

Rule 2015-3

CHAPTER 7 TRUSTEES – NOTICE OF DISPOSITION OF RECORDS

Except with respect to the disposal of patient records pursuant to 11 U.S.C. § 351, the trustee in Chapter 7 cases, in addition to complying with the applicable requirements of the United States Trustee's Handbook for Chapter 7 Trustees, shall give 30 days' written notice to the debtor, the debtor's attorney, the Internal Revenue Service, and the United States Trustee prior to destroying any of the debtor's books and records in the trustee's possession.

Notes of Advisory Committee

2012 Amendment

This amendment incorporates the addition of 11 U.S.C. § 351 by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Pub. L. 109-8. The amendment also clarifies the trustee's duty to meet the requirements of the United States Trustee's Handbook for Chapter 7 Trustees with respect to the destruction of books and records. This amendment to the rule is effective March 15, 2012.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment to the rule was effective on April 15, 1997.

This rule was formerly Local Rule 2.19(g). The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.