

Rule 5011-2

ABSTENTION

(a) ***General Deadlines.*** A motion to abstain from a case, adversary proceeding, or contested matter under 11 U.S.C. § 305 or 28 U.S.C. § 1334(c) shall be filed with the Clerk not later than the time set for filing a motion for withdrawal of the reference pursuant to Local Rule 5011-1.

(b) ***Deadline in Removed Adversary Proceeding.*** A motion to abstain from hearing a removed adversary shall be timely if filed not later 21 days following the filing of the notice of removal of the proceeding pursuant to 28 U.S.C. § 1452.

Notes of Advisory Committee

2015 Amendment

The revisions to this rule are primarily stylistic. This amendment to the rule is effective July 1, 2015.

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 1.06. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

1995 Amendment

The amendment to Local Rule 1.06 is stylistic. No substantive change is intended.

These amendments to the rule were effective on February 15, 1995.