Rule 9013-3

PROOF OF SERVICE IN BANKRUPTCY CASES AND ADVERSARY PROCEEDINGS

(a) ***Applicability.*** This rule applies to proofs of service required by the Federal Rules of Bankruptcy Procedure, Local Rule, or Court order other than proof of initial service of a summons and complaint pursuant to Fed. R. Bankr. P. 7004 or of a contested matter under Fed. R. Bankr. P. 9014.

(b) ***Service in Adversary Proceedings.*** In adversary proceedings in which all parties are represented by counsel, service of papers and Court orders is effectuated upon the parties by CM/ECF; counsel are not required to file a separate proof of service reflecting such service.

(c) ***Proof of Service by an Attorney.*** If service is made by an attorney appearing in the case or proceeding pursuant to the provisions of Local Rule 2090-1, except as provided in subsection (b), the attorney must file a proof of service stating the date and manner of service and the name and address of the person served, certified by the signature of the attorney who made the service.

(d) ***Proof of Service by a Non-Attorney.*** If service is made by a person other than an attorney appearing in the case or proceeding pursuant to the provisions of Local Rule 2090-1, the non-attorney must file a statement under penalty of perjury stating the date and manner of service and the name and address of the person served, signed and sworn to by the non-attorney who made the service and including the non-attorney's name, address, and relation to the party on whose behalf the service is made.

(e) ***Service on Mailing Matrix.*** Where a reference is made to service on a group such as "to all creditors on the matrix," the proof of service must attach a copy of the mailing matrix obtained from CM/ECF at the time of service.

(f) ***Reference to Paper Served.*** The proof of service must refer to the pleading or other paper being served.

(g) ***Proof of Service Must Be Promptly Filed.*** Proof of service, whether affixed to the paper served or separately filed, must be filed within a reasonable time after service.

(h) ***Prima Facie Evidence of Service.*** Proof of service made in accordance with the provisions of this rule will be taken as *prima facie* proof of service.

Notes of Advisory Committee

2025 Amendment

This amendment revises section (b) and the title to remove reference to contested matters. Other changes are stylistic or to remove outdated references. This amendment to the rule is effective August 15, 2025.

2021 Amendment

This amendment revises section (e) to correct a grammatical error; no other substantive change is being made. This amendment to the rule is effective August 1, 2021.

2019 Amendment

This amendment renumbers the rule from 9013-1 and revises section (g) to clarify that proofs of service shall be filed within a reasonable time. This amendment to the rule is effective July 1, 2019.

2015

This new rule substantially replaces former Local Rules 7005-1 and 9014-1 which are abrogated. This new rule is effective July 1, 2015.