

[Proposed Amended] Rule 1001-1

SCOPE OF RULES; SHORT TITLE

(a) ***Promulgation and Application.*** These rules are promulgated in accordance with Fed. R. Bankr. P. 9029. These rules apply to all cases under title 11 and in all civil proceedings arising under title 11, or arising in or related to cases under title 11 in the United States Bankruptcy Court for the Middle District of Florida (“Court”).

(b) ***Implementation.*** These rules are intended to supplement and complement the Bankruptcy Code and Federal Rules of Bankruptcy Procedure. These rules shall be applied, construed and enforced to avoid technical delays, to permit the expeditious consideration and determination of all pending matters, and to allow the inexpensive administration of estates under the Bankruptcy Code.

(c) ***Failure to Comply.*** The Court, on its own motion or on the motion of any party in interest, may impose sanctions for failure to comply with these rules, including, without limitation, dismissal of the case or the proceeding, conversion of the case, denial of the motion filed by the party, striking of pleadings or other submissions, the staying of any further proceedings until verification of compliance with these rules has been filed with the Court or as may otherwise be appropriate under the circumstances. However, notwithstanding the foregoing, for good cause, the Court may suspend the requirements set forth in these rules and may order proceedings in accordance with its direction.

(d) ***Local Rules of the District Court.*** The local rules of the United States District Court for the Middle District of Florida governing civil and criminal proceedings shall not apply to cases or proceedings in this Court except as provided for in these rules or otherwise ordered by this Court.

(e) ***Citation.*** These rules shall be cited as “Local Rules.”

Notes of Advisory Committee

2016 Amendment

This amendment includes new section (c), which incorporates the provisions regarding sanctions for failure to comply with the Local Rules set forth in abrogated Local Rule 9011-3 Sanctions. This amended rule is effective July 1, 2016.