

**LR8005.1. Processing of Bankruptcy Appeals.**

(a) At any time before an ~~appeal from the bankruptcy court has been docketed in the district court as provided in Fed. R. Bankr. P. 8007~~ the bankruptcy clerk certifies that the record on appeal is complete, the bankruptcy court is authorized and directed, on motion of a party or its own motion:

(1) To dismiss an appeal filed after the time specified in Fed. R. Bankr. P. 8002;

(2) To dismiss an appeal in which appellant has failed to file a designation of the items for the record or a statement of the issues as required by Fed. R. Bankr. P. ~~8006~~ 8009;

(3) To hear, under Fed. R. Bankr. P. 9006(b), motions to extend the foregoing deadlines and to consolidate appeals that present similar issues from a common record.

(b) Bankruptcy court orders entered under Subsection (a) may be reviewed by the district court on motion filed within fourteen (14) days after entry of the order sought to be reviewed.

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*Note: Under amended Bankruptcy Rule 8003(d), an appeal is docketed at the district court upon receipt of the notice of appeal instead of when the record is complete and transmitted. The proposed amendment maintains a gap period - between the filing of the notice of appeal and the certification that the record is complete - in which the bankruptcy court is authorized to act.*

**LR8007.2.       Transmission of Record - Bankruptcy Appeal  
to District Court.**

In a bankruptcy appeal to the district court, as soon as the statement of issues, designation of record, and any transcripts that have been designated are filed with the bankruptcy court, the clerk of the bankruptcy court shall transmit to the district court a certificate of readiness, indicating that the record is complete. The clerk of the district court shall forthwith notify the parties to the appeal that this certificate has been filed at the district court, ~~and this date shall constitute the date of entry of the appeal on the docket for purposes of Fed. R. Bankr. P. 8007 and 8009.~~ The record shall be retained by the clerk of the bankruptcy court. A copy of the record shall be transmitted to the district court upon request by the clerk of the district court.

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*Note: Under amended Bankruptcy Rule 8003(d), an appeal is docketed at the district court upon receipt of the notice of appeal instead of when the record is complete. The proposed amendment deletes the reference to "date of entry of the appeal on the docket" to avoid inconsistency with the federal rule.*

**LR8009.1. ~~Requirement for Appendix to Bankruptcy~~  
~~Appellate Briefs.~~**

(a) Time for Filing Briefs. Unless the court directs otherwise, appellate briefs shall be filed and served in accordance with Fed. R. Bankr. P. 8018(a).

(b) Appendix. The requirement for an appendix to an ~~appellant's~~ appellate brief in Fed. R. Bankr. P. ~~8009(b)~~ 8018(b) shall apply to appeals to the district court. The appendix shall include excerpts of the record (including the ECF header or footer information stamped on the PDF) to be considered on appeal. Each excerpt must be clearly marked for identification. All courtesy copies of the appendix must be tabbed.

(c) Format and Length of Briefs and Other Documents. The format and length requirements of the local civil rules apply to bankruptcy appeals. These include, but are not limited to, LR7.5 (length of briefs), LR7.7 (extra copies), and LR10.2 (form of papers).

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*Note: The proposed amendment utilizes the briefing deadlines of amended Bankruptcy Rule 8018(a) to promote prompt disposition of an appeal. A notice of the standard deadlines may be given to the parties as soon as the record is certified as complete: appellant's brief is due within 30 days of the certification, appellee's brief is due within 30 days after service of the appellant's brief, and any reply brief is due within 14 days after service of the appellee's brief (but at least 7 days before any oral argument). A hearing on the appeal would still be the subject of a scheduling conference or other procedure. Amended Bankruptcy Rule 8015 specifies certain format and*

*length requirements for briefs but provides for "local variation" by local rule in subdivision (f).*