

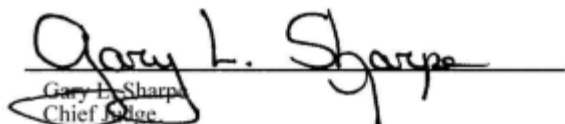
U.S. DISTRICT COURT
NDNY
March 7, 2014
LAWRENCE K. BAERMAN, CLERK

GENERAL ORDER #21

**IN THE MATTER OF THE BOARD OF JUDGES AUTHORIZING THE
BANKRUPTCY JUDGES FOR THE NORTHERN DISTRICT OF NEW YORK TO
MAKE AND AMEND THE LOCAL BANKRUPTCY RULES FOR THE NORTHERN
DISTRICT OF NEW YORK**



So ORDERED this 7th day of March, 2014
At Syracuse, New York



Gary L. Sharp
Chief Judge
U.S. District Court

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Federal Rule of Bankruptcy Procedure 9029(a) (“Fed. R. Bankr. P. 9029(a)”) authorizes each district court acting by a majority of its district judges to make and amend rules governing the practice and procedure in all cases and proceedings within the district court’s bankruptcy jurisdiction. Fed. R. Bankr. P. 9029(a) also grants the district court discretion to grant the bankruptcy judges of the district authority to make and amend local rules of practice and procedure. The current Local Bankruptcy Rules for the Northern District of New York (“Local Bankruptcy Rules”) were approved by this district court and made effective January 1, 2012.

The Local Bankruptcy Rules need periodic revision. In addition to creating local rules themselves, the bankruptcy judges of the district have a Standing Committee to consider revisions to local rules, forms and procedures which, once approved, are incorporated into the Local Bankruptcy Rules. Proposed additions or revisions to the Local Bankruptcy Rules are circulated for public comment and recommendation prior to their adoption by the bankruptcy judges. The United States District Court for the Northern District of New York Board of Judges (“Board of Judges”) approved on December 6, 2013 the Local Bankruptcy Rule revisions which became effective January 1, 2014.

The bankruptcy judges have sought authority to make and amend the Local Bankruptcy Rules without formal submission for approval to the Board of Judges. Having considered such request, the Board of Judges deems it appropriate that the bankruptcy judges have authority to amend, revise or supplement the Local Bankruptcy Rules as they see fit and in accordance with the following limitations: (1) they are consistent with – but not duplicative of – Acts of Congress and the Federal Rules of Bankruptcy Procedure; (2) they do not prohibit or limit the use of Official Forms; (3) they shall conform to any uniform numbering system prescribed by the Judicial Conference of the United States; and (4) they are made and promulgated in conformity with Federal Rule of Civil Procedure 83, particularly the requirement of notice to the public with a reasonable opportunity to comment on proposed revisions.

The bankruptcy judges shall transmit the amended Local Bankruptcy Rules to the Board of Judges, through the Chief Judge of the District Court, and they shall take effect, unless amended or nullified by the Board of Judges, not later than fifteen (15) business days after such Local Bankruptcy Rules have been transmitted.