Rule 9027-1

REMOVAL/REMAND

(a) ***State Court Record to Be Filed with Notice of Removal.*** The party filing a notice of removal of a claim or cause of action under 28 U.S.C. § 1452 and Fed. R. Bankr. P. 9027 must file a complete copy of the state court docket with the notice of removal.

(b) ***Operative Pleadings and Other Relevant Papers to Be Separately Docketed.*** In addition to filing a complete copy of the state court docket, within seven days of filing the notice of removal, the party who removed the action must also file the operative pleadings, substantive rulings, and any pending motions and responses, each as a separate entry on the Bankruptcy Court's docket.

(c) ***Pending Motions.*** If any motions were pending in the state court at the time of removal, opposing memoranda must be filed no later than 14 days after removal.

(d) ***Motions for Remand.*** Motions for remand must be filed no later than 30 days after removal.

Notes of Advisory Committee

2025 Amendment

This amendment revises sections (a) and (b) to require a removing party to file a copy of the state court docket with the notice of removal (as opposed to the entire record) and to file operative pleadings, substantive rulings, and any pending motions and responses as separate docket entries within seven days of filing the notice of removal. New section (c) sets a 14-day deadline for filing memoranda in response to motions pending in the state court at the time of removal. New section (d) provides that motions for remand must be filed within 30 days after removal. This amendment to the rule is effective August 15, 2025.

2015 Amendment

This amendment requires the removing party, in addition to filing the state court record with the notice of removal, to also file the operative pleadings, etc., as separate docket entries. This amendment to the rule is effective July 1, 2015.

2004 Amendment

This amendment corrects the Bankruptcy Rules citation to that of the currently used citation.

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 The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

1995 Amendment

Local Rule 1.06A is new. It gives effect to Fed. R. Bankr. P. 9027(e)(3) which permits the bankruptcy judge to require the party filing the notice of removal to file with the Clerk copies of all records and proceedings relating to the claim or cause of action in the court from which the claim or cause of action was removed. It is derived from District Court Local Rule 4.02(b).

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