

RULE 2084-1. SCOPE – CHAPTER 13 RULES

Local Rules 2084-1 through 2084-26 govern chapter 13 practice in cases filed after October 16, 2005.

RULE 2084-2. FILING REQUIREMENTS

(a) **Application to Pay Fee in Installments.** If the debtor is not paying the entire fee with the petition, the debtor shall file with the petition an application for payment of the filing fee in installments.

(b) **Statement of Financial Affairs and Operating Reports.** If the debtor is self employed or engaged in business, the debtor also shall:

(1) Complete the portion of the Statement of Financial Affairs for a debtor who is self employed or engaged in business; and

(2) File a monthly operating statement for the month in which the debtor filed the petition and ongoing monthly operating reports for the self employment or business. The case trustee may designate the form of the operating statement the debtor must use.

(c) **Dismissal for Failure to File Documents.** If a debtor files a petition without the documents required by Bankruptcy Code § 521, the federal or local rules of bankruptcy procedure and, when applicable, paragraph (b), the debtor shall file the missing documents within the time periods specified in the federal, interim or local bankruptcy rules of procedure or, if cause exists, file a motion within that time to obtain an order extending the time to file the documents. Rarely will the court grant an extension of time of more than 25 days after the petition date to file the statement of financial affairs, schedules, original plan, attorney's disclosure of compensation, the documents required by Bankruptcy Code § 521 or paragraph (b), or a certificate of service of the plan. If a debtor timely fails to file the documents, then the court may dismiss the case without further notice or a hearing, the case trustee may upload a dismissal order, or a party in interest may file a motion to dismiss the case.

RULE 2084-3. ATTORNEY FEES

(a) **Plan Application for Payment.** Unless the attorney files or will file a separate fee application, a chapter 13 plan (original, amended, modified) or a motion for a moratorium (collectively the "plan") shall contain an application for payment of compensation for services rendered or to be rendered by the attorney representing the debtor. The plan shall include in its title "Application for Payment of Administrative Expenses" or similar language.

(b) Amount Sought and Services Provided. Any application in the plan for payment of attorney fees separately shall disclose the amount of compensation sought, whether the compensation is a flat, hourly or a contingent fee, and is to include a comprehensive statement of the legal services provided and to be provided. The application also may include a list of flat fee services which may be performed by debtor's counsel post-confirmation where additional compensation is sought. The application must state the amount of the flat fee and specify what service is to be rendered for the debtor. The application need not state the actual time expended or to be expended, but shall provide generally the services performed, promised or contemplated.

(c) Payment Upon Dismissal. When the court dismisses the case before confirming a plan, and the deadline for creditor and case trustee objections have passed, the dismissal order may include approval of the attorney fees or debtor's counsel may upload an order approving the fees.

(d) Attorney Disclosure. The fees sought in the plan must be consistent in amount and description with the attorney's Rule 2016(b) disclosure statement. The disclosure statement shall have a comprehensive narrative explanation of the services rendered or to be rendered, and the expenses incurred and to be incurred.

(e) Additional Fees. Absent disclosure of additional attorney fees post-confirmation in the debtor's plan as specified in paragraph (b), or except for payment for fees without obtaining a court order authorizing the fees and specifically permitting direct payment of those fees, the debtor's attorney must file an amended Rule 2016(b) statement within 15 days of receipt of any additional funds paid post-petition.

(f) Separate Application. Nothing in this Local Rule prohibits a debtor's attorney from filing a separate fee application or the court from ordering the attorney to file a separate fee application pursuant to Rule 2016(a).

RULE 2084-4. PLAN

(a) Plan Requirements. In addition to the requirements of Bankruptcy Code § 1322(a), a plan shall have:

(1) The debtor's estimate of the value of each secured claim, the method of determining the value, (examples such as Kelley Blue Book, appraisal, or debtor opinion) and the amount to be paid on each secured claim;

(2) The interest rate to be paid on each mortgage arrearage or other secured claim;

(3) A statement that the debtor has filed all tax returns or which returns are unfiled;

(4) The signatures of the debtor and debtor's attorney, in the form allowed or required by the ECF interim operating order; and

(5) A Local Form 13-2 plan analysis.

(b) Amended Plan. Other than the original plan, a plan filed before entry of an order of confirmation of a plan shall be entitled "Amended Plan." In an amended plan, a debtor needs only to include those terms and conditions that differ from the original plan.

(c) Modified Plan. A plan filed after entry of an order of confirmation of a plan shall be titled as a "Modified Plan." In a modified plan, a debtor needs only to include those terms or conditions that differ from the plan confirmed by the court and the order confirming plan.

RULE 2084-5. TAX RETURNS

Unless the court grants a motion for an extension of time, if a debtor fails to comply with Bankruptcy Code § 521(e) or (f), or § 1308(a), the case trustee may upload a dismissal order and the court may summarily dismiss the case, or the case trustee may file a motion to dismiss. If the debtor elects to provide a transcript in lieu of a return, the debtor shall provide a "Tax Return Transcript" that includes a line item summary with substantially similar information as provided on the tax return. A simple account transcript that summarizes the financial status of the account, date of filing, assessments, and so forth, is not substantially similar to a tax return and fails to meet the requirements of Bankruptcy Code § 521(e) or (f).

RULE 2084-6. ADEQUATE PROTECTION PAYMENTS

(a) Plan Proposal. A plan shall propose monthly adequate protection payments to creditors secured by depreciating personal property to be included in the plan payments, beginning with month one. Unless the court orders otherwise, the debtor shall not make adequate protection payments directly to any creditor or reduce the amount of the plan payments made to the case trustee for any amount attributable to the adequate protection payments.

(b) Trustee Payment. The case trustee is authorized to make pre-confirmation adequate protection payments to one or more secured creditors if:

(1) The plan provides for payment of the adequate protection payments;

(2) The debtor's Schedule D discloses the debt and describes the collateral;

(3) The creditor has filed a secured proof of claim, with documentation evidencing a perfected security interest, that asserts a purchase money security interest in the personal property;

(4) The debtor or creditor sends a letter to the case trustee requesting payment of pre-confirmation adequate protection payments set forth in the plan along with a copy of the secured proof of claim; and

(5) The collateral is depreciating and the amount of the adequate protection payments approximates the depreciation, which for motor vehicles is generally in the range of 1% of the value of the vehicle per month.

(c) Payment Without Prejudice. Payment of pre-confirmation adequate protection payments is without prejudice to the secured creditor's right to object to the plan, or seek a determination as to the value of the secured claim or amount necessary to provide adequate protection.

(d) Timing of Payments. The case trustee is entitled to take the percentage fee from all adequate protection payments received or collected. To the extent the case trustee has funds on hand, the case trustee shall begin making pre-confirmation adequate protection payments if the case trustee receives the letter requesting pre-confirmation more than ten business days before the case trustee's scheduled monthly distribution; otherwise the case trustee will distribute adequate protection payments beginning with the next month's distribution. If the debtor has paid an insufficient amount of money to pay adequate protection payments in full, the case trustee shall pay the creditors in pro rata amounts.

(e) Payment on Confirmation or Dismissal. If the case trustee has not made pre-confirmation adequate protection payments, the case trustee shall promptly disburse the adequate protection payments after the court confirms the plan. If the court dismisses the case before confirmation of a plan, the case trustee will pay the creditor any adequate protection payments due and owing from funds received by the case trustee under Bankruptcy Code § 1326(a)(1)(A), less the statutory case trustee's fee, then allowed administrative expenses. If the case trustee is required to pay adequate protection payments to more than one creditor but the case trustee has an insufficient amount of money to pay them in full, the case trustee shall pay the creditors in pro rata amounts.

RULE 2084-7. [RESERVED]

RULE 2084-8. SERVING THE PLAN OR MOTION FOR MORATORIUM

(a) Debtor Service of Plan. The debtor shall serve on creditors, as required by Bankruptcy Code § 342 and Rules 7004 and 9014, the plan (original, amended, modified) and plan analysis, or any motion for a moratorium, and a notice containing the appropriate deadlines set forth below. A debtor must serve a motion for a moratorium in the same manner as a plan.

(b) **Service of Amended and Modified Plans.** A debtor needs only to serve nonmaterial changes in an amended or a modified plan on the case trustee and those creditors affected by the changes. To be regarded as nonmaterial, the modification must not delay or reduce the dividend to be paid on any claim or otherwise modify the claim of affected creditor's consent. A material modification is considered a plan amendment or modification and must be noticed accordingly.

(c) **Notice.** The notice served with a plan or motion for a moratorium must be in a form that provides the information required by this Local Rule. Noticing out the plan or a motion for a moratorium without the notice is insufficient.

(d) **Service by Unrepresented Debtor.** If the debtor is unrepresented by counsel, the debtor is required to timely notice any plan or motion through the case trustee. The case trustee will direct how the debtor is to do the noticing and will select, with the approval of the United States trustee, the mailing/copying service used by the debtor. The debtor shall pay the cost of this noticing.

(e) **Time for Service.** Unless the court for cause orders otherwise, a debtor must accomplish service as follows:

(1) For the original plan, the debtor must serve it within five business days of filing it or within 25 days after the petition date, whichever is earlier.

(2) For an amended plan or pre-confirmation motion for a moratorium, the debtor must serve it within five business days after filing it.

(3) For a modified plan or post-confirmation motion for a moratorium, the debtor must serve it within five business days of filing it.

(f) **Continuance of Meeting of Creditors.** If the debtor fails timely and properly to serve the original plan, within 25 days of the petition date, the case trustee, in the case trustee's discretion, may continue the meeting of creditors for a sufficient period for the debtor to notice out the plan and for creditors to receive at least 25 days of notice. The debtor shall contact the case trustee for the date and time of the continued meeting of creditors. Using an updated master mailing list, the debtor shall notice out the continued meeting to all parties entitled to notice and file a certificate of service within three business days after receiving the continued date and time from the case trustee. Also, within the same period, the debtor shall notice out the plan and the notice containing the deadline for creditor objections. If the debtor is pro se, the noticing of the plan and continued meeting of creditors may be combined. The new deadline for creditor objections shall be 10 calendar days after the date of the continued meeting of creditors or 25 days after service, whichever is later. If the court dismisses the debtor's case before the debtor attends a meeting of creditors and then reinstates the case, the debtor shall notice or re-notice out the plan to creditors and file a certificate of service within three business days of receipt of the rescheduled meeting of creditors. The deadline for

creditor objections shall be 10 days after the date of the meeting of creditors or 25 days after service, whichever is later.

(g) Certificate of Service. After the debtor serves any plan, motion for a moratorium, continued meeting of creditors, or reinstatement order, the debtor shall file a certificate of service within five business days. The certificate of service may be incorporated into the notice. The debtor shall attach a copy of the document being noticed, the mailing list used, and the notice mailed to the certificate of service. Instead of attaching the document noticed the certificate and docket entry may contain the appropriate reference to the ECF docket number. The debtor must use a master mailing list downloaded from the court within five business days before the noticing. The mailing list attached to the certificate of service must contain the PACER/ECF information.

(h) Dismissal for Failure to Serve. If the debtor fails timely to file and properly serve any plan or motion for a moratorium, or timely file a certificate of service, the case trustee may upload, and if uploaded shall serve, a proposed dismissal order and, after 10 days, the court may dismiss the case without further notice or a hearing.

RULE 2084-9. CREDITOR OBJECTION TO PLAN OR MOTION FOR A MORATORIUM

(a) Time for Filing Creditor Objection.

(1) For an original or amended plan, or pre-confirmation motion for a moratorium, the deadline for a creditor to file an objection to confirmation is 10 calendar days after the date set for the meeting of creditors or 25 days after service, whichever is later.

(2) For a modified plan or post-confirmation motion for a moratorium, the deadline for a creditor to file an objection to confirmation is 25 days after the date of service.

(b) Nonobjection Is Acceptance. The failure of a party in interest to timely file an objection to confirmation of a plan or the granting of a motion for a moratorium shall constitute acceptance of the plan or motion pursuant to Bankruptcy Code § 1325(a)(5)(A) and a waiver of the requirement that the court hold a confirmation hearing within 45 days after the date of the meeting of creditors. Notice of the waiver of the 45-day confirmation hearing requirement and acceptance of the plan due to a creditor's failure timely to object shall be conspicuous in the notice of date to file objections served on all creditors.

(c) Valuation Objection. A secured creditor who disagrees with the valuation of the creditor's secured claim in the plan and who files an objection, shall state in the objection the creditor's estimate of the value of the collateral, the method of

determining the value, and the amount of claim that is secured. Upon receipt of the creditor's objection, the debtor shall make the collateral available to the creditor for inspection and appraisal.

RULE 2084-10. TRUSTEE'S RECOMMENDATION/OBJECTION

(a) **Trustee Recommendation.** For any plan or motion for a moratorium, the case trustee shall file a recommendation / objection by 25 days after the date set for the creditor objections.

(b) **Debtor Compliance or Dismissal.** The debtor shall comply with any requirements stated in the case trustee's recommendation/objection requesting documentation or information, to move the case procedurally toward confirmation of the plan, or to pay any delinquent plan payments. The debtor shall comply with the case trustee's requests within 30 days after the case trustee files the recommendation/objection. If the debtor does not timely comply, the case trustee may upload a dismissal order. If the case trustee objects to the fees requested by debtor's counsel, counsel shall provide to the case trustee a statement reflecting what work was done for the debtor and the time spent on each task. The statement may be as time sheet summaries.

(c) **Dismissal If No Plan Payments.** If the debtor makes no plan payments by the deadline for the case trustee's recommendation set above, the case trustee may upload an order dismissing the case rather than file a recommendation/objection, and the court may summarily dismiss the case.

Rule 2084-11 CONFIRMATION HEARING OR HEARING ON OBJECTION

(a) **Trustee Need Not Attend.** Unless the court orders otherwise, a hearing on a creditor's objection is not a hearing requiring attendance of the case trustee.

(b) **Hearing on Objection.** A creditor who timely files an objection to plan confirmation may request a hearing on the objection from the court prior to the expiration of the last date for filing an objection to plan confirmation. The failure of a creditor timely to request a hearing will constitute a waiver of the requirement that the court hold a confirmation hearing within 45 days after the date of the meeting of creditors.

(c) **Confirmation Hearing.** Anytime after expiration of the time for a creditor to object, the debtor, case trustee, or creditor may request the court set a confirmation hearing rather than a hearing on an objection. Any order or notice setting a confirmation hearing must clearly state whether the debtor, debtor's attorney, case trustee, and any creditor with an unresolved objection must appear at the hearing.

RULE 2084-12. CONFIRMATION OF PLAN OR GRANTING OF MOTION FOR MORATORIUM

The court may confirm a plan or grant a motion for a moratorium without a confirmation or other hearing if:

- (a) There are no timely objections filed by creditors and the case trustee recommends confirmation or approval; or
- (b) The case trustee and all objecting creditors agree to a stipulated order.

RULE 2084-13. ORDER CONFIRMING PLAN OR GRANTING MOTION FOR A MORATORIUM

(a) **Trustee Approval.** Unless the court specifically provides otherwise in a separate order, any order confirming a plan or granting a motion for a moratorium must bear the case trustee's approval.

(b) **Review of Claims Docket.** The debtor must review the court's claims docket and claims filed with the court before submitting a proposed order to the case trustee. To keep parties informed as to the status of confirmation, when submitting a proposed order to the case trustee, the debtor also shall file a notice of submitting proposed order confirming plan.

(c) **Trustee to Upload Order Confirming.** The case trustee shall approve and upload, or return to the debtor, any proposed stipulated order confirming a chapter 13 plan within 30 days of receipt of the proposed order, unless cause is shown by the case trustee. Unless the court orders or the case trustee requests otherwise, the case trustee shall be the one who uploads a proposed order confirming a plan or granting a motion for a moratorium.

(d) **Trustee Plan Payment.** The case trustee shall commence disbursements pursuant to the confirmed plan within 60 days after entry of an order confirming the plan, unless cause is shown by the case trustee.

(e) **Notice of Completion.** When the case trustee determines that the debtor has completed the plan, the case trustee will file a notice of the completed plan as soon as practicable.

RULE 2084-14. [RESERVED]

RULE 2084-15. TRUSTEE MOTION TO DISMISS

(a) **Trustee Motion.** A motion to dismiss filed by the case trustee because the debtor is delinquent in one or more plan payments may provide for dismissal of the case unless, within 30 days of the case trustee filing the motion, the debtor does one of the following:

(1) Pays the case trustee the amount of the delinquent plan payments or gets an informal agreement with the case trustee to catch up the payments;

(2) If the debtor is otherwise eligible, files with the court, and serves a copy on the case trustee, a notice of conversion to chapter 7; or

(3) Files and serves a motion for a moratorium of the delinquent plan payments.

(b) **Dismissal.** If the debtor fails to timely do one of the acts in paragraph (a), the case trustee may upload an order dismissing the case and the court may summarily dismiss the case.

RULE 2084-16. DEBTOR'S OBJECTION TO PROPOSED DISMISSAL ORDER

If the debtor files an objection to a proposed dismissal order, the debtor must state what issues are resolved, what issues remain, and what has been done to move the plan toward confirmation.

RULE 2084-17. REINSTATEMENT OF DISMISSED CASE

If the court dismisses a case on motion of the case trustee, the court may grant a motion to reinstate the case without a hearing if the case trustee approves the proposed reinstatement order. If the case trustee does not approve the order, the debtor may set the matter for hearing. The court may set a hearing on the motion to reinstate on request of an interested party who had joined the case trustee's dismissal motion.

RULE 2084-18. PLAN PAYMENTS

The case trustee may require the debtor to make plan payments in a specific form, such as certified funds, and to the address to which the debtor must send the payments.

RULE 2084-19. PRIORITY OR SECURED CLAIMS

A claimant filing a secured or priority claim must file it electronically.

RULE 2084-20. [RESERVED]

RULE 2084-21. [RESERVED]

RULE 2084-22. [RESERVED]

RULE 2084-23. STAY RELIEF TO SECURED CREDITORS

When a stay relief order unconditionally permits a creditor to foreclose or repossess its collateral, the case trustee shall cease making payments on the creditor's secured claim if the case trustee has received notice of the order more than five days before a monthly plan distribution, unless the order granting stay relief provides otherwise. The case trustee may continue distributions to other creditors.

RULE 2084-24. RESERVED]

RULE 2084-25. SALE OF PROPERTY OR INCURRING NEW DEBT

(a) Pre-confirmation Sale or Incurring New Debt.

If the court has not confirmed a plan, a debtor must file a motion for approval to sell property or incur new debt.

(b) Post-Confirmation Sale or Incurring New Debt.

(1) Vehicle Loans. If the case trustee endorses the order, the court may approve an ex parte motion by the debtor to finance the purchase of a motor vehicle. The debtor's motion and the case trustee's approval are their certification to the court that:

(A) The debtor is current on plan payments;

(B) The debtor is not in default under the terms of the chapter 13 plan;

(C) Schedules I and J (whether original or amended) were filed within the prior 30 days, with income verification provided to the case trustee, and the Schedules show that the debtor has the ability to pay all future plan payments and projected living and business expenses, as well as repay the new debt;

(D) The new debt is a single loan to purchase a motor vehicle that is necessary for the maintenance or support of the debtor or a dependent of the debtor or, if the debtor is self employed or engaged in business, is necessary for the continuation, preservation, and operation of the debtor's business;

(E) The only security for the new debt will be the motor vehicle to be purchased by the debtor; and

(F) The new debt is a reasonable amount.

(2) **New Home Loans.** If the case trustee consents, the court may approve an ex parte motion by the debtor to finance the purchase, or enter into a new lease, of residential real property. The debtor's motion and the case trustee's approval are their certification to the court that:

(A) The debtor is current in plan payments;

(B) The debtor is not in default under the terms of the chapter 13 plan;

(C) Schedules I and J (whether original or amended) were filed within the prior 30 days, with income verification provided to the case trustee, and the Schedules show that the debtor has the ability to pay all future plan payments and projected living and business expenses, as well as repay the new debt;

(D) The new debt is a single loan incurred to purchase a residence that is necessary for the maintenance or support of the debtor and debtor's family;

(E) The only security for the new debt will be the residence to be purchased by the debtor; and

(F) The monthly payment (the principal and interest payment on account of the new debt plus all impounds, taxes, insurance, association fees, and bonds and other assessments) will not exceed the greater of the debtor's current such monthly purchase or rental payment.

(3) **Refinance of Existing Home Loans.** If the case trustee endorses the order, the court may approve an ex parte motion by the debtor to refinance existing debt encumbering the debtor's residence. The debtor's motion and the case trustee's approval are their certification to the court that:

(A) The debtor is current in plan payments;

(B) The debtor is not in default under the terms of the chapter 13 plan;

(C) Schedules I and J (whether original or amended) were filed within the prior 30 days, with income verification provided to the case trustee, and the Schedules show that the debtor has the ability to pay all future plan payments and projected living and business expenses, as well as repay the new debt;

(D) The new debt is a single loan incurred only to refinance existing debt encumbering the debtor's residence;

(E) The only security for the new debt will be the debtor's existing residence;

(F) All the creditors with liens and security interests encumbering the debtor's residence will be paid in full from the proceeds of the new debt and in a manner consistent with the chapter 13 plan; and

(G) The monthly payment (the principal and interest payment on account of the new debt plus all impounds, taxes, insurance, association fees, bonds and other assessments) will not exceed the greater of the debtor's current such monthly payments on the existing debts being paid, or a reasonable amount. The court will not approve ex parte motions to obtain secured credit pursuant to § 346(d).

(4) **Sale of Property.** If the case trustee endorses the order, the court may approve an ex parte motion by the debtor to sell real or personal property with a value of \$1,000 or more other than in the ordinary course of business. The debtor's motion and the case trustee's approval are their certification to the court that:

(A) The sale price represents a fair value for the subject property;

(B) All creditors with liens and security interest encumbering the subject property will be paid in full before or simultaneously with the transfer of title or possession to the buyer;

(C) All costs of sale, such as escrow fees, title insurance, and broker's commissions, will be paid in full from the sale proceeds;

(D) The sale price is all cash;

(E) The debtor will not relinquish title to or possession of the subject property before payment in full of the purchase price; and

(F) The sale is an arm's length transaction. "Trading in" a vehicle as part of the purchase price for a new vehicle complies with the requirements of (d) and (e) of this subparagraph.

(5) **Sales Over Objection.** The court will not approve ex parte motions to sell property pursuant to Bankruptcy Code § 363(f).

(c) **Incurring Other New Debt and Transfers of Debt.**

If the case trustee does not give the consent allowed by paragraphs (b)(1)-(4), or if the debtor wishes to incur new debt or transfer property on terms and conditions other than provided for in paragraphs (b)(1)-(4), the debtor may file a motion, serve it on the case trustee and those creditors who are entitled to notice, set the hearing on the court's calendar with the notice required by Rule 2002 and Local Rule 9014-1, and file a certificate of service within seven business days.

Committee Notes: This proposed Rule is new and not found in GO 95.

RULE 2084-26. DISCHARGE

Before the Court enters the debtor's discharge under Bankruptcy Code § 1328(a), the debtor must file a Certification that contains the information required by Bankruptcy Code § 1302(d)(1)(C) or contains a statement that 1302(d)(1)(C) does not apply and therefore the information is not required and that the debtor has complied with Bankruptcy Code § 1328(a), (f), (g) and (h).

RULE 2090-1. ATTORNEYS – ADMISSION TO PRACTICE

(a) **Bankruptcy Court Bar.** Any attorney admitted to practice before the United States District Court, District of Arizona, may practice before the bankruptcy court.

(b) **Participation of a Local Attorney.** If an attorney is a member of the bar of this court but does not currently reside in Arizona, the court may require the association of resident local counsel. If the nonresident attorney fails to respond to any order of the court, for appearance or otherwise, the associated local counsel will have the responsibility and full authority to act for and on behalf of the client in all matters in connection with the case or proceeding, including hearings, pretrial conferences, and trial.

(c) **Pro Hac Vice Practice.** An attorney who is not a member of the bar of the United States District Court, District of Arizona, but who is a member in good standing of the bar of another United States District Court may, upon application and court order, be permitted to appear and participate in a particular case. Unless authorized by the Constitution of the United States or an Act of Congress, an attorney is not eligible for limited admission pursuant to this rule if (i) the attorney resides in Arizona, (ii) the attorney is regularly employed in Arizona or (iii) the attorney is regularly engaged in the practice of law in Arizona. Unless otherwise ordered, the applicant shall designate in the application local counsel currently residing in Arizona with whom the court and opposing counsel may readily communicate regarding the conduct of the case. The application shall also state, under penalty of perjury, whether the applicant has filed with this court any other applications for limited admission or pro hac vice applications within one year preceding the current application and if so, the title and case number of each case in which such application was filed, the date of each application and whether each application was granted or denied. The application shall also contain the address, e-mail address, telephone number and written consent of the designated local counsel, if any.

(d) **Parties Appearing Without an Attorney.** Any party proceeding without an attorney will be expected to be familiar with and to proceed in accordance with the rules of practice and procedure of this court and with the appropriate federal rules and statutes that govern the action.

(e) **Change of Address.** An attorney who changes office address must submit a written change of address to the clerk. Completion and submission of this address change will update the attorney's address in the court's electronic database. In those cases where the attorney represents a party other than the debtor, this address change will not update the address on the mailing lists for those cases. In those cases, to update the address on the mailing list and to give notice of the address change to other attorneys and parties, the attorney must file a notice of change of address in each case. In cases where the attorney does represent the debtor, the address is updated in the database, and also updated on the mailing lists for those cases.

If the change of address is because the attorney has changed law firms, in each case in which the attorney has appeared and in which the former firm will continue to represent the debtor or other party, a notice must be filed stating that the attorney no longer represents the party and stating who in the firm now represents that party. For those cases in which the attorney, at the new firm, will continue to represent the debtor or other party, the attorney will remain the attorney of record at the new firm and address.

(f) **Student Practice.** Notwithstanding section (a) above, a student duly enrolled in an American Bar Association (ABA) - accredited law school may represent parties in bankruptcy cases or proceedings pending or contemplated to be filed in this court, and may appear in court on behalf of such parties, upon compliance with District Court LRCiv 83.4 "Student Practice Rule" of the United States District Court for the District of Arizona, subject to the following modifications:

(1) The knowledge required by District Court LRCiv 83.4(b)(3) shall include knowledge of the Federal Rules of Bankruptcy Procedure, the Local Rules of Bankruptcy Procedure for the District of Arizona, and the General Orders of this court; and

(2) The consent form required by District Court LRCiv 83.4(f)(5) shall be filed with the Clerk of the Bankruptcy Court, under the caption of the case in which the student intends to appear, or otherwise presented to the judge presiding over such case, instead of the filing required by District Court LRCiv 83.4(f)(5).