

<i>Current</i>	<i>Proposed</i>
<i>None</i>	[NEW] LBR 1019-5. Chapter 13 Final Reports in Cases Converted to Chapter 7
	In a chapter 13 case converted to a case under chapter 7, the chapter 13 trustee shall file a final report and account on or before the later of (i) 30 days after the date of conversion or (ii) 45 days after all outstanding checks issued by the trustee have been negotiated and cleared.
LBR 1074-1. Corporations and Other Artificial Entities	LBR 1074-1. Corporations and Other Artificial Entities
(b) Designation of Responsible Individual. Every debtor that is an artificial entity must designate a natural person to be responsible for performing the debtor's duties in bankruptcy. The responsible individual must reside in the District of Hawaii, unless the court orders otherwise. The designation must be filed within 14 days after the date the petition is filed and must include the individual's name, position, address, telephone number, and email address, and must include the individual's consent. If more than one individual is designated, the designation must specify each individual's responsibilities.	(b) Designation of Responsible Individual. Every debtor that is an artificial entity must designate a natural person to be responsible for performing the debtor's duties in bankruptcy. The designation must be filed within 14 days after the date the petition is filed and must include the individual's name, position, address, telephone number, and email address, and must include the individual's consent. If more than one individual is designated, the designation must specify everyone's responsibilities.

None	[NEW] LBR 2015-2. Appointment of Subchapter V Trustee
	<p>Unless the court orders otherwise, the debtor must tender to the Subchapter V Trustee the sum of \$1,000 no later than 14 days after the filing of the Notice of Appointment of Subchapter V Trustee. Any party in interest may file a motion to adjust the amount of the deposit. The debtor shall include the deposit in any cash collateral budget. The Subchapter V Trustee must hold these funds in escrow for the purpose of compensation for services rendered and reimbursement for expenses. Payment of compensation and reimbursement to the Subchapter V Trustee from the escrowed funds is subject to allowance and approval by the court under sections 503(b), 330, 331 and 1194 of the Bankruptcy Code, Bankruptcy Rule 2016 and LBR 2016-1. Failure of the debtor to tender the required amount within 14 days after notification of the appointment of the Subchapter V Trustee is cause for dismissal of the case.</p>
LBR 2016-1. Compensation of Professionals	LBR 2016-1. Compensation of Professionals
<p>(g) Chapter 13 Debtor's Attorney Fees. Except as provided for in paragraphs (2) and (3), an attorney for a debtor in a chapter 13 case must seek the allowance of compensation under § 330(a)(4)(B) by filing an application in accordance with subdivision (a) of this rule.</p> <p>(1) Chapter 13 Attorney Fee Guidelines. The court may issue guidelines determining presumptively reasonable fees for normal and customary services to be performed by attorneys for chapter 13 debtors. Use of the guidelines may require the filing of an agreement substantially conforming to the local form (Rights and Responsibilities of Chapter 13 Debtors and Attorneys). An attorney electing to follow the guidelines may seek the allowance of compensation and reimbursement of expenses through expedited procedures provided by this rule.</p> <p>(2) Allowance of Compensation as Part of Plan Confirmation. An attorney electing to follow the Chapter 13 Attorney Fee Guidelines may</p>	<p>(g) Chapter 13 Debtor's Attorney Fees.</p> <p>(1) Chapter 13 Rights, Responsibilities and Fee Agreement Allowance of compensation to a debtor's attorney in a chapter 13 case requires the execution and filing of an acknowledgement of the parties' responsibilities and a fee agreement substantially conforming to the local form (Chapter 13 Rights, Responsibilities and Fee Agreement).</p> <p>(2) Allowance of Compensation. A chapter 13 debtor's attorney may seek allowance of compensation under § 330(a)(4)(B) by either:</p> <p>(A) requesting an order approving a "standard fee application" using a form substantially conforming to the local form (Application for Compensation by Debtor's Attorney in Chapter 13 Case), or</p> <p>(B) requesting an award in a plan confirmation order of presumptively reasonable fees described in paragraph (3).</p> <p>(3) Chapter 13 Attorney Fee Guidelines.</p>

seek the allowance of initial fees as part of the plan confirmation process without filing a separate application. The order allowing the compensation may be included in the order confirming the plan unless the debtor's attorney has failed to file the agreement describing the rights and responsibilities of Chapter 13 debtors and attorneys or if the agreement provides for compensation inconsistent with the compensation disclosed by the attorney under Bankruptcy Rule 2016(b).

(3) Allowance of Compensation for Post-Confirmation Services. An attorney who elected to follow the Chapter 13 Attorney Fee Guidelines for the initial allowance of fees may seek the allowance of additional fees for certain post-confirmation services as follows.

(A) Fees Not Exceeding Amounts in Guidelines. No application for additional compensation under LBR 2016-1(a) is required if the fee amounts do not exceed the amounts specified in the Chapter 13 Attorney Fee Guidelines and:

(i) no later than 14 days after payment or an agreement to pay the fees directly to the attorney by the debtor or a third party, the attorney files a supplemental disclosure statement substantially conforming to the local form (**Supplemental Disclosure of Compensation by Attorney for Chapter 13 Debtor**), disclosing the amount of additional compensation paid or to be paid and certifying that the fees requested do not exceed the maximum amounts in the guidelines; or

(ii) the attorney requests payment through plan distributions by filing a request for payment of an administrative expense substantially conforming to the local form (**Request for Payment of Administrative Expense: Compensation for Debtor's Attorney in Chapter 13 Case**), including a certification that the fees requested do not exceed the maximum amounts in the guidelines.

(B) Fees Exceeding Amounts in Guidelines. If the fees being requested exceed the amounts in the guidelines, or if the particular services are not addressed by the guidelines, an attorney whose initial fees were allowed by the plan confirmation order may request the allowance of additional compensation by filing and serving on the Trustee, the Office of the United States Trustee, and, unless Bankruptcy Rule 2002(h) applies, all creditors, an application substantially conforming to the

(A) Presumptive Fees. After notice and opportunity for comment, the court may adopt Chapter 13 Attorney Fee Guidelines that establish procedures and determine presumptively reasonable fee amounts ("presumptive fees") for typical and customary services performed by a debtor's attorney in a chapter 13 case.

(B) Adjustment of Dollar Amounts. The guidelines establishing presumptive fees shall be adjusted periodically in the same manner and at the same time as dollar amounts are adjusted under 11 U.S.C. § 104(a) (except that the adjusted dollar amounts will be rounded upward to the nearest \$50), beginning with the adjustment to take effect on April 1, 2025.

(4) Court Approval of Compensation. Unless fully earned and withdrawn from a client trust account prior to the filing of the petition, any funds paid to the attorney by or on behalf of the debtor for services in or in connection with the chapter 13 case must remain in a client trust account pending entry of a court order approving the compensation.

(5) Chapter 13 Case Converted from Another Chapter. In a case converted to chapter 13, the debtor's attorney's request for fees in the chapter 13 case must disclose and take into account any payments for preconversion services.

<p>local form (Application for Additional Fees in Chapter 13 Case; Notice of Hearing), attaching detailed billing records for the subject services, and arranging for a hearing in accordance with LBR 9013-1(c).</p> <p>(4) Payment of Compensation. Unless the court orders otherwise, a debtor's attorney in a chapter 13 case may accept postpetition payments for compensation only:</p> <p>(A) through plan distributions;</p> <p>(B) as provided in item (g)(3)(A)(i) of this rule; or</p> <p>(C) from funds deposited in a client trust account as authorized by a court order.</p>	
<p>LBR 2083-1. Chapter 13 - General</p>	<p>LBR 2083-1. Chapter 13 - General</p>
<p>(e) Trustee's Motions to Dismiss.</p> <p>(1) Motion to Dismiss for Lack of Feasibility. If the trustee determines from the proofs of claims actually filed that the confirmed plan is not feasible, i.e. there will be insufficient funds to pay in full all administrative expenses, secured claims, priority claims, and any claims placed in a special class for full payment, the trustee may file and serve on the debtor a motion to dismiss for lack of feasibility substantially conforming to the local form (Trustee's Motion to Dismiss for Lack of Feasibility; Notice of Deadline). The court may grant the motion to dismiss without further notice or hearing if within 28 days after the date of filing of the motion, the debtor fails to file an objection to a claim or a motion to modify the confirmed plan that would ensure feasibility, or if the debtor fails to prevail on such an objection to claim or motion to modify the confirmed plan.</p> <p>(2) Motion to Dismiss for Failure to Make Plan Payment or Other Cause.</p> <p>(A) Motion and Service. Unless these rules provide for a specific alternate procedure, the trustee may request an order dismissing a chapter 13 case by filing and serving on the debtor a motion and notice substantially conforming to the local form (Trustee's Motion to Dismiss Case; Notice of Hearing; Certificate of Service). The motion must be filed and served no later than 21 days before the hearing date.</p>	<p>(e) Trustee's Motions to Dismiss.</p> <p>(1) Notice of Motion. A motion to dismiss a case under Bankruptcy Rule 1307(c)-(e) requires a 28-day notice of a hearing to the debtor.</p> <p>(2) Requirement to Meet and Confer. If the debtor is represented by counsel, the debtor's attorney shall meet and confer remotely or in person with the trustee to resolve the issue prompting the motion to dismiss. Failure of the debtor's attorney to make a good faith effort to meet and confer at least 7 days before the hearing may be cause for sanctions. If the trustee files a declaration that the debtor's attorney failed to meet and confer, the court may reduce by \$250 any allowed attorney fees.</p> <p>(3) Conditional Relief. The ruling on a trustee's motion to dismiss may provide for a delay in entry of a dismissal order to allow the debtor to satisfy the deficiency for which the motion was filed, file a motion to modify the plan, or convert the case to another chapter. If the debtor is provided a deadline to file a motion for some other relief, such as plan modification, and the motion is timely filed and granted, the trustee's motion to dismiss will be deemed withdrawn. If the debtor's motion is denied, the clerk may enter an order granting the trustee's motion to dismiss without further notice or hearing.</p>

<p>(B) Conditional Relief. The trustee’s motion to dismiss may provide for dismissal of the case unless, within 21 days after the hearing on the motion or such other additional time agreeable to the trustee, the debtor satisfies the plan payment arrearage or other deficiency, or the debtor files a notice of conversion to a case under another chapter. If the debtor is provided a deadline to file a motion for some other relief, such as a plan modification, and the motion is filed timely and granted, the trustee’s motion to dismiss will be deemed withdrawn. If the debtor’s motion is denied, the clerk may enter an order dismissing the case without further notice or hearing.</p>	
<p>(f) Operation of a Business.</p> <p>(1) Requirement for Reports. Not later than 7 days before the meeting of creditors, the debtor must submit business reports to the trustee if requested by the trustee or if at least 2 of the following conditions exist:</p> <p>(A) the business employs 3 or more individuals;</p> <p>(B) the business earns monthly gross receipts exceeding \$10,000;</p> <p>(C) the business produces net receipts comprising 50% or more of the debtor’s income reported in schedule I.</p> <p>(2) Content of Reports. The business reports required under this rule must include:</p> <p>(A) a projection of average monthly income and expenses;</p> <p>(B) evidence of appropriate business insurance;</p> <p>(C) inventory of goods as well as a list of furniture and equipment as of the date of filing of the petition;</p> <p>(D) monthly income and expense statements for at least 6 months preceding the date of filing of the petition, including a statement regarding incurred and unpaid expenses, signed by the debtor under penalty of perjury; and</p> <p>(E) any additional financial information specified by the trustee.</p> <p>(3) Trustee's Duties. If business reports are not required under this rule, the trustee is not required to perform any additional duties under § 1302(c) with respect to the debtor's operation of a business.</p>	<p>(f) Operation of a Business.</p> <p>(1) Requirement for Reports. If the debtor is self-employed or operates a business, the trustee may require submission of a report that includes:</p> <p>(A) a projection of average monthly income and expenses;</p> <p>(B) evidence of appropriate business insurance;</p> <p>(C) inventory of goods as well as a list of furniture and equipment as of the date of filing of the petition;</p> <p>(D) monthly income and expense statements for at least 6 months preceding the date of filing of the petition, including a statement regarding incurred and unpaid expenses, signed by the debtor under penalty of perjury; and</p> <p>(E) any additional financial information specified by the trustee.</p> <p>(2) Trustee's Duties. If business reports are not required under this rule, the trustee is not required to perform any additional duties under § 1302(c) with respect to the debtor's operation of a business.</p>

LBR 3015-1. Chapter 13 Plan	LBR 3015-1. Chapter 13 Plan
<p>(h) Interest Rate Paid on Certain Claims.</p> <p>(1) Standard Interest Rate. Except for interest on tax claims and on administrative tax expenses governed by § 511, the clerk will set and publish a standard interest rate applicable to secured and other claims under a confirmed chapter 13 plan. The setting of a standard interest rate does not bar a debtor or creditor from proposing a different interest rate. The standard interest rate in effect at the later of the filing of the petition or the conversion of the case to one under chapter 13 will remain in effect for the duration of the plan.</p> <p>(2) Interest Rate Calculation.</p> <p>(A) For plans in cases commenced under or converted to chapter 13 between December 1 in one year and May 31 of the following year, the standard interest rate is the national prime rate of interest, as published in the Wall Street Journal on the first business day of that period, plus 1.5%.</p> <p>(B) For plans in cases commenced under or converted to chapter 13 between June 1 and November 30 of the same year, the standard interest rate is the national prime rate of interest, as published in the Wall Street Journal on the first business day of that period, plus 1.5%.</p>	<p>(h) Interest Rate Paid on Certain Claims.</p> <p>(1) Standard Interest Rate. The clerk will set and publish a standard interest rate applicable to plan distributions on secured claims governed by § 1325(a)(5)(B)(ii). This rate may be used to determine the present value of a secured claim to be paid in deferred payments over time unless a lower interest rate is specified in the proof of claim. This does not bar a debtor or creditor from proposing a different interest rate.</p> <p>(2) Interest Rate Calculation.</p> <p>The standard interest rate shall be set semiannually for the periods beginning January 1 and July 1 for cases commenced or converted to chapter 13 in those periods. The standard interest rate shall be the national prime rate of interest published in the Wall Street Journal on the first business day of those periods, plus 1.5%. This rate shall apply in cases commenced under or converted to chapter 13 during those respective periods and will remain in effect for the duration of the plan.</p>
LBR 3070-2. Chapter 13 - Distributions	LBR 3070-2. Chapter 13 - Distributions
<p>(d) Debtor's Duty to Examine and Object to Claims. Upon the expiration of the claims bar date for non-governmental creditors, the debtor is responsible for reviewing all claims and filing an objection to any claim with which the debtor disagrees, and which has not yet been determined by the court.</p>	<p><i>Current subdivision (d) abrogated. Successive subdivisions reordered.</i></p>
<p>(e) Trustee's Notice of Filed Claims and Intent to Make Distributions. The trustee must file and serve on the debtor a notice of claims filed and intent to make distributions. The notice must list the claims filed and advise that distributions under the plan will be made according to</p>	<p>(d) Trustee's Notice of Claims Filed. The trustee must file and serve on the debtor a notice of claims filed. The trustee shall give notice that distributions on these claims are being made as noted on the list according to the provisions of the confirmed plan unless an objection</p>

<p>the classification and amount of claims as filed, unless the court already has decided the value of collateral securing a debt, avoided a lien, or otherwise disallowed or modified a claim by specific order. The notice may state that the actual distributions will be subject to changes including, but not limited to, determinations of objections to claims, amended claims, stipulations allowing untimely claims, and awards of attorney compensation. The trustee shall serve the notice of claims filed and intent to make distributions by the later of:</p> <p>(1) 28 days after the latest claims deadline stated in Bankruptcy Rule 3002(c), and</p> <p>(2) 60 days after the entry of the plan confirmation order.</p>	<p>to a claim is filed or the court orders otherwise. The trustee shall serve the notice of claims filed by the later of (i) 28 days after the latest claims deadline stated in Bankruptcy Rule 3002(c), and (ii) 60 days after the entry of the plan confirmation order.</p>
<p>(h) Distribution on Disputed Claim. To suspend distribution on a disputed claim, the debtor must file and serve an objection to claim on the claimant not later than 28 days after the filing of the trustee's notice of filed claims and intent to make distributions. The objection must comply with procedures stated elsewhere in these rules. Pending a determination of an objection, the trustee shall cease making a distribution on the disputed claim. If the objection is overruled, at the request of the claimant or the trustee, the court may make provision for payment of any dividends not paid while the objection was pending. Nothing in these rules prevents the debtor, the trustee, or other party in interest from objecting to a claim after the deadline specified in this paragraph. However, unless the court orders otherwise, an objection that is untimely under this subdivision and that is sustained shall not result in a refund of amounts already paid on the disputed claim.</p>	<p>(i) Distribution on Disputed Claim. To suspend distribution on a disputed claim, the debtor must file and serve an objection to claim on the claimant not later than 28 days after the filing of the trustee's notice of claims filed. The objection must comply with procedures stated elsewhere in these rules. Pending a determination of an objection, the trustee shall cease making a distribution on the disputed claim. If the objection is overruled, at the request of the claimant or the trustee, the court may make provision for payment of any dividends not paid while the objection was pending. Nothing in these rules prevents the debtor, the trustee, or other party in interest from objecting to a claim after the deadline specified in this paragraph. However, unless the court orders otherwise, an objection that is untimely under this subdivision and that is sustained shall not result in a refund of amounts already paid on the disputed claim.</p>
<p>(j) Payment of Debtor's Attorney Fees.</p> <p>(1) In General. It is the attorney's responsibility to determine whether the funds distributed must be placed in the attorney's client trust account or may be placed in the attorney's operating account. Unless the court orders otherwise, the following provisions govern distribution amounts for payment of attorney fees. "Unpaid Compensation" means any unpaid compensation or reimbursement that has been allowed by a court order, less any funds held in a client</p>	<p>(i) Payment of Debtor's Attorney Fees.</p> <p>(1) In General.</p> <p>(A) Duty to Hold Funds in Client Trust Account Until Earned. In compliance with applicable nonbankruptcy law and rules, a debtor's attorney must deposit in a client trust account any payments made by or on behalf of the debtor. Before the petition is filed, an attorney may transfer any fees earned by that date from the trust account to the</p>

trust account for the debtor, as of the date that the trustee calculates the relevant distribution. "Available Funds" means all funds received by the trustee as payments under the confirmed plan in a case that have cleared as of the date that the trustee calculates the monthly distribution amounts.

(2) Compensation Allowed Under Chapter 13 Attorney Fee Guidelines.

(A) Prior to Confirmation. If the debtor's attorney seeks compensation under the Chapter 13 Attorney Fee Guidelines ("Fee Guidelines"), the trustee shall not make any distribution to the debtor's attorney until the court enters the plan confirmation order.

(B) Initial Distribution. At the time of the trustee's first monthly distribution after entry of the confirmation order, the trustee shall disburse to the attorney an amount equal to the lesser of (i) the Unpaid Compensation and (ii) 50% of all Available Funds.

(C) Subsequent Distributions. At the time of each subsequent distribution, the trustee shall disburse to the debtor's attorney an amount equal to the lesser of (i) the Unpaid Compensation, and (ii) 50% of the Available Funds. After the trustee has fully paid all claims with statutory priority over general unsecured claims, the trustee shall disburse to the debtor's attorney the full amount of all subsequent distributions until the Unpaid Compensation is paid in full.

(3) Compensation Allowed by Application and Order Under LBR 2016-

1(a). For compensation that is or will be allowed upon entry of an order on an application made under LBR 2016-1(a), the trustee shall reserve 50% (or such other amount as the court orders) of the total plan payments received from the debtor prior to the entry of the confirmation order ("50% reserve"). If the debtor's attorney fails to file an application for compensation and reimbursement of expenses within 60 days after the date of entry of the confirmation order or if the court orders otherwise, the trustee shall distribute the 50% reserve to creditors according to the plan. If the debtor's attorney files a timely application, the trustee will continue holding the 50% reserve pending a determination of the application. Upon the entry of an order allowing attorney fees and expenses, the trustee shall pay the attorney the 50% reserve if so entitled and shall distribute to the attorney, until the fees

attorney's operating account. An attorney may not make any such transfers after the petition date without court approval.

(B) "Unpaid Compensation" means any unpaid compensation or reimbursement that has been allowed by a court order, less any funds held in a client trust account for the debtor, as of the date that the trustee calculates the relevant distribution.

(C) "Available Funds" means all funds received by the trustee as payments under the confirmed plan that have cleared as of the date that the trustee calculates the monthly distribution amounts.

(2) Prior to Plan Confirmation.

(A) No Distribution for Unpaid Compensation Before Plan

Confirmation. Unless the court orders otherwise, the trustee shall make no distribution from Available Funds for unpaid compensation prior to entry of a plan confirmation order, whether allowed as presumptive fees under the Chapter 13 Attorney Fee Guidelines or on a standard fee application under Rule 2016-1(a).

(B) Payment of Presumptive Fees in Cases Dismissed or Converted Before Confirmation. In a case that is dismissed or converted prior to confirmation in which the debtor's attorney has opted for presumptive fees under the Chapter 13 Attorney Fee Guidelines, the attorney may seek a distribution from plan payments held by the trustee or in the attorney's client trust account by filing, not later than 14 days after the dismissal or conversion, a fee application supported by time records. In accordance with § 1326(a)(2), the trustee is authorized to retain sufficient funds to pay a potential fee application as an administrative expense under § 503(b) before refunding funds to the debtor.

(3) After Plan Confirmation.

(A) Initial Distribution. Unless the confirmed plan provides otherwise, the initial distribution for Unpaid Compensation shall be paid from Available Funds before each payment to creditors under the plan.

(B) Distributions for Additional Fee Awards. Unless the court orders otherwise and to the extent there are Available Funds, awards for additional fees during the case shall be paid monthly in an amount specified in the fee application at the same time of each payment to holders of secured claims. If the attorney holds funds on deposit in the client trust account, the attorney may pay its fees from these funds

and expenses are paid in full, the lesser of 50% of each monthly plan payment after confirmation or \$450 per month of each plan payment after confirmation. For additional fees allowed after the initial application, the trustee shall disburse monthly to the attorney the lesser of 50% or \$450 of each monthly plan payment, commencing with the first distribution period after the entry of the order allowing the additional compensation.

(4) Payment of Attorney Fees in Cases Dismissed or Converted Before Confirmation. In a case that is dismissed or converted prior to confirmation, debtor's counsel may seek a distribution from plan payments held by the trustee or in the attorney's client trust account by filing, not later than 14 days after the dismissal or conversion, a fee application supported by time records. The trustee is authorized to retain sufficient funds to pay a pending fee application before refunding funds to the debtor.

with court approval. If there are no allowed secured claims, the fee award shall be paid in full before any payment to other creditors.

(4) Upon Completion of Plan. If the debtor has completed payments under the plan and there are no Available Funds to distribute for any unpaid compensation, the trustee shall file a final report and account in due course.

(5) Form of Request for Payment. A request for payment of compensation as an administrative expense shall be made by filing in the claims register a request substantially conforming to the local form **(Request for Payment of Administrative Expense: Compensation for Debtor's Attorney in Chapter 13 Case)**. The request must attach a copy of the order allowing the compensation if the fee award was made on a standard fee application.

<i>None</i>	[NEW] LBR 7017-1. Trial and Post-Trial Briefs
	<p>(a) Format. Trial and post-trial briefs shall comply with the format requirements of LBR 9004-1.</p> <p>(b) Length. In computing the length limit, headings, footnotes, and quotations count toward the word limit of a brief, but the following items do not: case caption, table of contents, table of authorities, exhibits, declarations, certificates of counsel, signatures, and certificate of service. Only the pertinent portions on exhibits should be attached to a brief.</p> <p>(1) Principal Brief. A party's principal brief must not exceed 30 pages. The length of a principal brief is acceptable if it contains a certificate that it contains no more than 13,000 words, or no more than 1,300 lines of text.</p> <p>(2) Reply Brief. A party's reply brief must not exceed 15 pages. The length of a reply brief is acceptable if it contains a certificate that it contains no more than half the word or line limit specified in paragraph (1) of this rule.</p> <p>(3) Table of Contents; Table of Authorities. Briefs exceeding 10 pages must include a table of contents and a table of authorities cited.</p>