

**Summary of Proposed Amendments to Uniform Local Rules  
For the United States Bankruptcy Courts  
Northern and Southern Districts of Mississippi  
Effective December 1, 2024**

This summary includes only local proposed amendments to the Uniform Local Rules. Deletions are noted by red/strikethrough and insertions are blue. There are several proposed amendments related to the general restyling of the Federal Rules effective December 1, 2024. The full text of the proposed amendments to the Uniform Local Rules may be viewed on the courts' websites or at the bankruptcy clerks' offices during regular business hours.

**Rule 1009-1. ~~Amendments of Amending a Voluntary Petitions, Lists, Schedules,~~  
~~and or Statements.~~**

**(a) In General ~~right to amend.~~**

**(1) By a Debtor.**

If at any time after the clerk<sup>1</sup> issues notice of the meeting of creditors under section 341 in a case under any chapter under title 11, the debtor amends Schedule D, E or F and/or the creditor matrix to add any creditors, the following procedures shall apply:

**(A)** The debtor shall pay the prescribed filing fee;

**(B)** The debtor shall serve upon such additional creditors by first class mail:

**(i)** A copy of the first notice of meeting of creditors under section 341 with the debtor's full social security account number shown thereon;

**(ii)** A notice informing the creditors that they have 60 days within which to file a complaint objecting to discharge under section 727 or section 1141 or to the dischargeability of any debt under section 523(c); to file a motion objecting to discharge under section 727 or section 1328; or to file a motion to seek an extension of time for filing a complaint or motion objecting to discharge, unless a longer period of time is provided by Fed. R. Bankr. P. 4004, 4007 or 9006;

**(iii)** A notice informing the creditors that they have 21 days to request the United States Trustee<sup>2</sup> to schedule an adjourned section 341 meeting of creditors; and

**(iv)** Notice of Additional Time to File Proof of Claim.

---

<sup>1</sup> "Clerk" means the United States Bankruptcy Clerk for the appropriate district.

<sup>2</sup> "United States Trustee" means the appropriate person within the Office of the United States Trustee.

(a) In a case filed under Chapter 7, 12 or 13, the debtor shall serve upon such additional creditors by first class mail a notice informing the creditors of the creditor's right to file a proof of claim within 70 days from the date of the notice.

(b) In a case filed under Chapter 11, the debtor shall serve upon such additional creditors by first class mail a notice informing the creditors of the creditor's right to file a proof of claim by the bar date provided on the meeting of creditor's notice or 30 days from the date of the notice, whichever is later. ~~if the debtor or trustee in a chapter 11 case amends the debtor's schedules to change the amount, nature, classification, or characterization of a debt owing to a creditor after a bar date for the filing of proofs of claim has been set, the debtor or trustee shall serve notice of the amendment to the creditor within 14 days of its filing and shall serve notice of the creditor's right to file a proof of claim by the bar date or 30 days from the date of the notice, whichever is later. The debtor or trustee shall file a certificate of service of the notice with the clerk.~~

(C) The debtor shall file a certificate of service with the clerk and provide an amended creditor matrix to the clerk in such format as the clerk's office may direct.

## **(2) Applicability of Rule 3003-1(c)(3)(ii)**

Rule 3003-1(c)(3)(ii) shall apply if the debtor or trustee in a chapter 11 case amends schedules to change the amount, nature, classification, or characterization of a debt after a bar date for the filing of proofs of claim has been set.

**Note:** Rule 1009-1(a)(1)(B)(iv)(b) establishes a claim deadline for new creditors added by an amendment to schedules in a chapter 11 case. Rule 1009-1(a)(2) is a new subsection to make local rule 3003-1(c)(3)(ii) applicable when schedules are amended to change the amount, nature, classification, or characterization of a debt in a chapter 11 case after the bar date has been set. All other changes are related to the general restyling of the Federal Rules of Bankruptcy Procedure.

**Rule 3003-1. ~~Filing of Claim or Equity Security Interest in Chapter 9 Municipality or Chapter 11 Reorganization Cases~~ Chapter 9 or 11—Filing a Proof of Claim or Equity Interest.**

**(c) Filing a Proof of Claim.**

**(3) Time ~~for Filing~~ to File.**

(i) Unless otherwise ordered by the court, all persons and entities that assert a claim, as defined in section 101(5) against the debtor which arose on or prior to the filing of the Chapter 11 petition shall file a proof of such claim on or before the date that is 120 days (or 70 days in a case filed under Subchapter V of Chapter 11) after the date of the order for relief, except that proofs of claim filed by governmental units must be filed on or before the date that is 180 days after the date of the order for relief.

(ii) ~~As provided in Rule 1009-1(a)(1)(B)(iv)(b), in~~ In a case filed under Chapter 11, if the debtor or trustee in a chapter 11 case amends the debtor's schedules to change the amount, nature, classification, or characterization of a debt owing to a creditor after a bar date has been set, the debtor or trustee shall serve notice of the amendment to the creditor within 14 days of its filing and shall serve notice of the creditor's right to file a proof of claim by the bar date or 30 days from the date of the notice, whichever is later.

**Note:** Rule 3003-1(c)(3)(ii) is amended to conform with the proposed amendments to Rule 1009-1(a)(2). All other changes are related to the general restyling of the Federal Rules.

**Rule 5005-1. ~~Filing and Transmittal of Papers~~ Filing Papers and Sending Copies to the United States Trustee.**

**(a) Filing Papers.**

**(1) ~~Place of Filing~~ With the Clerk.**

The clerk shall not refuse to accept for filing any petition or other paper presented for the purpose of filing solely because it is not presented in proper form as required by the Federal Rules of Bankruptcy Procedure or these local rules. The clerk may refuse to accept for filing any Hazardous Paper or Thing as provided in Miss. Bankr. L.R. 5005-1(2)(K), which shall be deemed a reason other than improper form.

**(~~2~~) (3) Electronic Filing and Signing.**

**(~~A~~) (E) Mandatory Electronic Filing.**

The courts for the Northern and Southern Districts have designated all cases to be assigned to the Case Management/Electronic Case Files (“CM/ECF”) system. Attorneys who practice in these courts shall register as CM/ECF users. This includes attorneys admitted to the bar of the courts through regular admission or through *pro hac vice* motion, as well as those attorneys authorized to represent the United States without being admitted to the bar of these courts. United States Trustees, private trustees and others as the courts deem appropriate should also register as CM/ECF users. Registration ~~forms~~ instructions and requirements for CM/ECF are available on the respective courts’ websites at the following addresses:

Northern District: <http://www.msnb.uscourts.gov>

Southern District: <http://www.mssb.uscourts.gov>

All documents submitted in all cases and proceedings shall be filed electronically, and signed or verified by electronic means, in compliance with the Administrative Procedures For Electronic Case Filing established and maintained by the respective courts. The clerk’s offices for the Northern and Southern Districts shall make available the most current version of their Administrative Procedures for Electronic Case Filing on the respective court’s website.

Registration as an attorney, private trustee, or United States Trustee CM/ECF user constitutes consent to receive electronic service or notice of documents filed in the CM/ECF system, except with regard to service of a summons and complaint under Fed. R. Bankr. P. 7004 for adversary proceedings. The Notice of Electronic Filing that is automatically generated by the CM/ECF system will constitute service or notice on registered attorney, private trustee, or United States Trustee CM/ECF users. All other parties must be provided service or notice of any pleading or other document electronically filed in accordance with *Federal Rules of Bankruptcy Procedure* and these *Uniform Local Rules*.

**~~(B)~~ (F) Exceptions from Mandatory Electronic Filing.**

Unless the petition or other paper presented to the clerk for filing may be refused by the clerk as provided in Miss. Bankr. L.R. 5005-1(2)(K), an unrepresented individual may file pleadings and documents on paper. In addition, a limited or temporary exception may be allowed on an emergency basis when a registered CM/ECF user is unable to access the system via the internet due to technical failures. The courts may establish other exceptions as deemed appropriate. The Administrative Procedures for Electronic Case Filing for each court should be consulted to determine if and when an exception may be available and the procedure for invoking it.

**~~(E)~~ (G) Electronic Files and Duty to Confirm.**

Unless the petition or other paper presented to the clerk for filing may be refused by the clerk as provided in Miss. Bankr. L.R. 5005-1(2)(K), any document submitted to the clerk in a paper format shall be converted into an electronic format prior to docketing. It is the duty of the filing party to confirm that such document has been accurately submitted into the court's electronic file. The filing party may confirm such submission by viewing the docket for the case on the monitors provided in the office of the clerk during normal business hours. If no challenge regarding the presentation of the document in the court's electronic file is communicated to the clerk within 14 days of the date of docketing, then the document as docketed is conclusively confirmed as the document submitted, unless otherwise ordered by the court.

**~~(D)~~ (H) Content of Pleadings/Orders.**

**(i) Motion.**

Every motion filed shall have as an attachment a proposed order granting the motion.

**(ii) Responsive Pleadings.**

Responsive pleadings shall sufficiently identify the underlying motion as well as the docket number of the underlying pleading as shown on the court's official docket entry, i.e., Motion of [name of party] to Lift Stay (Dkt. #23).

**(iii) Proposed Orders.**

Proposed orders shall sufficiently identify the underlying motion as provided by Miss. Bankr. L.R. 9004-1(b).

**~~(E)~~ (I) Form of Judgments/Orders.**

Judgments and orders submitted must (1) be on a separate electronic page or sheet of paper; (2) have the caption of the case, and where applicable, the style of the

adversary proceeding; (3) include in the title of the judgment or order the name and description of the motion; and (4) the docket number of the underlying pleading as shown on the court's official docket entry, i.e., Order Granting Motion of [name of party] to Lift Stay (Dkt. #23).

**~~(F)~~ (J) Facsimile Documents.**

Documents may not be transmitted by facsimile directly to the clerk's office for filing unless specifically authorized by a judge, the clerk, or the judge's or clerk's designee.

**~~(G)~~ (K) Filing Papers - Size of Papers.**

All papers filed with the clerk must be electronically sized to 8 ½ by 11 inches. To the extent possible, all attachments to papers shall be electronically sized to 8 ½ by 11 inches. All papers shall be clearly legible in a font size no smaller than 12 point, without defacing erasures or interlineations, and must be double-spaced, except that quotations, footnotes and legal descriptions may be single-spaced. Additionally, lengthy disclosure statements and plans in Chapter 11 cases may be single-spaced.

**~~(H)~~ (L) Identification.**

**(i) Counsel Identification.**

On every pleading and other paper filed with the clerk and on every proposed order or judgment submitted to the court, the attorney shall include the following information: the attorney's name, complete address (including street address and, if applicable, post office box number), telephone number, e-mail address, and Mississippi Bar number (if the attorney is a member of the Mississippi Bar), and, if not, the state and bar number, if any, of the bar in which the attorney is a member and regularly practices.

**(ii) Unrepresented Individual Identification.**

Every pleading and other paper filed with the clerk by an unrepresented individual, and every proposed order or judgment submitted to the court by an unrepresented individual shall include the following information: the individual's complete name, complete address (including street address and, if applicable, post office box number), telephone number and email address, if applicable.

**~~(I)~~ (M) Titles on Papers.**

All pleadings, motions, and other papers presented to the clerk for filing must bear clear designations of their content. When a document contains multiple contents (e.g., an answer to a complaint and a counterclaim or cross-claim or a motion and a supporting brief or memorandum), all matters contained in the document must be

included in the caption on the first page of the document, except that, if the document contains a Certificate of Service with regard to the document, the Certificate of Service shall not be included in the caption.

**~~(H)~~ (N) Emergency Matters.**

A party filing a pleading or motion that requires immediate judicial attention shall contact the courtroom deputy of the bankruptcy judge to whom the matter is assigned for direction.

**~~(K)~~ (O) Hazardous Papers or Things.**

No person or party may file or present to the Court (including Judges, the Clerk, the United States Trustee, or any other Court agency) any Hazardous Paper or Thing without prior leave of court.

**(i) “Hazardous Paper or Thing” Defined**

For purposes of this rule “Hazardous Paper or Thing” includes, but is not limited to, papers or items that are smeared with or contain blood, blood residue, hair, food, feces, urine, or other body fluids, human or animal tissue or infectious material, or contain narcotics, controlled substances, firearms, ammunition, explosives, poisons, dangerous chemicals, or any other substance which may constitute a health hazard.

**(ii) Return or Destruction of Hazardous Paper or Thing**

Any Hazardous Paper or Thing submitted without prior leave of court will not be handled by court personnel and will either be returned to the filer unsolicited or destroyed without prior notice to the filer at the discretion of the clerk or judge.

**(iii) Log of Hazardous Papers or Things**

The clerk shall maintain a log of Hazardous Paper or Things that are returned to the filer undocketed or destroyed. The log shall include the case number and style, if any, the name of the party submitting the Hazardous Paper or Thing, a brief description of the paper or thing, and the justification for returning or disposing of the paper or thing. The clerk shall notify the judge assigned to the case of actions taken by the clerk.

**Note:** Rule 5005-1(a)(2)(E) (renumbered due to the restyling of the Federal Rules) is amended to conform with the current NextGen registration process. All other changes are related to the general restyling of the Federal Rules.

## **Rule 5010-1. Reopening ~~Cases~~ a Case.**

### **(a) Contents of motion.**

A motion to reopen a case pursuant to Fed. R. Bankr. P. 5010 shall be in writing. In a chapter 7, 12, or 13 case, the motion to reopen also must state whether the movant believes that a trustee is necessary to protect the interests of creditors and the debtor or to insure efficient administration of the estate.

### **(b) Service.**

A motion to reopen a case pursuant to Fed. R. Bankr. P. 5010 shall be served upon the debtor, if applicable, ~~the case trustee~~, any affected party including any party to be added to the case upon reopening, the case trustee, and the United States Trustee. The movant shall provide notice regarding the 21-day objection period to all parties listed on the most recent CM/ECF creditor matrix upon the filing of a motion to reopen for the purpose of filing the debtor's post-petition personal financial management certificate and for the entry of discharge.

### **(c) Hearing.**

Whether the court conducts a hearing or provides notice and a hearing to any creditors or parties in interest other than those parties specified in Miss. Bankr. L.R. 5010-1(b) prior to acting on a motion to reopen a case is within its discretion.

~~(d) Upon the filing of a motion to reopen a case pursuant to Fed. R. Bankr. P. 5010 for the purpose of filing the debtor's post-petition financial management certification and for the entry of discharge, the movant shall provide notice regarding the 21-day objection period to all parties listed on the most recent CM/ECF creditor mailing matrix.~~

**Note:** Rule 5010-1 is amended to move the service requirements currently provided in 5010-1(d) to subsection (b). Minor stylistic changes are made to conform with Federal Rule amendments related to the post-petition financial management course and general restyling.

## **Rule 9004-1. General Requirements of Form.**

### **(c) Certificate of Service.**

All documents filed with the clerk that require notice must include, or be accompanied by, a certificate of service, signed by the party serving the document, identifying (i) each person or entity served with the filing; (ii) the date of service; and (iii) the manner of service.

**Note:** Rule 9004-1(c) is a new subsection to supersede the 2010-05 S. D. Miss. Standing Order Requiring Certificate of Service.



**Rule 9011-1. ~~Signing of Papers; Representations to the Court; Sanctions; Verifications and Copies of Pages.~~ Signing Documents; Representations to the Court; Sanctions; Verifying and Providing Copies**

**(a) Signature.**

(1) All filed pleadings signed by an attorney shall contain the attorney information required by Miss. Bankr. L.R. 5005-1(a)(2)(H). All documents filed and signed by an unrepresented individual shall contain the party's name, complete address (including street address and, if applicable, post office box number), telephone number, and, if available, e-mail address. Furthermore, every attorney, as well as every litigant proceeding without legal counsel, has a continuing obligation to notify the clerk of any changes of address and contact information.

(2) The filing of any document by a registered ECF User using the user's PACER ~~a~~ login and password ~~issued by the clerk~~ shall constitute the user's ~~attorney's~~ signature for purposes of signing the document under Fed. R. Bankr. P. 9011(a) and any other applicable authority relating to signatures. The ECF User's ~~attorney's~~ name under whose PACER login and password the document is submitted must be displayed as an image of a signature or by an "/s/" and typed in the space where the signature would otherwise appear (e.g., /s/ Jane Doe).

No person shall knowingly use or cause another person to use the ECF User's PACER login and password ~~of an attorney~~ unless such a person is duly authorized to do so by the ~~attorney~~ ECF User.

**Note:** Rule 9011-1(a)(2) is amended to make the rule applicable to all registered ECF users. Changes to the title are related to general restyling of the Federal Rules.

**Rule 9037-1. ~~Privacy Protection for Filings Made with the Court.~~ Protecting Privacy for Filings.**

**(h) Motion to Redact a Previously Filed Document.**

**(1) Contents; Service**

The Notice of Electronic Filing that is automatically generated by the CM/ECF system will not constitute notice or service to any party for a motion to redact a previously filed document. Public access to the motion is restricted upon filing.

~~Upon the filing of a motion to restrict and/or redact public access to a previously filed document due to alleged violations of privacy requirements provided under Fed. R. Bankr. P. 9037, the clerk of court is authorized to restrict public access to the previously filed document pending a ruling on the motion. If the court grants the motion, these restrictions on public access remain in effect until further court order. If the court denies the motion, the restrictions must be lifted, unless the court orders otherwise.~~

**Note:** Rule 9037-1(h)(1) is amended to provide that a motion to redact a previously filed document may not be served electronically via CM/ECF. The provision regarding restricting public access is removed as superfluous due to its inclusion in the Federal Rule. Changes to the title are related to general restyling of the Federal Rule.