

JURY TRIALS

(a) Applicability of certain federal rules of civil procedure.

Fed. R. Civ. P. 38, 39, and 47 through 51, and Fed. R. Civ. P. 81 (c) insofar as it applies to jury trials, apply in bankruptcy cases and adversary proceedings, except that a demand made under Fed. R. Civ. P. Rule 38(b) shall be filed in accordance with Fed. R. Bankr. P. 5005.

(b) Consent to have trial conducted by bankruptcy judge.

If the right to a jury trial applies, a timely demand has been filed under Fed. R. Civ. P. 38(b), and the bankruptcy judge has been specially designated to conduct the jury trial, the parties may consent to have a jury trial conducted by a bankruptcy judge under 28 U.S.C. § 157(e) by jointly or separately filing a statement of consent no later than fourteen (14) days after service of the demand.

Related Authority:

None

Advisory Committee Notes:

This rule provides procedures relating to jury trials. This rule is not intended to expand or create any right to trial by jury where such right does not otherwise exist.