Bankruptcy Local Rule 1001-1

SCOPE, APPLICABILITY AND PROMULGATION OF LOCAL RULES

(a) **Scope**.

These local bankruptcy rules govern practice and procedure in the United States Bankruptcy Court for the District of Idaho. These rules shall be cited as "LBR ____." The term "judge," as used in these rules, includes a U.S. Bankruptcy Judge, a U.S. District Judge, or any other judicial officer to which a bankruptcy case or proceeding has been referred.

(b) **Applicability**.

Unless otherwise indicated, each of these local rules applies to cases commenced under chapters 7, 9, 11, 12, and 13 of the Bankruptcy Code and in all adversary proceedings. In the event of an appeal to the district court, or a withdrawal of reference under 28 U.S.C. § 157, the District Court may in its discretion direct that the District of Idaho Local Civil Rules (D.Id.L.Civ.R.) shall replace or supplement the provisions of the local bankruptcy rules in such matters.

(c) **Promulgation**.

Promulgation of local rules shall be made by the U.S. District Court in accord with Fed. R. Bankr. P. 9029, and shall be made with the advice of the U.S. Bankruptcy Court Advisory Committee on local rules unless the U.S. District Court determines cause exists for emergency promulgation.

RELATED AUTHORITY

28 U.S.C. §§ 151, 154, 157
Fed. R. Bankr. P. 9029

Advisory Committee Notes:

These local rules are subject to clarification and interpretation by the courts of this district.

These local rules were promulgated to address certain areas where the Bankruptcy Code and Federal Rules of Bankruptcy Procedure are vague or incomplete, or where experience dictated a need for further clarification or modification of practice in this district. The Local Bankruptcy Rules are based upon prior local rules, the local rules of other districts, and the efforts of the court and practitioners to improve the quality and efficiency of bankruptcy practice.

The "Advisory Committee Notes" following the rules are designated to provide explanation regarding the need for, as well as guidance regarding the anticipated operation of, the local rules. Constructions of the rules as contained in such Advisory Committee Notes, however, are not controlling, and in some instances may not reflect unanimity of belief by the members of the Advisory Committee.

Local rules, forms, guidelines, fees, and other information can be viewed at: www.id.uscourts.gov.