must file with the Court a motion and a proposed order in compliance with [Fed. R. Civ. P. 67](#) and [Appendix Q, Order Regarding Deposit and Investment of Registry Funds](#).

- (2) Upon entry of the authorizing court order, payments for deposit must be made payable to “Clerk, U.S. Bankruptcy Court” and are accepted subject to collection.
- (3) IRS regulations require special handling for “Disputed Ownership Funds” (DOF), as defined in 26 CFR § 1.468B-9 (Disputed ownership funds).

- (A) Unless otherwise ordered by the Court, interpleader funds that qualify as a DOF under IRS regulations (e.g., eligible cases filed under 28 U.S.C. § 1335 or Fed. R. Civ. P. 22) shall be deposited in the DOF Pool established within the CRIS and administered by the Administrative Office of the United States Courts, which shall be responsible for meeting all DOF tax administration requirements.

(b) Motions for Order Directing Investment of Funds by Clerk.

- (1) Any order obtained by a party or parties in an action that directs the Clerk to invest in an interest-bearing account in the registry of the Court pursuant to 28 U.S.C. § 2041 shall include the following:

- (A) the amount to be invested;
- (B) the designation of the type of account or instrument in which the funds shall be invested; and
- (C) a direction that the Clerk deduct from the income earned on the investment a fee of 0.10% or 0.20%, depending upon the type of account or instrument designated.

- (2) Unless otherwise ordered by the Court, the order shall comply with the Order in Appendix Q of these Local Rules, and shall direct the Clerk to invest the funds in one of two types of interest-bearing accounts:

- (A) CRIS, administered by the Administrative Office of the United States Courts under 28 U.S.C. § 2045, or
- (B) Interpleader Funds or the Disputed Ownership Fund (“DOF”) deposited under 28 U.S.C. § 1335, established within the CRIS and administered by the Administrative Office.

(c) Deposit and Receipt of Funds.

- (1) The party making the deposit or transferring funds to the Court’s registry shall serve the order permitting the deposit or transfer on the Clerk of Court.

- (A) The failure of the party making the deposit or transferring funds to comply with this subsection releases the Clerk from liability for loss of interest upon the money subject to the order of deposit.
 - (2) The deposit of any money into the registry of the Court shall be as directed by written order of the Court. Funds so deposited shall be invested by the Clerk of the Court in accordance with the terms of the order. All payments for deposit shall be made payable to “Clerk, U.S. Bankruptcy Court” and are accepted subject to collection.
 - (3) The Clerk must deposit the money pursuant to an order of deposit as soon as practicable following service of a copy of the order by the party making the deposit or transferring funds.
- (d) **Withdrawal and Distribution of Deposited Funds.**
- (1) Funds cannot be disbursed from the registry account of the Court without a Court order. Upon final determination of the action or at such other times as may be appropriate, a party or parties may seek a Court order to disburse deposited funds by a filing a motion and a proposed order in compliance with Appendix Q. Funds will be disbursed from the court registry only after the time for appeal of any related judgment or order has expired, or upon approval by the Court of a written stipulation by all parties.
 - (2) The proposed disbursement order from the Court’s Registry must include a statement whether the stay provisions of FRBP 7062 are applicable, and the disbursement of accrued interest shall only be made if the order so provides.
 - (3) Any order for the distribution of less than all funds and accrued interest on deposit with the Court shall be denominated “Order for Partial Distribution from the Registry of the Court,” otherwise the order shall be treated as an Order for Final Distribution.
 - (A) Whenever an Order for Final Distribution from the registry of the Court does not provide for the distribution of all funds or interest on deposit, the Clerk of the Court shall pay such funds into the Treasury of the United States.
 - (B) This rule applies to both adversary proceedings and bankruptcy cases.
- (4) **Statement of Payee’s Name, Address, and Tax Identification Number.**
- (A) Prior to receiving any disbursement from the registry, each payee shall deliver to the Clerk of the Court an executed IRS Form W-9, or other applicable documents.

(B) All orders authorizing disbursement from the registry shall state:

- i. the payee's name, address, tax identification number of any individual(s) or corporation(s) receiving the funds, but redacted to include only the last four (4) digits of the number, and
- ii. the amount of principal and interest to be paid to any individual(s) or corporation(s).

PART VIII. APPEALS

Local Bankr. R. 8000-1 Rules Applicable to Bankruptcy Appeals

- (a) **All Appeals.** All bankruptcy appeals are subject to FRBP 8001 through 8028.
- (b) **Appeals to District Court.** A bankruptcy appeal pending before the district court is governed by D. Conn. L.R. Civ. P. 40(b)(3).
- (c) **Direct Appeal to Second Circuit Court of Appeals.** Any direct appeal to the Court of Appeals for the Second Circuit (28 U.S.C. § 158(d)(2)), is governed by FRBP 8004(e) and 8006 and the Rules of the Second Circuit, available at www.ca2.uscourts.gov.

Local Bankr. R. 8009-1 Record on Appeal

Appellant must include the Electronic Case Filing (ECF) number for each document listed and intended to be included in the record on appeal. Failure to provide the ECF number may result in the document being excluded from the record on appeal.

PART IX. GENERAL PROVISIONS

Local Bankr. R. 9006-1 Computing and Extending Time.

[D. Conn. L. Civ. R. 6](#) applies to the computation and extension of time under D. Conn. L. Bankr. R. 9006.

Local Bankr. R. 9010-1 Appearances.

- (a) **When an initial filing is deemed to be a Notice of Appearance.**

Any Debtor and its counsel or any plaintiff and its counsel that files a Bankruptcy Petition or files a complaint or motion commencing an Adversary Proceeding shall be deemed as having entered an appearance and shall not be required to file a separate Notice of Appearance.

(b) When a Notice of Appearance is required to be filed.

- (1) **Attorney appearance.** An attorney entering an appearance in a case under the Bankruptcy Code, or in any matter commenced by a complaint or motion, shall first file a Notice of Appearance with the Court and serve the same upon the Debtor or the debtor-in-possession, any trustee, any committee and its counsel, the United States Trustee, appearing counsel, and parties requesting notice, and, if in an adversary proceeding, any party to such proceeding. *See*, D. Conn. L. Civ. R. 5(b). The appearance should contain all of the information with the attorney's signature as set forth in [Appendix A, Section 11\(c\)\(i\)](#). *See*:

 - (A) [Connecticut Local Form: Notice of Appearance \(BK\)](#), or
 - (B) [Connecticut Local Form: Notice of Appearance \(AP\)](#).
- (2) **Non-party witness appearance.** For purposes of this Rule, the representation of a non-party witness at deposition or trial does not ordinarily constitute "entering a case," but any counsel who wishes to address the Court on behalf of any party or non-party shall file a Notice of Appearance.
- (3) **Self-Represented Filer/Litigant appearance.** Any self-represented party other than the Debtor or Joint-Debtor in a Bankruptcy Case or the plaintiff(s) in an Adversary Proceeding shall also file an appearance using the Court's Local Forms. *See*:

 - (A) [Connecticut Local Form: Notice of Self-Represented Filer/Litigant Appearance \(BK\)](#), or
 - (B) [Connecticut Local Form: Notice of Self-Represented Filer/Litigant Appearance \(AP\)](#).

Local Bankr. R. 9013-1 Motions: Form and Service

Motions for relief, including Motions for Continuances or for Extensions of Time, shall conform to FRBP 9013 and comply with D. Conn. L. Civ. R. 7(b). A Request for Continuance of Initial Hearing shall only be filed with a motion or application that is a Contested Matter in accordance with FRBP 9014 and Local Bankr. R. 9014-1.

Motions seeking relief under the following sections of the Bankruptcy Code shall comply with the requirements of FRBP 7010:

- | | |
|------------------------|--|
| 11 U.S.C. § 362(d) | Relief from the automatic stay; |
| 11 U.S.C. § 363(c) | Use of cash collateral; |
| 11 U.S.C. § 363(f) | Sale free and clear of interests in property; |
| 11 U.S.C. § 364(d) | Obtain or incur debt secured by a senior or equal lien; |
| 11 U.S.C. § 365(a)-(f) | Assumption or rejection of executory contracts and unexpired leases; |

11 U.S.C. § 506 Determination of secured status; and
11 U.S.C. § 522(f) The Avoidance of the fixing of liens.

Local Bankr. R. 9013-2 Motions Filed with Petition in Chapter 11 Cases.

- (a) Any motion or application in which the Debtor requests a hearing (a “First Day Hearing”) or the entry of an order with less than seven (7) days' notice and prior to the earlier of the creditors' committee formation meeting or the Section 341 meeting of creditors shall be governed by this Local Rule. Requests for relief under this Local Rule shall be confined to matters required to avoid irreparable harm to the assets of the estate and to maintain ongoing business operations and such other matters as the Court may deem appropriate.
- (b) Within forty-eight (48) hours of the entry of an order entered under this Local Rule ("First Day Order"), the Debtor shall serve copies of all motions and applications filed with the Court as to which a First Day Order has been entered, as well as all First Day Orders, on all other parties entitled to notice of such applications and motions under applicable rules, and such other entities as the Court may direct.

Local Bankr. R. 9013-3 Proposed Order to be Filed with any Document or Pleading Requesting Relief.

- (a) All motions, pleadings, applications, or other written requests for relief shall be accompanied by a proposed order. *See* Appendix A, Section 6b.
- (b) Failure to file a proposed order may result in denial of the relief sought.

Local Bankr. R. 9014-1 Contested Matters and the Contested Matter Procedure.

- (a) The Federal Rules of Bankruptcy Procedure govern all Contested Matters, as defined by FRBP 9014 and these Local Bankruptcy Rules.
- (b) **Rules Applicable to All Contested Matters.**
 - (1) A certificate of service demonstrating that service has been made upon the Debtor and all parties entitled thereto shall be filed with each motion, application, response, objection, reply, or other pleading or filing.
 - (2) A proposed order shall be filed with each motion, application, or other pleading or filing requesting affirmative relief. The proposed order shall contain a case caption in accordance with [D. Conn. L. Civ. R. 10](#).
- (c) **Contested Matter Procedure.** Sections (d) through (l) of this Rule shall be referred to as the “Contested Matter Procedure.” Except as otherwise ordered by the Court, the Contested Matter Procedure shall govern all Contested Matters except, as set forth in sections (m) and (n) of this Rule, those motions, applications, or other pleadings or filings included on Appendix M or Appendix N to these Rules.

(d) **Commencement of Contested Matter.** A Notice of Contested Matter Procedure shall be filed with motions, applications, or other pleadings or filings commencing a Contested Matter subject to the Contested Matter Procedure. The Notice of Contested Matter Procedure shall include:

- (1) A Response Date of fourteen (14) days or twenty-one (21) days, as applicable. *See* FRBP 2002(a), 9014. The Response Date shall be set from the date the Notice of Contested Matter Procedure was filed with the Court; and
- (2) A statement that in the absence of a timely filed response or objection, the proposed order may enter without further notice and hearing; and
- (3) A case caption in accordance with [D. Conn. L. Civ. R. 10](#) and [Local Bankruptcy Rule 5010](#).

The Notice of Contested Matter shall be served with the motion or application on all parties entitled to service.

(e) **Response.**

Any response or objection to the motion or application shall be no more than ten (10) pages; shall state the specific legal and factual bases therefore; be filed no later than the Response Date set forth in the Notice of Contested Matter Procedure; and be served upon the party who filed the motion or application and all parties entitled to service.

(f) **Notice of Initial Hearing.**

- (1) Unless otherwise ordered by the Court, upon the timely filing of a response or objection, a Notice of Initial Hearing shall be issued and sent by the Clerk's Office to the party who filed the motion or application. The party who filed the motion or application shall then serve the Notice of Initial Hearing on all parties entitled to service and file a certificate of service evidencing that such service was made.
- (2) Absent timely filing of a response or objection, the Court may direct the Clerk's Office to issue a Notice of Initial Hearing to the party who filed the motion or application. The party who filed the motion or application shall then serve the Notice of Initial Hearing on all parties entitled to service and file a certificate of service evidencing that such service was made.

(g) **Reply and Sur-reply.**

- (1) Any reply to the response(s) or objection(s) shall be no more than five (5) pages and shall be filed no later than the last business day at least three (3) days before the scheduled Initial Hearing on the Contested Matter. Unless otherwise ordered by the Court, a reply is not a necessary pleading. Replies shall be served on all parties

who responded or objected to the motion or application and all other parties entitled to notice.

- (2) No sur-replies shall be filed without authorization by the Court. If a sur-reply is authorized to be filed, it shall be served upon the party who filed the motion or application and all parties entitled to service.

(h) Initial Hearing.

- (1) The Initial Hearing scheduled on a Contested Matter shall not be an evidentiary hearing at which witnesses may testify or documents will be admitted into evidence unless:
 - (A) The Court gives notice to the parties that such hearing will be an evidentiary hearing; or
 - (B) The Motion or Application requests emergency relief.
- (2) The Court may grant any relief it deems appropriate at the Initial Hearing, including the relief requested in the motion or application, and may determine that no further hearing is necessary.

(i) Final Hearing

- (1) After the conclusion of the Initial Hearing, the Court may, as necessary, schedule a Final Hearing. A Notice of Final Hearing, which states the date and time thereof, shall be sent by the Clerk's Office to the party who filed the motion or application. The party who filed the motion or application shall then serve the Notice of Final Hearing on all parties entitled to service and file a certificate of service evidencing that such service has been made.
- (2) As necessary, the Final Hearing may be an evidentiary hearing.
- (3) The Court may conduct a status/scheduling conference at the conclusion of the Initial Hearing or on another date to address the scheduling of the Final Hearing. The status/scheduling conference may discuss the scheduling of the filing of stipulations concerning the admissibility of documentary or other evidence, stipulations of fact, witness and exhibit lists with proposed exhibits, and the date and time of the Final Hearing.
- (4) The Court may request proposed scheduling orders for the Final Hearing with proposed dates for the filing of stipulations concerning the admissibility of documentary or other evidence, stipulations of fact, witness and exhibit lists with proposed exhibits, and the date and time of the Final Hearing.

- (5) The Court may request additional briefing on the Contested Matter prior to or after the Final Hearing.

(j) Continuances: Request for Continuance of Initial Hearing.

- (1) Any request for continuance of an Initial Hearing must be made at least seven (7) days before the scheduled Initial Hearing and must be made by filing a [Request for Continuance of Initial Hearing form](#).
- (2) If a continuance of the Initial Hearing is granted, a Notice of Final Hearing, which states the date and time thereof, shall be sent by the Clerk's Office to the party who filed the motion or application. The party who filed the motion or application shall then serve the Notice of Final Hearing on all parties entitled to service and file a certificate of service evidencing that such service has been made.
- (3) Unless the request for a continuance of Initial Hearing is granted before the Initial Hearing, the Contested Matter will be heard as scheduled.

(k) Continuances: Motion for Continuance of Final Hearing.

- (1) Any motion for continuance of a Final Hearing must be made at least three (3) business days before the scheduled Final Hearing and must be made by motion and served upon all parties entitled to service. The motion shall:
 - (A) State in detail the reasons for the requested continuance;
 - (B) State whether any prior continuance has been granted and the number of prior continuances granted, and
 - (C) Include a statement by the movant pursuant to D. Conn. L. Civ. R. 7(b)(2) regarding the position of said request of all non-moving parties.
- (2) If the motion for a continuance is granted, the Court may issue a Notice of Continued Final Hearing, which states the date and time thereof, and shall be sent by the Clerk's Office to the party who filed the motion or application commencing the Contested Matter. The party who filed the motion or application shall then serve the Notice of Continued Final Hearing on all parties entitled to service and shall file a certificate of service evidencing that such service has been made.
- (3) Unless the motion to continue the Final Hearing is granted before the Final Hearing, the Contested Matter will be heard as scheduled.

(l) Extension of Time Due to Continuance of Hearing.

Unless an order granting a continuance states otherwise, a continuance of the hearing on the Contested Matter automatically extends the time for filing and serving reply documents

in accordance with the procedure governing the filing of a Reply as set forth in paragraph (f) of this Rule.

(m) Motions, Applications, Pleadings that do not follow Contested Matter Procedure and May be Scheduled for a Hearing.

- (1) All motions, applications, and other filings or pleadings that do not follow the Contested Matter Procedure and which may, within the Court's discretion, be scheduled for a hearing are set forth in [Appendix M](#).
- (2) Sections (a) and (b) of this Rule apply to matters that appear on Appendix M.
- (3) Sections (d) through (l) of this Rule do not apply to matters that appear on Appendix M.
- (4) Unless otherwise ordered by the Court or set forth in a Notice of Hearing, D. Conn. L. Civ. R. 7, last amended January 12, 2024, as further amended if applicable, governs the filing of responses, replies, and sur-replies to a matter appearing on Appendix M and requests for extension of time to file such documents.

(n) Motions, Applications, Pleadings that are Exceptions to the Contested Matter Procedure and Shall be Scheduled for a Hearing.

- (1) All motions, applications, and pleading that do not follow the Contested Matter Procedure and which shall be scheduled for a hearing are set forth in Appendix N.
- (2) Sections (a) and (b) of this Rule apply to matters that appear on Appendix N.
- (3) Sections (d) through (l) of this Rule do not apply to matters that appear on Appendix N.

A Notice of Hearing shall be issued and sent by the Clerk's Office to the filer of a motion or application that appears on Appendix N. The Notice of Hearing shall set forth a Response Date and Reply Date. Unless the Notice of Hearing provides otherwise, the filer of the motion or application shall then serve the Notice of Hearing on all parties entitled to service and file a certificate of service evidencing that such service was made.

Local Bankr. R. 9014-2 Request for Oral Argument

The provision in D. Conn. L. Civ. R. 7 to request oral argument does not apply to Contested Matters; Adversary Proceedings; matters in Local Bankr. R. 9014-1(m); and matters in Local Bankr. R. 9014-1(n).

Local Bankr. R. 9019-1 Motions to Compromise.

(a) Filing.

- (1) A motion to compromise under FRBP 9019 shall be filed in the bankruptcy case. A motion to compromise is an exception to the Contested Matter Procedure and shall be set for hearing. See [Appendix N](#).
- (2) A motion to compromise an adversary proceeding shall be filed in the main bankruptcy case and in the adversary proceeding. It shall bear the caption of the main bankruptcy case and the adversary proceeding.
- (3) Unless otherwise ordered by the Court, a motion to compromise shall include as an exhibit all documents to be executed upon granting of the motion, any proposed releases to be granted by the parties to the settlement agreement, proposed judgments, the settlement documents, and an itemization of any payments to and by third parties. If any party believes that any document to be filed contains information which should be sealed or redacted, they shall comply with D. Conn. L. Civ. R. 5(e).

(b) Notice.

- (1) Motions to compromise adversary proceedings are also governed by Local Bankr. R. 7007-1.
- (2) Motions to compromise and motions that contemplate a dismissal of an objection to discharge under 11 U.S.C. § 727 shall identify the cause of action and any consideration paid or agreed to be paid and shall be served on all creditors and parties-in-interest.
 - (A) The Clerk shall issue a notice of hearing for any such motion that includes the information that creditors and parties-in-interest may seek to intervene in the adversary proceeding if they choose. The movant's counsel shall serve the notice, the motion, and the proposed order on all creditors in the Debtor's case and shall file a Certificate of Service in the adversary proceeding.

Local Bankr. R. 9019-2 Alternative Dispute Resolution.

(a) Referral of a Case or Proceeding to Mediation.

The Court, either *sua sponte* or upon the motion of any party, may order parties to participate in mediation and other forms of non-binding alternative dispute resolution ("ADR") and may order the parties to allocate expenses in such proportion as the Court finds appropriate. The Court may also stay proceedings and discovery during the pendency of an ADR process.

(b) Other ADR Methods.

Upon motion and agreement of the parties, the Court may submit a case or proceeding to binding arbitration, early neutral evaluation, or mini trial.

Local Bankr. R. 9027-1 Removal.

(a) Filing.

A removed claim or cause of action related to a bankruptcy case shall be filed in the Bankruptcy Court as an adversary proceeding and assigned directly to a Bankruptcy Judge. The filing shall contain a completed Adversary Proceeding Cover Sheet unless filed by a CM/ECF Filer.

(b) Filing Fee.

The adversary proceeding filing fee is due upon the filing of the notice of removal. A fee is not required if the party removing the case is the Debtor or child support creditor. If the party removing the case is the trustee or debtor-in-possession, a motion to defer filing fee may be filed along with a proposed order.

(c) Attachments.

A notice of removal shall include a copy of the docket sheet and shall be accompanied by a copy of all pleadings from the Court from which the claim or cause of action is removed. The plaintiff(s) and defendant(s) shall be identical to the plaintiff(s) and defendant(s) in the Court from which the claim or cause of action is removed.

(d) Compliance with FRBP 7008 and FRBP 7012(b).

If a complaint or an answer in an adversary proceeding fails to comply with FRBP 7008 and FRBP 7012(b), the filing party shall file an amended complaint and/or amended answer addressing entry of final orders within five (5) days after the filing of the notice of removal.

Local Bankr. R. 9036-1 Notice and Service by Electronic Transmission.

(a) Consent to Electronic Notice and Service.

- (1) Subject to applicable rule or statute, parties are authorized to serve notices and pleadings through the Court's CM/ECF system. Attorney registration in CM/ECF constitutes consent to electronic notice and service of all documents.
- (2) Self-Represented Filer/Litigants, creditors, and parties-in-interest who wish to consent to electronic notice and service of all documents in a bankruptcy case or in

an adversary proceeding, or who wish to withdraw such consent, shall complete and file the following applicable local forms:

- [Local Form 9036-1 A1](#), Request and Consent to Electronic Notice and Service of Documents in an Adversary Proceeding.
 - [Local Form 9036-1 B1](#), Request and Consent to Electronic Notice and Service of Documents in a Bankruptcy Case.
 - [Local Form 9036-1 A2](#), Request to Withdraw Consent to Electronic Notice and Service of Documents in an Adversary Proceedings.
 - [Local Form 9036-1 B2](#), Request to Withdraw Consent to Electronic Notice and Service of Documents in a Bankruptcy Case.
- (3) When a document is filed in CM/ECF, it is served electronically. The time to respond or reply will be calculated from the date of electronic service, regardless of whether other means of service are used. The Notice of Electronic Filing ("NEF") generated by CM/ECF reflects the parties served.
- (b) **When a NEF Does Not Constitute Service.** Electronic transmission of a NEF does not constitute service or notice of the following documents that must not be served electronically:
- (1) service of a sealed document;
 - (2) service of a complaint and summons in an adversary proceeding under FRBP 7004;
 - (3) service of a subpoena issued under FRBP 9016;
 - (4) notice of the meeting of creditors required under FRBP 2002(a)(1); and
 - (5) where other means of service are otherwise required under any applicable statute, rule, or Court order.
- (c) **Service on non-CM/ECF Filers.** A person or entity that is entitled to notice and service of a document, but is not an electronic filer, does not receive an NEF, or has not consented to electronic notice and service, must be served as otherwise provided by the Federal Rules of Civil Procedure, Federal Rules of Bankruptcy Procedures, and these Local Rules.
- (d) **Case Specific Service.** Until an attorney files a notice of appearance in a bankruptcy case or adversary proceeding in accordance with Local Bankr. R. 9010-1, service on the attorney does not constitute service on any party or party-in-interest.

Local Bankr. R. 9037-1 Privacy Protections for Filings Made with the Court

- (a) **Redaction of Personal Identifiers.** In accordance with [FRCP 5.2](#) and [FRBP 9037](#), and unless otherwise ordered by the Court, all individuals and entities shall not include and

shall redact the following personal identifiers from all documents and pleadings filed with the Court, including exhibits thereto, whether filed electronically or in paper:

- (1) **Social Security Numbers.** If an individual's social security number must be included in a pleading or document, only the last four digits of that number should appear.
 - (2) **Dates of Birth.** If an individual's date of birth is included in a pleading, only the birth year should appear.
 - (3) **Names of Minor Children.** If a minor child is mentioned, only the initials of that child should appear.
 - (4) **Financial Account Numbers.** If financial account numbers are used, only the last four digits of these accounts should appear.
 - (5) **Employee Identification Number.** If an Employee Identification Number is used, only the last four digits should appear.
 - (6) **Motor Vehicle License.** If an individual's Motor Vehicle License must be included in a pleading or document, only the last four digits of that number should appear.
 - (7) **Medical Insurance, Health Insurance Account, Medicaid or Medicare Policy Numbers.**
 - (8) **Unemployment Account or Access Numbers.** If an Unemployment Account or Access Number is used, only the last four digits should appear.
 - (9) **Insurance Policy Numbers.** If an insurance policy or claim number is used, only the last four digits should appear.
- (b) **Responsible Party.** The responsibility for redacting these personal identifiers rests solely with the filer. The Clerk's Office will not review filed documents for compliance with this rule.
- (c) **Application of District Court Local Civil Rule 5(e).** Should any Debtor, creditor, or party-in-interest, including a plaintiff or defendant in an adversary proceeding, believe that any document or pleading to be filed contains information which should be sealed or redacted they shall comply with [District Court Local Civil Rule 5\(e\)](#).

Local Bankr. R. 9070-1 Exhibits.

Unless the Court orders otherwise, all parties are required to comply with the procedure for filing proposed exhibits using the CM/ECF system in accordance with [Appendix A](#). Exhibits must be uploaded in PDF format. Each exhibit must be filed as a separate PDF *attachment* within the docket entry. *See* Appendix A, Section 7(d).

Local Bankr. R. 9077-1 Sealed Documents.

[D. Conn. L. Civ. R. 5\(e\)](#) applies to proceedings before the Bankruptcy Court, including [D. Conn. L. Civ. R. 5\(e\)\(4\)](#). See also [Appendix A](#).

Local Bankr. R. 9083-1 Admission of Attorneys and Visiting Attorneys

- (a) Members of the bar of the United States District Court for the District of Connecticut may appear before this Court.
- (b) Admission of Visiting Attorneys (also known as admission *pro hac vice*):
 - (1) Attorneys who are not admitted to the bar of the United States District Court for the District of Connecticut may be sponsored to appear as a Visiting Attorney for one matter only by a Sponsoring Attorney that is a member of the bar of the United States District Court for the District of Connecticut in a written motion. Motions to Appear as a Visiting Attorney must comply with all requirements set forth in [D. Conn. L. Civ. R. 83.1\(e\)](#). A Sponsoring Attorney is required to electronically file the fillable local form motion available on the Court's website. (<https://www.ctb.uscourts.gov/local-forms>)
 - (2) If a Visiting Attorney seeks to appear as a Visiting Attorney in a main bankruptcy case, then the Sponsoring Attorney must file the Motion to Appear as a Visiting Attorney in the main bankruptcy case. A Motion to Appear as a Visiting Attorney filed in a main bankruptcy case may additionally request permission for the Visiting Attorney to appear as a Visiting Attorney in related adversary proceedings. A Visiting Attorney may not seek admission as a Visiting Attorney in a main bankruptcy case through a Motion to Appear as a Visiting Attorney filed in an adversary proceeding.
 - (3) The Sponsoring Attorney must file a [Notice of Appearance](#) in the main bankruptcy case or adversary proceeding wherein the Motion to Appear as a Visiting Attorney is filed or wherein the Visiting Attorney is admitted as a Visiting Attorney. The Sponsoring Attorney must accept service of process for the Visiting Attorney. The Sponsoring Attorney may request to be excused from attendance in Court and in participation in other proceedings before the Court. The granting of such request to be excused does not relieve the Sponsoring Attorney of any other obligation of an appearing attorney.
 - (4) A Visiting Attorney granted by court order to appear as a Visiting Attorney in a bankruptcy case or adversary proceeding consents to electronic notice and service of all notices and orders issued by the Court and electronic notice and service of all pleadings and documents filed in the bankruptcy case or adversary proceeding. Electronic notice and service on the Visiting Attorney shall be at an e-mail address

provided by the Visiting Attorney in the affidavit in support of the motion to appear as a Visiting Attorney.

NOTE: A Summons and Complaint must be served in accordance with Federal Rule of Bankruptcy Procedure 7004 and a Subpoena must be served in accordance with Federal Rule of Civil Procedure 45 and Federal Rule of Bankruptcy Procedure 9016, and not via electronic means.

- (5) If a Visiting Attorney desires to have electronic filing privileges using the Court's CM/ECF system, the Visiting Attorney shall follow the instructions to obtain electronic filing privileges, which are available on the Court's website here: <https://www.ctb.uscourts.gov/how-obtain-electronic-filing-privileges-cmecf>. Once the Visiting Attorney receives electronic filing permissions, he/she shall thereafter electronically file a [Notice of Appearance](#). Otherwise, a Visiting Attorney is not required to file a Notice of Appearance.
- (6) Each Motion to Appear as a Visiting Attorney shall be electronically filed using the Court's CM/ECF system and must include payment (also submitted electronically) with the motion to the Clerk of Court of the Bankruptcy Court of the applicable filing fee, as established by the United State District Court for the District of Connecticut. *See*, [D. Conn. L. Civ. R. 83.1\(e\)\(3\)](#).
- (7) For cause, the Court may condition, suspend, sanction, terminate, or revoke any Visiting Attorney's admission to practice before this Court.

Local Bankr. R. 9083-2 Attorneys - Discipline and Disbarment.

[D. Conn. L. Civ. R. 83.2](#) applies to suspension or disbarment of counsel by the Court.

Local Bankr. R. 9083-4 Attorneys - Withdrawals.

[D. Conn. L. Civ. R. 7\(e\)](#) applies to motions for withdrawal of an appearance. Motions to Withdraw an Appearance appear on Appendix M and may be scheduled for a hearing.

Local Bankr. R. 9083-5 Change of Contact Information or Name.

(a) Attorneys.

An attorney, who is a registered Filer in CM/ECF, shall update his/her contact information in PACER within three (3) business days of any changes to the attorney's business address, law firm name, e-mail address, telephone number, facsimile number, or name, following the procedures set forth in the [Administrative Procedures for Electronic Case Filing Manual \(Appendix A\)](#), . Failure to comply with this Rule may result in sanctions which may include suspension of electronic filing privileges.

(b) Self-Represented Filer/Litigant.

Within seven (7) days after any change of mailing address, each Self-Represented Filer/Litigant, entity filing a proof of claim, or other party-in-interest, must file notice of any modification to its mailing address. *See* Local Form: [Change of Mailing Address for Debtor, Creditor or Other Party-in-Interest](#).

Local Bankr. R. 9083-6 Establishment of Pro Bono Panel and Referral of Pro Bono Counsel.

(a) Establishment of Pro Bono Panel.

In accordance with the provisions of this Local Rule and the procedures set forth in [Appendix P](#) to these Local Rules, a pro bono panel (“Panel” or “Pro Bono Panel”) is established to represent qualified individuals in chapter 7 bankruptcy cases, contested matters, and adversary proceedings when such individuals have demonstrated a lack of adequate resources to retain counsel by any other means and such conditional referral is warranted under the circumstances.

(b) Relationship Between Service Under this Local Rule and D. Conn. L. Civ. R. 83.10.

The following shall be deemed to be the service required by the attorney under D. Conn. L. Civ. R. 83.10:

- (1) Service by an attorney under Local Rule 9083-6(a).
- (2) Service as unpaid plaintiff’s counsel in an adversary proceeding challenging the dischargeability of the Debtor’s student loans upon the closure of the adversary proceeding.
- (3) Service as a court-appointed mediator serving without compensation once a final mediator’s report is filed with the Court.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT

LOCAL RULES OF BANKRUPTCY PROCEDURE
APPENDIX Q

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT**

LOCAL RULES OF BANKRUPTCY PROCEDURE

APPENDIX Q

ORDER REGARDING DEPOSIT AND INVESTMENT OF REGISTRY FUNDS

The Court, having determined that it is necessary to adopt local procedures to ensure uniformity in the deposit, investment, and tax administration of funds in the Court's registry pursuant to Fed. R. Bankr. P. 7067, issued Amended Standing Order No. 1 on December 1, 2016 ("the 2016 Registry Order") (copy attached).

The Court revised its Local Rules in 2026, which included revisions to Local Rule 7067-1, Registry Fund. Additionally in 2026, Chief Judge Ann M. Nevins issued an Order reaffirming the applicability of the 2016 Registry Order ("the 2026 Registry Order"). The revisions in 2026 also formally incorporated the 2016 Registry Order and the 2026 Registry Order into Appendix Q.

The Orders in this Appendix shall be read in conjunction with Local Rule 7067-1.

EXHIBIT A

Copy of Amended Standing Order No. 1 issued on December 1, 2016

DRAFT

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT**

ORDER REGARDING DEPOSIT AND INVESTMENT OF REGISTRY FUNDS

AMENDED STANDING ORDER NO. 1

The Court, having determined that it is necessary to adopt local procedures to ensure uniformity in the deposit, investment, and tax administration of funds in the Court's Registry,

IT IS ORDERED that the following shall govern the receipt, deposit, and investment of registry funds:

I. Receipt of Funds

- A. No money shall be sent to the Court or its officers for deposit in the Court's registry without a court order signed by the presiding judge in the case or proceeding.
- B. The party making the deposit or transferring funds to the Court's registry shall serve the order permitting the deposit or transfer on the Clerk of Court.
- C. Unless provided for elsewhere in this Order, all monies ordered to be paid to the Court or received by its officers in any case pending or adjudicated shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. § 2041 through depositories designated by the Treasury to accept such deposit on its behalf.

II. Investment of Registry Funds

- A. Where, by order of the Court, funds on deposit with the Court are to be placed in some form of interest-bearing account or invested in a court-approved, interest-bearing instrument in accordance with Rule 67 of the Federal Rules of Civil Procedure, the Court Registry Investment System ("CRIS"), administered by the Administrative Office of the United States Courts under 28 U.S.C. § 2045, shall be the only investment mechanism authorized.
- B. Interpleader funds deposited under 28 U.S.C. § 1335 meet the IRS definition of a "Disputed Ownership Fund" (DOF), a taxable entity that requires tax administration. Unless otherwise ordered by the court, interpleader funds shall be deposited in the DOF established within the CRIS and administered by the Administrative Office of the United States Courts, which shall be responsible for meeting all DOF tax administration requirements.

- C. The Director of Administrative Office of the United States Courts is designated as custodian for all CRIS funds. The Director or the Director's designee shall perform the duties of custodian. Funds held in the CRIS remain subject to the control and jurisdiction of the Court.
- D. Money from each case deposited in the CRIS shall be "pooled" together with those on deposit with Treasury to the credit of other courts in the CRIS and used to purchase Government Account Series securities through the Bureau of Public Debt, which will be held at Treasury, in an account in the name and to the credit of the Director of Administrative Office of the United States Courts. The pooled funds will be invested in accordance with the principles of the CRIS Investment Policy as approved by the Registry Monitoring Group.
- E. An account will be established in the CRIS Liquidity Fund titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case based on the ratio each account's principal and earnings has to the aggregate principal and income total in the fund after the CRIS fee has been applied. Reports showing the interest earned and the principal amounts contributed in each case will be prepared and distributed to each court participating in the CRIS and made available to litigants and/or their counsel.
- F. For each interpleader case, an account shall be established in the CRIS Disputed Ownership Fund, titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case after the DOF fee has been applied and tax withholdings have been deducted from the fund. Reports showing the interest earned and the principal amounts contributed in each case will be available through the FedInvest/CMS application for each court participating in the CRIS and made available to litigants and/or their counsel. On appointment of an administrator authorized to incur expenses on behalf of the DOF in a case, the case DOF funds should be transferred to another investment account as directed by court order.

III. Fees and Taxes

- A. The custodian is authorized and directed by this Order to deduct the CRIS fee of an annualized 10 basis points on assets on deposit for all CRIS funds, excluding the case funds held in the DOF, for the management of investments in the CRIS. According to the Court's Miscellaneous Fee Schedule, the CRIS fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases.
- B. The custodian is authorized and directed by this Order to deduct the DOF fee of an annualized 20 basis points on assets on deposit in the DOF for management of investments and tax administration. According to the Court's Miscellaneous Fee Schedule, the DOF fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases. The custodian is further authorized and directed by this Order to withhold and pay federal taxes due on behalf of the DOF.

IV. Transition From Former Investment Procedure

- A. The Clerk of Court is further directed to develop a systematic method of redemption of all existing investments and their transfer to the CRIS.
- B. Deposits to the CRIS DOF will not be transferred from any existing CRIS Funds. Only new deposits pursuant to 28 U.S.C. § 1335 from the effective date of this order will be placed in the CRIS DOF.
- C. Parties not wishing to transfer certain existing registry deposits into the CRIS may seek leave to transfer them to the litigants or their designees on proper motion and approval of the judge assigned to the specific case.
- D. This Order supersedes and abrogates all prior orders of this Court regarding the deposit and investment of registry funds.
- E. This order is generally effective on the date of entry, but DOF provisions will become effective the date the CRIS DOF begins to accept deposits.

Entered this 1st day of December, 2016.



JULIE A. MANNING
CHIEF UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
LOCAL RULES OF BANKRUPTCY PROCEDURE
APPENDIX R

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT**

LOCAL RULES OF BANKRUPTCY PROCEDURE

APPENDIX R

Instructions for Filing Application for Payment of Unclaimed Funds

Unclaimed funds are held by the court for an individual or entity who is entitled to the money but who has failed to claim ownership of it. The United States Courts, as custodians of such funds, have established policies and procedures for holding, safeguarding, and accounting for the funds.

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I. Searching Unclaimed Funds.

To search unclaimed funds, use the *Unclaimed Funds Locator* at <https://ucf.uscourts.gov>. Select CTB from the dropdown list and enter the applicable search criteria. If you need access to a computer to perform the search, you may use the court's public computer terminal(s) located in each clerk's office in Hartford, New Haven and Bridgeport. The Clerk's Office does not provide lists of unclaimed funds; however, you may contact the Clerk's office at 860-240-3675 to verify unclaimed funds balances.

II. Filing Requirements for Payment of Unclaimed Funds

When filing an Application for Payment of Unclaimed Funds ("Application"), specific documents and supporting information must be submitted to establish entitlement to funds. Prior to submitting your Application to the Court, please ensure that the following documents and criteria have been provided and satisfied. Failure to submit a complete Application including all supporting documentation will result in delay or denial of your request.

- ☐ **Local Form CTB-LF1340 Application for Payment of Unclaimed Funds** (*Section A* below)
- ☐ **Supporting Documentation** (*Section B* below) – Please take note that the type of documentation required will vary depending on the circumstances and who is filing the application.
- ☐ **Proposed Order** (*Section C* below)
- ☐ **Certificate of Service** (*Section D* below) – This document confirms that you served a copy of your Application on potentially interested parties and the United States Attorney in accordance Local Bankr. R. 3011-1.

NOTE: Payments will be made via Electronic Funds Transfer (EFT) unless the payee submits in writing the need for payment by check and includes a signed tax form (AO 213P or IRS W-9).

a. Application for Payment of Unclaimed Funds

NOTE: If a case is closed, a motion to reopen is not required if the sole purpose of the reopening is to file an Application for Payment of Unclaimed Funds.

NOTE: If a case is open, an Applicant with representation may not file an Application as a self-represented party (also known as "*pro se*"). The Applicant's attorney must comply with the Court's electronic filing policy.

For purposes of this procedure, the "Applicant" is the party filing the application, and the "Claimant" is the party entitled to the unclaimed funds. The Applicant and Claimant may be the same.

Any party who seeks the payment of unclaimed funds must file an Application for

Payment of Unclaimed Funds using [Local Form CTB-LF1340 Application for Payment of Unclaimed Funds](#). Failure to use the Court's Local Form CTB-LF1340 Application for Payment of Unclaimed Funds will result in no action being taken on the Application.

Additionally, Applicants must serve a copy of the application on potentially interested parties and the United States Attorney for the District of Connecticut.

b. Supporting Documentation

Funds are payable to the Claimant. Requirements for Supporting documentation and Additional Supporting Documentation vary depending on the type of Claimant and whether the Claimant is represented. Please read the instructions below to identify what must accompany your Application for Payment of Unclaimed Funds.

1. Payee Information

In conjunction with the Application for Payment of Unclaimed Funds, the payee (name to whom funds will be disbursed) must provide to the Court an original, signed IRS tax form. Any payee requesting payment via Electronic Funds Transfer (EFT), must submit an AO 213P with complete banking information. Ensure you are using the most recent version of the form by downloading the form directly from the [U.S. Courts website](#).

NOTE: Payments will be made via Electronic Funds Transfer (EFT) unless the payee submits in writing the need for payment by check and includes a signed tax form (AO 213P or IRS W-9).

A. Domestic Claimant

A Claimant who is a U.S. person¹ must submit either the [AO 213P](#) (Payee Information and TIN Certification) or W-9 Request for Taxpayer Identification Number and Certification form (accessible by searching on the Internal Revenue Service (IRS) website at: www.irs.gov).

B. Foreign Claimant

A foreign Claimant must use the applicable W-8 Certification form (accessible by searching on the IRS website at: www.irs.gov) accompanied by Form [AO-215](#), Request to Determine Foreign Vendor Tax Payments.

If you have problems completing a form, please contact the Clerk's Office at 860-240-3675. Ensure you are using the most recent version of the form by downloading the form directly from the [U.S. Courts website](#).

¹ "U.S. person" includes: an individual who is a U.S. citizen or U.S. resident alien; a partnership, corporation, company or association created or organized in the U.S. or under the laws of the U.S.; an estate (other than a foreign estate); or a domestic trust (as defined in 26 C.F.R. 301.7701-7).

2. Additional Supporting Documentation

Requirements for additional supporting documentation vary depending on the type of Claimant and whether the Claimant is represented. Please read the instructions below to identify what must accompany your Application for Payment of Unclaimed Funds.

NOTE: Copies of an expired identity document, such as a passport or driver license, may not be used as proof of identity.

NOTE: When providing a copy of a driver's license, please include a copy of both the front and back of the driver's license

Sufficient documentation must be provided to the Court to establish the Claimant's identity and entitlement to the funds. Proof of identity must be provided in unredacted form with a current address. THE COURT WILL RESTRICT PUBLIC ACCESS TO SUPPORTING DOCUMENTATION AS IT CONTAINS PERSONALLY IDENTIFIABLE INFORMATION. If there are joint Claimants, then supporting documentation must be provided for both Claimants.

If the name of address in the supporting documentation does not match the name or address for the Owner of Record, or the name of address on the Application, a Certification in Support of Application for Payment of Unclaimed Funds must be submitted explaining, under the penalty of perjury, the reason for the discrepancy. For example, "I certify that the address on my license does not match the address listed for the Owner of Record because (*state the reason*)..."

A. Owner of Record

The Owner of Record is the original payee entitled to the funds appearing on the records of the court. If the Claimant is the Owner of Record, the following additional documentation is required:

- Owner of Record – Individual
 - Application must have the original signature of the Owner of Record
 - Proof of Identity of the Owner of the Record (*e.g.*, unredacted copy of driver's license or other state-issued identification card that includes current address, or U.S. passport).
 - When providing a copy of a driver's license, please include a copy of both the front and back of the driver's license
 - An original notarized statement of the Proof of Identity of the Owner of Record
- Owner of Record - Business or Government Entity
 - Application must be signed by an authorized representative for and on behalf of the business or government entity;
 - A notarized statement of the signing representative's authority; and
 - Proof of identity of the signing representative (*e.g.*, unredacted copy of driver's license or other state-issued identification card that includes current address, or U.S. passport).

- When providing a copy of a driver's license, please include a copy of both the front and back of the driver's license

NOTE: If the Owner of Record's name has changed since the funds have been deposited with the Court, then an official or certified copy of proof of the name change must be provided.

B. Successor Claimant

A successor Claimant may be entitled to the unclaimed funds as a result of assignment, purchase, merger, acquisition, succession, lien, or by other means. If the Claimant is a successor to the original Owner of Record, the following documentation is required:

- Successor Claimant - Individual
 - Proof of identity of the successor (e.g., unredacted copy of driver's license or other state-issued identification card that includes current address, or U.S. passport);
 - When providing a copy of a driver's license, please include a copy of both the front and back of the driver's license
 - A notarized signature of the successor Claimant (incorporated in application); and
 - Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.
- Successor Claimant – Business or Government Entity
 - Application must be signed by an authorized representative for and on behalf of the successor entity;
 - A notarized statement of the signing representative's authority;
 - A notarized power of attorney signed by an authorized representative of the successor entity;
 - Proof of identity of the signing representative (e.g., unredacted copy of driver's license or other state-issued identification card that includes current address, or U.S. passport); and
 - When providing a copy of a driver's license, please include a copy of both the front and back of the driver's license
 - Documentation sufficient to establish chain of ownership or the transfer of claim from the original Owner of Record.
- Deceased Claimant's Estate
 - Proof of identity of the estate (e.g., unredacted copy of driver's license or other state-issued identification card that includes current address, or U.S. passport);
 - When providing a copy of a driver's license, please include a copy of both the front and back of the driver's license
 - Copy of death certificate for the deceased claimant;
 - Certified copies of probate documents or other documents authorizing the representative to act on behalf of the decedent or decedent's estate in accordance with applicable state law (e.g., small estate affidavit); and
 - Documentation sufficient to establish the deceased Claimant's identity and entitlement to the funds.

C. Claimant Representative

If the Applicant is Claimant's attorney or other representative, the following documentation is required:

- Proof of identity of the representative (*e.g.*, unredacted copy of driver's license or other state-issued identification card that includes current address, or U.S. passport);
- A notarized power of attorney signed by the Claimant (or Claimant's authorized representative) on whose behalf the representative is acting; and
- Documentation sufficient to establish the Claimant's identity and entitlement to the funds, as set forth above.

c. Proposed Order

The Applicant must complete and submit Local Form CTB-LF1340-O, *Proposed Order Granting Application for Payment of Unclaimed Funds*, with the Application. In the event the Application is approved, the Court will use the Proposed Order to grant the Application.

d. Certificate of Service

In addition to the Application, supporting documentation, proposed order, and tax form ("Application Packet"), the Applicant must send a *copy* of the Application Packet to the United States Attorney (See box #5 of Local Form CTB-LF1340 Application for Payment of Unclaimed Funds) at:

Office of the United States Attorney
District of Connecticut
Connecticut Financial Center
157 Church Street, 25th Floor
New Haven, CT 06510

Pursuant to Local Bankr. R. 3011-1(c), the Application Packet must also be served on the Debtor(s) in the bankruptcy case, Debtor(s) attorney (if any), original owner(s) of record, subsequent owner(s) of record (if any), the case trustee (if any), and the U.S. Trustee.

The Certificate of Service must be submitted along with the Application Packet.

e. Filing the Application

NOTE: If a case is closed, a motion to reopen is not required if the sole purpose of the reopening is to file an Application for Payment of Unclaimed Funds.

NOTE: If a case is open, a Debtor(s) or other case participant with representation may not file an Application as a self-represented party (*pro se*).

NOTE: Attorneys must comply with electronic filing policy in Appendix A of the Local Rules.

1. Filing Conventionally (paper)

If not filed electronically, the Application, supporting documentation, proposed order, certificate of service, and tax form must be mailed to:

United States Bankruptcy Court
450 Main St., 7th Floor
Hartford, CT 06103

2. Filing Electronically through CM/ECF

IMPORTANT FOR ELECTRONIC FILERS:

APPLICATION: Upload the Application first and separate from the supporting documentation. Do **NOT** upload supporting documents with the Application. Docket the Application, proposed order, and certificate of service, using event “*Payment Unclaimed Funds*” under the “Motions/Applications” menu.

SUPPORTING DOCUMENTATION: All other supporting documents must be uploaded as a single pdf using the event “*Unclaimed Funds Supporting Documentation*” under the “*Miscellaneous*” menu. This event will be docketed with public access restrictions to protect the personally identifiable information contained in the supporting documentation.

III. Post-Filing Process/Objections

a. Objections

Any party who wishes to object to the Applicant’s request in the application shall file an objection with the Court on or before the deadline set in the “Notice of Deadline to Object to the Application for Payment of Unclaimed Funds.” The objection should be served upon the Applicant and other appropriate parties.

If no objection is filed with the Court on or before the deadline set in the “Notice of Deadline to Object to the Application for Payment of Unclaimed Funds,” the application and accompanying documents may be considered by the Court without a hearing.

b. Deficiencies

If the Application is deficient, the Court may issue a Deficiency Notice to the Applicant requesting additional information, proof of identity, proper service, or other information. Failure to cure the deficiency on or before the deadline set in the Deficiency Notice may result in an order denying the Application without further notice.

IV. Links

[Local Form CTB-LF1340 Application for Payment of Unclaimed Funds](#) (*Connecticut Specific Form based on [Director's Form 1340](#)*)

[Unclaimed Funds Search/Locator](#)

[AO-213P](#), Payee Information and TIN Certification

[W-9](#), Request for Taxpayer Identification Number and Certification

[W-8](#), (accessible by searching on the IRS website at: <https://www.irs.gov>)

[AO 215](#), Request to Determine Foreign Vendor Tax Payments

Ensure you are using the most recent version of the form by downloading the form directly from the [U.S. Courts website](#).

UNITED STATES BANKRUPTCY COURT
DISTRICT OF CONNECTICUT
LOCAL RULES OF BANKRUPTCY PROCEDURE
APPENDIX S

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF CONNECTICUT

LOCAL RULES OF BANKRUPTCY PROCEDURE

APPENDIX S

POTENTIAL PARTIES IN INTEREST

In accordance with Local Bankruptcy Rule 1007-1, the Court expects the Debtor(s) and Debtor's Counsel to consider the universe of parties in interest that should be included on the Creditor's List depending on the facts and circumstances of the Debtor's case. The following is a non-exhaustive list of potentially relevant parties that may be considered.

- Co-Debtors
- Domestic Support Obligation Beneficiaries
- Lease counterparties
- Contract counterparties
- Shareholders, Members, Partners
- Board of Directors, Officers
- Lessors / Lessees
- Current or Former Spouses
- Employees
- Franchisors
- Licensors / Licensees
- Insurance Companies
- Unions, Union Members
- Pension Companies / Administrators
- Property Managers
- Customers with deposits or pre-payments
- Healthcare Patients or Residents
- Medicare / Medicaid
- U.S. Attorney's Office(s) (Connecticut and Washington, D.C.)
- Internal Revenue Service (IRS)
- Local Taxing Authorities
- Department of Revenue Services (DRS)
- Office of Policy and Management (OPM)
- State Treasury
- Secretary of State
- Department of Children & Families (DCYF)
- Department of Motor Vehicles (DMV)
- Department of Transportation (DoT)
- Public Utilities Regulatory Authority (DPUC)
- Department of Public Health (DPH)
- Department of Social Services (DSS)
- Department of Consumer Protection (DCP)
- Department of Energy & Environmental Protection (DEEP)
- Department of Economic Community Development (DECD)
- CT Occupational Safety and Health Administration (OSHA)
- CT Commission on Human Rights and Opportunities (CHRO)
- Department of Labor (State/Federal)
- Attorney General (State/Federal)
- Occupational Safety and Health Administration (OSHA)
- Environmental Protection Agency (EPA)

- Pension Benefit Guaranty Corporation (PBGC)
- Dept. of Transportation (DoT)
- Federal Communications Commission (FCC)
- Department of Housing and Urban Development (HUD)
- Federal Trade Commission (FTC)
- Federal Bureau of Investigation (FBI)
- Drug Enforcement Administration (DEA)
- Consumer Financial Protection Bureau (CFPB)
- Commodity Futures Trading Commission (CFTC)
- Secretary of Treasury
- Securities and Exchange Commission (SEC)
- Department of Defense (DoD)
- National Labor Relations Board (NLRB)
- Dept. of Health and Human Services (HHS)
- Food and Drug Administration (FDA)
- Federal Emergency Management Administration (FEMA)
- Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF)
- Equal Employment Opportunity Commission (EEOC)
- Department of Homeland Security (DHS)
- Departments of Army/Navy/Air Force