

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE**

GENERAL ORDER RE LOCAL BANKRUPTCY RULES

WHEREAS, as authorized by 28 U.S.C. §§ 2071 and 2077, Rule 9029 of the Federal Rules of Bankruptcy Procedure, Rule 83 of the Federal Rules of Civil Procedure, and Rule 77.4 of the Local Rules of the United States District Court for the District of New Hampshire, the Court has reviewed and revised its Local Bankruptcy Rules; and

WHEREAS, in compliance with 28 U.S.C. § 2077(b), the Court has appointed an advisory committee for the study of the rules of practice and internal operating procedures of the Court, and has received recommendations from the advisory committee on such rules and procedures; and

WHEREAS, in compliance with 28 U.S.C. § 2071(e), the Court has determined that there is an immediate need for revision to its rules and will promptly provide the public with appropriate notice and an opportunity for comment upon the revisions to the Local Bankruptcy Rules; it is hereby

ORDERED that the annexed “Rule 5005-4 of the Local Rules of the United States Bankruptcy Court for the District of New Hampshire” is hereby prescribed and promulgated and shall take effect on April 1, 2002 and shall apply to all bankruptcy cases and proceedings then or thereafter pending in this Court, insofar as just and practicable; and it is further

ORDERED that the Clerk in compliance with 28 U.S.C. § 2071(d) shall cause a copy of these amended Local Bankruptcy Rules to be delivered to the Judicial Council of the Court of Appeals for the First Circuit; the Clerk shall post a copy of this Order in the Clerk’s office; and the Clerk shall forthwith cause a notice regarding the adoption of these amended Local Bankruptcy Rules to be published in the New Hampshire Bar News indicating copies of the same are available upon request and on the Court’s Web site.

DATED and FILED this 15th day of March, 2002.

BY THE COURT:

Mark W. Vaughn
Chief Judge

J. Michael Deasy
Bankruptcy Judge

LBR 5005-4

ELECTRONIC FILING

(a) *Acceptance of Electronically Filed Pleadings.* The Court will accept for filing documents submitted, signed, or verified by electronic means that comply with procedures established by the Court for its Case Management/Electronic Case Files system, which is referred to as the “CM/ECF system.”

(b) *Waiver of Notice and Service.* Registration with the Court as a filing user of the CM/ECF system will constitute: (1) waiver of the right to receive notice by first class or certified mail and consent to receive notice electronically; and (2) waiver of the right to service by personal service, first class or certified mail and consent to electronic service, except with regard to service of a summons and complaint under Fed. R. Bankr. P. 7004. Waiver of service and notice by first class or certified mail applies to notice of the entry of an order or judgment under Fed. R. Bankr. P. 9022.

(c) *Service of Documents by Electronic Means.* Each filing user of the CM/ECF system who electronically files a pleading or other document must transmit a “Notice of Electronic Filing” to parties entitled to service or notice under the Federal Rules of Bankruptcy Procedure and these local rules. The “Notice of Electronic Filing” must be transmitted by e-mail, hand, facsimile, or first-class mail postage prepaid. Electronic transmission by the Court of the “Notice of Electronic Filing” generated by the CM/ECF system will constitute service or notice of the filed document. Parties not deemed to have consented to electronic notice or service are entitled to receive a paper copy of any electronically filed pleading or other document and service or notice must be made according to the Federal Rules of Bankruptcy Procedure and these local rules.