

<p><b>LBR 2014-1. Employment of Professional Persons</b></p> <p>A request for an order of employment may be made by filing an application substantially conforming to the local form (<b>Application to Employ Professional</b>). The applicant shall either (a) submit a proposed order bearing the approval of the Office of the United States Trustee, (b) arrange for the Office of the United States Trustee to notify chambers that the Office of the United States Trustee does not object to the application, in which case the court may enter a text order granting the application, or (c) if there is an objection to the application, obtain a hearing date from the courtroom deputy and give notice of the hearing.</p>	<p><b>LBR 2014-1. Employment of Professional Persons</b></p> <p><b>(a) Employment by Trustee or Chapter 11 Debtor in Possession.</b> A request for an order of employment may be made by filing an application substantially conforming to the local form (<b>Application to Employ Professional</b>). The applicant shall either (i) submit a proposed order bearing the approval of the Office of the United States Trustee, (ii) arrange for the Office of the United States Trustee to notify chambers that the Office of the United States Trustee does not object to the application, in which case the court may enter a text order granting the application, or (iii) if there is an objection to the application, obtain a hearing date from the courtroom deputy and give notice of the hearing.</p> <p><b>(b) Employment by Debtor.</b> A debtor in a case under chapter 7, 12, or 13 may employ an attorney or other professional without court approval. However, an attorney representing the debtor in a case or in connection with a case is subject to § 329 and must file a disclosure of any compensation as required by that provision. In addition, a fee application for court approval is required for any postpetition payment of compensation in chapter 12 or 13.</p>
	<p><b>LBR 2083-2. Chapter 13 – Motions to Approve Sale of Real Property</b></p>
	<p><b>(a) Motion.</b> A chapter 13 debtor may request an order approving a sale of real property by filing a motion that substantially conforms to the local form (Chapter 13 Debtor’s Motion to Approve Sale of Real Property). The motion must attach the following:</p> <ul style="list-style-type: none"> <li><b>(1)</b> Purchase contract and related documents (counter-offer, addenda, etc.);</li> <li><b>(2)</b> Preliminary title report; and</li> <li><b>(3)</b> Estimated seller’s settlement statement.</li> </ul> <p><b>(b) Service.</b> The motion must be served on the trustee, all holders of a lien against the subject property, and any other party with an interest in the property being sold.</p> <p><b>(c) Notice of Hearing.</b> Notice of a hearing on the motion shall be given to the trustee, lienholders, and other creditors and parties in interest not less than 28 days in advance of the hearing. The notice must</p>

substantially conform to the local form (Notice of Hearing on Chapter 13 Debtor's Motion to Approve Sale of Real Property) and summarize the sale details including disposition of the sale proceeds.

**(d) Deadline to Object.** Any objection to the sale shall be timely if filed not less than 7 days before the hearing. Absent a timely objection, the debtor may file the local form (Declaration and Request for Entry of an Order).

**(e) Order**

**(1) Form Order.** If the motion is granted or if there is no timely objection, the movant shall upload in the court's eOrders module a proposed order that substantially conforms to the local form (Order Granting Chapter 13 Debtor's Motion to Approve Sale of Real Property).

**(2) Effect of Order Approving Sale.** Upon entry of an order approving the sale, the trustee shall suspend plan distributions ("suspended distributions") to any lienholder identified in the order whose lien is being paid in full until the earlier of (i) 90 days, or a later date with the trustee's consent, after entry of the order or (ii) the filing of a notice of cancellation of the sale.

**(f) Closing of Sale**

**(1) Report of Sale.** Within 14 days after the closing of the sale, the debtor must file a report of sale that attaches the final settlement statement. If the report of sale indicates that a lienholder's claim has been paid in full, the trustee shall make no further distributions on that claim whether or not the lienholder files a notice of satisfaction of claim. Any suspended distributions will be paid on other claims.

**(2) Cancellation.** If the sale does not close, the debtor must promptly file a notice that substantially conforms to the local form (Notice of Cancellation of Sale). Upon the filing of a notice of cancellation, the trustee shall resume plan distributions on claims by lienholders, including suspended distributions that accrued during the suspension period.

LBR 5081-1. Fees – Form of Payment	LBR 5081-1. Fees – Form of Payment
<p><b>(a) Form of Payment.</b> The following methods of payment must be used to pay the fees required under 28 U.S.C. § 1930 and the Appendix to 28 U.S.C. § 1930 (Bankruptcy Court Miscellaneous Fee Schedule): <b>(1)</b> cash (exact amount may be required); <b>(2)</b> cashier's check; <b>(3)</b> certified check; <b>(4)</b> money order; <b>(5)</b> if the payor is an attorney admitted to practice in the District of Hawaii, a check imprinted with the name of the attorney's law firm or a client trust account; or <b>(6)</b> credit or debit card if the payment is made in connection with filing a document electronically by a registered CM/ECF user.</p> <p><b>(b) Rejection for Unacceptable Form of Payment.</b> When a statutory fee is required for the filing of a document, the clerk may reject the submission of any document that is not accompanied by payment in an acceptable form under this rule.</p>	<p><b>(a) Form of Payment.</b> Cash is not accepted for payment of fees required under 28 U.S.C. § 1930 and the Appendix to 28 U.S.C. § 1930 (Bankruptcy Court Miscellaneous Fee Schedule). The following methods of payment are accepted. <b>(1)</b> cashier's or certified check; <b>(2)</b> money order; <b>(3)</b> if using Pay.gov, the federal government's online bill payment system: debit card, ACH (electronic payment from a bank account), or PayPal; <b>(4)</b> if the payor is an attorney admitted to practice in the District of Hawaii, a check imprinted with the name of the attorney's law firm or a client trust account; or <b>(5)</b> credit card if the payment is made in connection with filing a document online by a registered CM/ECF user.</p>
LBR 5005-4. Electronic Filing	LBR 5005-4. Electronic Filing
<p><b>(a) Scope of Electronic Filing.</b> Documents may be filed, signed, verified and served by electronic means, in accordance with procedures promulgated by the court. Except as prescribed by local rule, order, or other procedure, the court has assigned all cases and proceedings to the CM/ECF system. Unless otherwise expressly provided in these rules or in exceptional circumstances preventing a filer from filing electronically, all documents required to be filed with the court in connection with a case or proceeding must be electronically filed.</p> <p><b>(b) CM/ECF Eligibility, Registration, Passwords.</b></p> <p><b>(1) Eligibility.</b> An individual entitled to file documents with the court electronically is referred to as an ECF User. All attorneys permitted to practice before the federal courts in the District of Hawaii are eligible to be ECF Users. The clerk may authorize other individuals to be ECF Users with full or limited participation in the CM/ECF system, including an unrepresented individual.</p> <p><b>(2) Registration.</b> An individual eligible to be an ECF User must complete a registration form substantially conforming to the applicable local form <b>(CM/ECF</b></p>	<p><b>(a) Scope of Electronic Filing.</b> Documents may be filed, signed, verified and served by electronic means, in accordance with procedures promulgated by the court. Except as prescribed by local rule, order, or other procedure, the court has assigned all cases and proceedings to the CM/ECF system. Unless otherwise expressly provided in these rules or in exceptional circumstances preventing a filer from filing electronically, all documents required to be filed with the court in connection with a case or proceeding must be electronically filed. Documents and audio files may be accessed online in the federal judiciary's PACER system.</p> <p><b>(b) CM/ECF Eligibility, Registration, Passwords.</b></p> <p><b>(1) Eligibility.</b> An individual entitled to file documents with the court electronically is referred to as an ECF User. All attorneys permitted to practice before the federal courts in the District of Hawaii are eligible to be ECF Users. The clerk may authorize other individuals to be ECF Users with full or limited participation in the CM/ECF system, including an unrepresented individual.</p>

**Registration Forms**). Signing the registration form may constitute consent in writing to receive service and notice by electronic means to the full extent permitted under the Federal Rules of Bankruptcy Procedure, and a waiver of the right to receive service and notice on paper. An ECF User may withdraw from participation in the CM/ECF system in accordance with procedures prescribed by the clerk.

**(3) Login and Passwords.** Upon the acceptance of an individual's registration request, the clerk will issue a login and password to the ECF User. The password may be changed by the ECF User after the initial access to the system. Use of the ECF User's login and password constitutes the signature of that individual, as provided further in this rule.

**(4) Filing Agents.** An individual authorized by an ECF User to electronically file documents in the name of the ECF User is referred to as a Filing Agent. The clerk may require that an individual who files on behalf of an ECF User be formally designated as a Filing Agent. Upon acceptance of a registration form authorizing an individual to be a Filing Agent, the clerk will issue to the individual a login and password associated with the ECF User's main account. The ECF User's signed acknowledgement on the Filing Agent's registration form conclusively establishes the agency relationship between them. Use of the Filing Agent's login and password has the same effect as use of the ECF User's login and password. The ECF User has the ability to remove a Filing Agent from the main account. If the agency relationship is terminated, the ECF User as soon as practicable must remove the Filing Agent from the main account or notify the clerk to deactivate the Filing Agent's login and password in order to prevent any unauthorized filing.

**(2) Registration.** An individual eligible to be an ECF User must request electronic filing privileges through the individual's PACER account. The request will constitute consent to receive service and notice by electronic means to the full extent permitted under the Federal Rules of Bankruptcy Procedure, and a waiver of the right to receive service and notice on paper. An ECF User may withdraw from participation in the CM/ECF system in accordance with procedures prescribed by the clerk.

**(3) Login and Passwords.** Use of the ECF User's PACER login and password constitutes the signature of that individual, as provided further in this rule.

**(4) Filing Agents.** An individual authorized by an ECF User to electronically file documents in the name of the ECF User is referred to as a Filing Agent. The clerk may require that an individual who files on behalf of an ECF User be formally designated as a Filing Agent. Use of the Filing Agent's PACER login and password has the same effect as use of the ECF User's login and password. The ECF User can remove a Filing Agent from the main account. If the agency relationship is terminated, the ECF User as soon as practicable must remove the Filing Agent from the main account or notify the clerk to deactivate the Filing Agent's login and password to prevent any unauthorized filing.

**(5) Pro Se Filers.** An individual in an existing bankruptcy case or proceeding who is not represented by an attorney may request limited electronic filing privileges in accordance with procedures prescribed by the clerk. Authorization will be limited to a specific existing case and access will be terminated when the case or proceeding is closed. By submitting the request, the individual is consenting to service of documents via the notices of electronic filing sent through the court's CM/ECF system.

LBR 7054-1. Adversary Proceedings – Taxation of Costs	LBR 7054-1. Adversary Proceedings – Taxation of Costs
<p><b>(a) Entitlement.</b></p> <p><b>(1) In General.</b> If the judgment in an adversary proceeding provides for the allowance of costs, the prevailing party may seek a taxation of costs, other than attorney fees, by filing with the court a proposed bill of costs. A request to allow attorney fees may be considered under LBR 7054-2.</p> <p><b>(2) Settlement of Adversary Proceeding.</b> The court will not determine entitlement to or the amount of costs in an adversary proceeding terminated by settlement. Unless the parties agree otherwise, the parties to a settlement will bear their own costs.</p> <p><b>(b) Proposed Bill of Costs.</b> The prevailing party may request a taxation of costs by filing and serving upon all other parties to the adversary proceeding: <b>(1)</b> an itemization of costs in a proposed bill of costs substantially conforming to the procedural form (<b>Bill of Costs [Form 2630]</b>); <b>(2)</b> a memorandum setting forth the grounds and authorities supporting the request; <b>(3)</b> a declaration that the costs were actually and necessarily incurred, together with copies of any invoices, receipts, or other documents as evidence of the costs; <b>(4)</b> a declaration describing the prevailing party's efforts to resolve any disputes about the claimed costs; and <b>(5)</b> a notice of the deadline to file an objection under subdivision (d) of this rule.</p> <p><b>(c) Time for Filing.</b> Unless the court orders otherwise, a proposed bill of costs together with the supporting documents must be filed and served not later than the time for filing a notice of appeal under Bankruptcy Rule 8002. The failure to file a timely bill of costs is deemed a waiver of costs.</p> <p><b>(d) Objections.</b> An objection to a bill of costs must be specific and set forth the grounds and authorities for each cost item being disputed. The objection must be filed within 14 days after the date of filing of the proposed bill of costs. A timely filed objection will be referred to the court for determination.</p> <p><b>(e) Taxation.</b> Absent a timely objection, the clerk may sign and enter on the docket the bill of costs as</p>	<p>A party may seek a taxation of costs, other than attorney fees, by filing a proposed bill of costs that substantially conforms to Form 2360 – Bill of Costs. The other provisions of LR54.1 apply.</p>

<p>proposed by the prevailing party, subject to review under Bankruptcy Rule 7054(b).</p>	
<p><b>LBR 7054-2. Adversary Proceedings and Contested Matters – Attorney Fees</b></p>	<p><b>LBR 7054-2. Adversary Proceedings and Contested Matters – Attorney Fees</b></p>
<p><b>(a) Entitlement.</b> If a judgment or order in an adversary proceeding or contested matter provides for an award of attorney's fees, the prevailing party may file a motion for an order awarding attorney's fees and related non-taxable expenses.</p> <p><b>(b) Applicability of Local Rule 54.2 of the District Court.</b> Unless the court orders otherwise and to the extent practicable, LR 54.2 - Motion for Attorneys' Fees and Related Non-Taxable Expenses applies, except that:</p> <p><b>(1)</b> The motion and supporting documents must be filed and served on all other parties not later than the time for filing a notice of appeal under Bankruptcy Rule 8002;</p> <p><b>(2)</b> LBR 9013-1(c) governs the time periods for scheduling a hearing on the motion and filing responses and reply memoranda; and</p> <p><b>(3)</b> LR54.2(i) does not apply.</p>	<p><b>(a) Entitlement.</b> A party seeking an award of attorney's fees must file a motion for an order awarding attorney's fees and related non-taxable expenses.</p> <p><b>(b) Applicability of Local Rule 54.2 of the District Court.</b> Unless the court orders otherwise, LR 54.2 - Motion for Attorneys' Fees and Related Non-Taxable Expenses applies, except that (i) LR54.2(i) does not apply and (ii) LBR 9013-1(c) governs the time periods for scheduling a hearing on the motion and filing responses and reply memoranda.</p>
<p><b>LBR 9074-1. Telephonic and Video Conference Appearances</b></p>	<p><b>LBR 9074-1. Remote Appearances</b></p>
<p><b>(a) In General.</b> The court may permit any party in interest to participate in any hearing by telephone or video conference. Arrangements must be made by contacting the courtroom deputy not less than 7 days before the hearing. Detailed information will be provided at the time the arrangements are made.</p> <p><b>(b) Testimony Not Allowed.</b> Unless the court orders otherwise, no testimony may be presented by telephone or video conference.</p>	<p><b>(a) Trials and Evidentiary Hearings.</b> Unless the court orders otherwise, participants (counsel, parties, and witnesses) shall appear in person in the courtroom. However, the court will consider remote audio or video participation for individuals not physically located on the Island of Oahu or for other good cause. Requests for remote participation must be filed no later than 28 days before the trial or hearing and include a statement that the individual has the technical means to participate remotely and will be available for a pretrial test of the connection. Objections to an individual's remote participation must be filed within 7 days after the request is filed. Remote access (audio or video) to any proceedings involving witness testimony is limited to the parties. Remote connection information will be provided only to the participants.</p> <p><b>(b) Non-Evidentiary Hearings.</b> Unless the court directs otherwise, parties and their counsel in proceedings without live testimony have the option</p>

	<p>to appear in person in the courtroom or to participate via a remote audio connection. No court approval is required. Public audio access is permitted in all matters without live testimony unless the court directs otherwise. Remote connection information shall be posted on the court website and shall be provided in any notice of the hearing.</p>
--	---