

Rule 2002-1

NOTICE TO CREDITORS AND OTHER INTERESTED PARTIES

(a) ***Mailing of Notice.*** The Clerk may require the debtor, the trustee, or other party in interest filing a petition, a complaint, an objection, or other pleading for which a notice may be required to prepare and mail such notice as the Court may designate and to file with the Clerk proof of service in accordance with the provisions of Local Rule 9013-3.

(b) ***Notices in Chapter 11 Cases in Which Committees Have Been Appointed.*** Pursuant to Fed. R. Bankr. P. 2002(i) and unless otherwise ordered by the Court, the notices required by Fed. R. Bankr. P. 2002(a)(2), (3), and (6) may be served only on the parties on the Local Rule 1007-2 Parties in Interest List.

(c) ***Notices in Voluntary Chapter 7 Cases, Chapter 12 Cases, and Chapter 13 Cases.*** In voluntary Chapter 7 cases, Chapter 12 cases, and Chapter 13 cases, pursuant to Fed. R. Bankr. P. 2002(h) and unless otherwise ordered by the Court, after 70 days following the order for relief or the date of the order converting the case to Chapter 12 or Chapter 13, all notices required by Fed. R. Bankr. P. 2002(a) shall be served only upon the debtor, the trustee, all indenture trustees, creditors that hold claims for which proofs of claim have been filed, creditors, if any, that are still permitted to file claims because an extension was granted under Fed. R. Bankr. P. 3002(c)(1) or (c)(2), and parties who have filed a request for notice under section (f) of this rule.

(d) ***Notices in Involuntary Chapter 7 Cases.*** In involuntary Chapter 7 cases, pursuant to Fed. R. Bankr. P. 2002(h) and unless otherwise ordered by the Court, after 90 days following the order for relief or the date of the order converting the case to Chapter 12 or Chapter 13, all notices required by Fed. R. Bankr. P. 2002(a) shall be served only upon the debtor, the trustee, all indenture trustees, creditors that hold claims for which proofs of claim have been filed, creditors, if any, that are still permitted to file claims because an extension was granted under Fed. R. Bankr. P. 3002(c)(1) or (c)(2), and parties who have filed a request for notice under section (f) of this rule.

(e) ***Notice of Amended Plans in Chapter 12 and Chapter 13 Cases.*** In Chapter 12 and Chapter 13 cases, amended plans need be served only upon creditors who have filed proofs of claim and whose treatment is affected by the amendment to the debtor's plan.

(f) ***Requests for Notice.*** A party who files a request for notice pursuant to Fed. R. Bankr. P. 2002(g) shall be placed on the master mailing matrix and, in Chapter 11 cases, on the Local Rule 1007-2 Parties in Interest List. Requests for notice shall be served on the debtor and the trustee.

(g) ***Form of Notice.*** Notices shall be in such form as may be directed by the Clerk or as may be ordered by the Court.

(h) ***Return Address Required.*** Envelopes containing notices or orders served by the Bankruptcy Noticing Center, the debtor's attorney, or the debtor if the debtor is acting *pro se*, shall bear the return address of the debtor's attorney or the *pro se* debtor.

(i) ***Returned Notices.*** If the debtor's attorney or *pro se* debtor receives a piece of mail from the United States Post Office that was addressed to a party to the case but has been returned as undeliverable, the debtor's attorney or the *pro se* debtor shall immediately determine the correct address of the party, mail a copy of the returned piece of mail to the party, and promptly thereafter file proof of such service with the Clerk. The debtor's attorney or the *pro se* debtor shall also immediately file with the Clerk a notice of the corrected address for the creditor.

(j) ***Service of Orders and Notices.*** If the Court directs an attorney or a party to serve an order or a notice, the attorney or party shall serve the order or notice within three days of its having been entered by the Court, and the attorney or party shall thereafter promptly file a proof of such service in accordance with the provisions of Local Rule 9013-3.

(k) ***Notices as Directed by the Court.*** If a party is authorized by the Federal Rules of Bankruptcy Procedure, Local Rule, or order of the Court to give notice of a hearing or the time in which an objection or request for hearing is required, such notice shall be on the face of the first page of such notice, pleading, or other paper.

(l) ***Administrative Expense.*** The cost or expense incurred in serving notices and orders may be an administrative expense to be paid or reimbursed pursuant to 11 U.S.C. § 503(a).

Notes of Advisory Committee

2020 Amendment

Amended Federal Rule of Bankruptcy Procedure 2002(h), effective on December 1, 2020, allows the Court to limit notice to creditors in Chapter 12 and 13 cases to those creditors who have filed claims. In addition, revised Rule 2002(h) distinguishes between voluntary and involuntary Chapter 7 cases and reflects the 2017 amendment to Rule 3002(c). Under Rule 3002(c), the deadline for filing proofs of claim in voluntary Chapter 7, Chapter 12, and Chapter 13 cases is 70 days after the order for relief; in involuntary Chapter 7 cases the deadline for filing proofs of claim is 90 days after the order for relief. The revisions to the local rule are consistent with the amendments to Rule 2002(h). This amended rule is effective December 1, 2020.