

FILED  
U.S. DISTRICT COURT  
1989 JAN 12 AM 10:13  
DISTRICT OF IDAHO  
JERRY L. CLAPP, CLERK

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF IDAHO

In re: )  
 ) GENERAL ORDER NO. 51 A  
 )  
 ) LOCAL RULES OF THE ) ORDER ADOPTING LOCAL  
 ) U.S. BANKRUPTCY COURT ) RULE OF PRACTICE  
 )  
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The U.S. Bankruptcy Court Advisory Committee on Local Rules for the District of Idaho having recommended that the U.S. District Court adopt the attached Local Bankruptcy Rule, designated as Local Rule 801 of the U.S. Bankruptcy Court; and

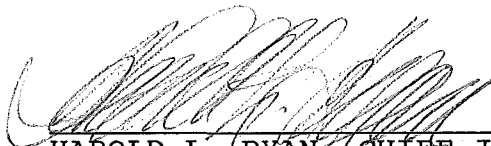
The Bankruptcy Judges of the U.S. Bankruptcy Court for the District of Idaho having recommended the adoption of the attached Local Bankruptcy Rule; and

The Court having reviewed the proposed Local Bankruptcy Rule and having found that this rule is not inconsistent with Title 11 of the United States Code or the Bankruptcy Rules;

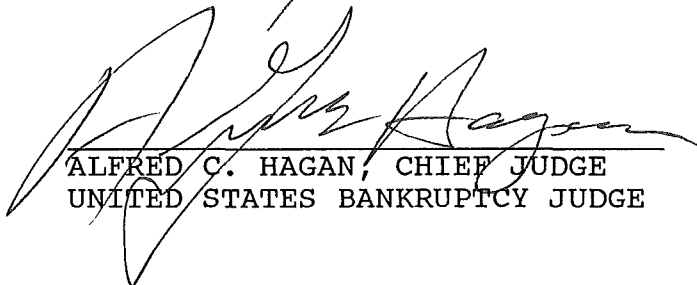
IT IS HEREBY ORDERED that the attached Local Bankruptcy Rule 801 is adopted as a local rule of this Court effective the 12th day of January, 1989, and the same shall serve as a local rule of practice for the U.S. Bankruptcy Court for the District

of Idaho from and after that date.

DATED: January 12, 1989



HAROLD L. RYAN, CHIEF JUDGE  
UNITED STATES DISTRICT COURT



ALFRED C. HAGAN, CHIEF JUDGE  
UNITED STATES BANKRUPTCY JUDGE

LOCAL BANKRUPTCY RULE 801

SERVICE OF DOCUMENTS ON  
UNITED STATES TRUSTEE

(a) **Service of Documents.** The following documents shall be served upon the Office of the United States Trustee:

(1) Cases

Any document filed in cases under Chapter 7, 9, 11 and 12 of the Bankruptcy Code, except proofs of claim, and except petitions and accompanying materials that are included in the initial filing with the Bankruptcy Court.

(2) Adversary Proceedings

(A) Any document filed in any adversary proceeding related to a case under Chapter 9 or 11 if such document is required to be filed with the Bankruptcy Court;

(B) Any document filed in any adversary proceeding objecting to discharge under 11 U.S.C. § 727;  
or

(C) Any document filed in any adversary proceeding where a Bankruptcy Trustee is named as a party defendant.

(b) **Manner of Service.** All such documents which are filed with the Bankruptcy Court and which must be served in accordance with this rule shall be accompanied by proof of service on the United States Trustee at the following address:

Office of the United States Trustee  
304 N. 8th Street  
Room 347  
P.O. Box 110  
Boise, Idaho 83701

(c) **Applicability.** The requirements of this rule shall apply to all cases filed on or after November 26, 1986, and to all associated adversary proceedings. One year after the United

States Trustee is certified in this District, this rule shall then apply to all pending Bankruptcy Cases filed in this District, including those filed prior to November 26, 1986 unless a final report has been filed or plan confirmed in the case prior to the expiration of the one year period.

(d) **Noncompliance.** The United States Trustee has exclusive standing to object to noncompliance with any provision of this rule, with the exception of service of those items specifically enumerated in Bankruptcy Rule X-1008(a).

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Related Authority:  
Bankruptcy Rules X-1002, X-1007, X-1008, X-1009(b)

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Advisory Committee Notes:

The provisions of LBR 801 are designated to insure that the United States Trustee can perform its statutory functions of case and trustee monitoring. The exclusions in subdivision (1)(A) reflect that the United States Trustee generally does not require proofs of claim, and has already received petitions and accompanying materials directly from the Clerk under Bankruptcy Rule X-1002(a)(2).

The United States Trustee does not require copies of documents filed in all adversary proceedings, but does in those proceedings identified in subdivision (a)(2).

Note that only documents which are required to be filed must be served upon the United States Trustee under subdivision (a)(2)(A). LBR 704 continues to apply and the United States Trustee would not receive copies of discovery unless (1) the proceeding is brought under § 727; (2) the United States Trustee is a party or (3) discovery is required to be filed pursuant to order of the Court under LBR 704.

The reference to November 26, 1986 refers to the effective date of the Bankruptcy Judges, United States Trustees, and Family Farmer Bankruptcy Act of 1986 (PL 99-554).

Service can be accomplished by hand delivery to the street address as indicated, or by mail, as provided for in the Bankruptcy Rules.

The last subdivision provides that only the United States Trustee has standing to raise objection concerning failure to comply with LBR 801 service requirements. However, any party in interest may raise issues of failure to serve the United States

Trustee with notice of or pleadings related to those matters set forth in Bankruptcy Rule X-1008(a).