

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA**

**PUBLIC NOTICE**

**Revisions to Local Bankruptcy Rules  
United States Bankruptcy Court for the Eastern District of Virginia  
Effective December 1, 2003**

---

The following is a summary of the Court-approved revisions to the Local Bankruptcy Rules (LBR(s)) for the United States Bankruptcy Court for the Eastern District of Virginia, effective December 1, 2003.

1. *LBR 1006-1(B), Fees: Installment Payments* – has been amended due to changes made by the Judicial Conference of the United States at its September 2003 session to the Bankruptcy Court Miscellaneous Fee Schedule.
2. *Rule 3011-1(B)(1)(c), Unclaimed Funds* – has been amended by deleting several items that may be presented to a notary to establish the movant's identity. The inclusion of these items has resulted in some movants appending copies of forms of identification to their motions. This may have the effect of unnecessarily placing personal identifiers into the public record. The listed forms of identification have been removed for this reason.
3. *Rule 7067-1(B) and (B)(2), Deposit in Court* – have been amended to bring the rule in line with the Judicial Conference policy on privacy and public access to electronic case files and with conforming amendments to the Federal Rules of Bankruptcy Procedure. The District Registry Procedure makes provision for any required submission of the order proponent's social security number.

Date: November 18, 2003

**WILLIAM C. REDDEN  
CLERK OF COURT**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

In re:

)  
)  
Revision of Local Rules ) Standing Order No. 03-9  
)  
)

ORDER ADOPTING REVISION OF LOCAL RULES

After giving appropriate public notice and opportunity for comment, pursuant to delegation of authority from the United States District Court, the accompanying Local Rules are hereby adopted.

These rules shall take effect on the first day of December 2003, and shall govern procedures in all cases and proceedings pending on that date or filed after that date. The prior Local Rules are rescinded effective December 1, 2003.

Date: November 18, 2003

/s/ Douglas O. Tice, Jr.  
DOUGLAS O. TICE, JR.  
CHIEF JUDGE

/s/ David H. Adams  
DAVID H. ADAMS  
JUDGE

/s/ Stephen S. Mitchell  
STEPHEN S. MITCHELL  
JUDGE

/s/ Stephen C. St. John  
STEPHEN C. ST. JOHN  
JUDGE

/s/ Robert G. Mayer  
ROBERT G. MAYER  
JUDGE

**Revisions  
to the  
Local Bankruptcy Rules**

---

**UNITED STATES BANKRUPTCY COURT  
for the  
EASTERN DISTRICT OF VIRGINIA**



**Effective December 1, 2003**  
(Ver. 11/7/03)

## RULE 1006-1 FEES: INSTALLMENT PAYMENTS

(A) ...

(B) ***Schedule of Payment:*** Any application to Pay Filing Fee in Installments shall propose a payment plan in accordance with the following schedule:

	At Filing	1 Month After Filing	2 Months After Filing
Chapter 7	\$75	75	<del>50</del> <u>59</u>
Chapter 11	\$430	400	--
Chapter 12	\$105	75	<del>50</del> <u>59</u>
Chapter 13	\$70	70	<del>45</del> <u>54</u>

Payments are due as shown, on the same day of the month as the date on which the petition was filed. If that date falls on a day that the Court is closed, payment is due not later than on the next business day. The initial payment for all cases includes the first \$30 of the administrative fee which is due at the time of the filing of the petition, and the final schedule payment includes the balance of this fee.

### Comments

1006-1(B) This revision is due to changes made by the Judicial Conference at its September 2003 session to the Bankruptcy Court Miscellaneous Fee Schedule. [Change effective 12/1/03.]

## RULE 3011-1 UNCLAIMED FUNDS

(A) ...

(B) ***Disposition of Unclaimed Funds***

(1) ***Requirements for Pro Se Creditor/Claimant – Self Representation-***

(a) ....

(b) ....

(c) whether or not the creditor/claimant believes that any other party may be entitled to the funds.

The motion must contain a certificate of a notary public, which bears the seal of the notary, that such notary has examined the motion and documents presented by the creditor/claimant establishing identity, ~~such as: a birth certificate, unexpired passport, valid driver's license, or original social security card.~~

### Comments

3011-1(B) Inclusion in subparagraph (B)(1)(c) of those items that may be presented to a notary to establish the movant's identity has resulted in some movants appending copies of forms of identification to their motions. This may have the effect of unnecessarily placing personal identifiers into the public record.

The listed forms of identification have been removed for this reason. [Change effective 12/1/03.]

## **RULE 7067-1 DEPOSIT IN COURT**

(B) *District Registry Procedure and Form of Order*: The order proponent shall follow the District Registry Procedure. In addition to an appropriate caption and attorney identification, a proposed Order Directing Deposit shall include the following elements:

- (1) ....
- (2) the name, address and, if applicable, ~~social security number or~~ employer tax number of the person or other entity for whom the money is being held,

### **Comments**

7067-1 Parargraph (B) and subparagraph (B)(2) are amended to bring the rule in line with the Judicial Conference policy on privacy and public access to electronic case files and with conforming amendments to the Federal Rules of Bankruptcy Procedure. The District Registry Procedure makes provision for any required submission of the order proponent's social security number. [Change effective 12/1/03.]