2026 LOCAL RULE REVISIONS
U.S. Bankruptcy Court, Eastern District of Missouri

Below are the proposed revisions to the Local Rules of the U.S. Bankruptcy Court for the Eastern District of Missouri that will become effective on December 1, 2026, if approved. The revisions are detailed below and regard:

1. Adding corporate resolutions authorizing the filing of the case, powers of attorney, and supporting documentation of participation in an address confidentiality program, where applicable. (L.R. 1002)

2. Clarifying and conforming language added to allow for a new process for attorney fee applications in Chapter 13 cases. (L.R. 2016-1)

3. Clarifying the process for Chapter 13 debtor's attorneys who opt for the "Flat Fee Option" for payment of fees and creating a new process for Chapter 13 debtor's attorneys to file fee applications when opting for the "Hourly Fee Payment" option for payment of fees. There will be an accompanying change to L.F. 13 (Chapter 13 Plan) to be published later. (L.R. 2016-3)

4. Adding criminal restitution payable pursuant to a federal or state court order to the list of debts that a debtor may pay directly outside of the plan. (L.R. 3015-2)

5. Adding a directive concerning the contents of the title of the plan in Chapter 13 cases where the debtor's attorney is applying for fees and expenses in the plan. (L.R. 3015-3)

6. Separating Chapter 12 and Chapter 13 procedures for objecting to original or amended plans, because the timing for filing plans and objecting varies between the two case types. (L.R. 3015- 4)

7. Allowing a party to request that any response not filed in satisfaction with L.R. 4001-1 and L.R. 9013-1(C) be stricken from the record. (L.R. 4001-1)

8. Mandating the format and content for drafting responses to a Notice of Default. (L.R. 4001-1)

9. Adding appropriate references to Chapter 12 to L.R. 4001-6 concerning relief from the co-debtor stay, acknowledging that Chapter 12 and 13 are alike on this topic. (L.R. 4001-6)

10. Clarifying what matters may be set on negative notice and how much notice is required for a hearing when a response is filed to a pleading set on negative notice. (L.R. 9061)

11. Adding debtor motions to dismiss a Chapter 12 or 13 case to the list of matters that may ordinarily be considered without a hearing. (L.R. 9062)

1. **L.R. 1002 – Case Commencement.**

…

B. Chapter 7 Cases.

The following documents are required to be filed to commence a voluntary Chapter 7 case and should be arranged in the following order. All documents listed are due with the petition unless otherwise specified.

…

16. Corporate resolution authorizing filing of a bankruptcy case and/or other evidence of authorization for filing (non-individual cases only) (due within fourteen (14) days)
17. Power of Attorney (if applicable) (due within fourteen (14) days)
18. Supporting documentation of participation in an address confidentiality program (if applicable) (due within fourteen (14) days)

C. Chapter 11 Cases.

The following documents are required to be filed to commence a voluntary Chapter 11 case and should be arranged in the following order. All documents listed are due with the petition unless otherwise specified.

…

19. Corporate resolution authorizing filing of a bankruptcy case and/or other evidence of authorization for filing (non-individual cases only) (due within fourteen (14) days)
20. Power of Attorney (if applicable) (due within fourteen (14) days)
21. Supporting documentation of participation in an address confidentiality program (if applicable) (due within fourteen (14) days)

D. Chapter 12 Cases.

The following documents are required to be filed to commence a Chapter 12 case and should be arranged in the following order. All documents listed are due with the petition unless otherwise specified.

…

16. Corporate resolution authorizing filing of a bankruptcy case and/or other evidence of authorization for filing (non-individual cases only) (due within fourteen (14) days)
17. Power of Attorney (if applicable) (due within fourteen (14) days)
18. Supporting documentation of participation in an address confidentiality program (if applicable) (due within fourteen (14) days)

E. Chapter 13 Cases.
The following documents are required to be filed to commence a Chapter 13 case and should be arranged in the following order. All documents listed are due with the petition unless otherwise specified.

…

16. Power of Attorney (if applicable) (due within fourteen (14) days)
17. Supporting documentation of participation in an address confidentiality program (if applicable) (due within fourteen (14) days)

…

I. Petition filed by a corporation, partnership, or other entity.
Any petition filed by corporation, partnership, or other debtor that is not an individual must be executed by an authorized person and must include a resolution or other evidence of authorization for the filing of the petition.

Rationale:
The suggestion is to add filing requirements in Subparagraph B, C, and D and add a new Subparagraph I. These changes are aimed at giving counsel and the court greater transparency in who they are working with and who is making the decisions on behalf of the debtor.

2. L.R. 2016-1 – Compensation of Professionals

…

B. Applications for Compensation.

1. **Format of Application for Compensation.** Except in certain Chapter 13 cases as governed by L.R. 2016-3(A) (concerning the "Flat Fee Option"), all professionals employed under Bankruptcy Code §§ 327 and 1103 or seeking compensation under § 330(a)(4)(B) must file an application for allowance of compensation following the "Guidelines for Compensation" set forth in the Procedures Manual. In a case under any chapter, applications for compensation exceeding $15,000.00 must utilize a "project billing" format.

2. **Service of Applications for Compensation.** ~~Unless~~ Except in Chapter 13 cases, and unless service is limited by Fed. R. Bankr. P. 2002(a)(6) (for limited-amount applications), by Standing Order in a Chapter 11 case, or otherwise, a professional seeking compensation or reimbursement of expenses must serve either a copy of the application or a summary of the application using Local Form 4 or Local Form 5 on the debtor (if not represented by an attorney), the debtor's attorney (if any), the Trustee (if any), and all creditors and parties in interest. ~~In Chapter 13 cases, a complete copy of the application must be served on the Trustee. In all other cases, a~~ A complete copy of the application must be served on the Office of the United States Trustee. Local Form 4, "Summary of Application for Compensation," must be used in any case except a Chapter 11 case. Local Form 5, "Notice of Hearing and Summary of Application for Compensation in Chapter 11 Case," must be used in Chapter 11 cases. Any summary of the application must explain how copies of the full application may be obtained by others for review without charge.

…

Rationale:
This is a conforming change to account for the change made to L.R. 2016-3 regarding attorney fees in Chapter 13 cases.

3. L.R. 2016-3 – Employment and Compensation of Debtor's Counsel in Chapter 13 Cases

A. Fee Election Requirements.
~~Attorneys~~ An attorney for ~~debtors~~ a debtor in a Chapter 13 ~~cases~~ case may receive compensation for professional services and reimbursement of expenses under either a "Flat Fee Option" or ~~a~~ an "Hourly Fee ~~Application~~ Option" in accordance with these Rules. ~~Attorneys for debtors in Chapter 13 cases~~ An attorney must disclose which fee election option the attorney elects by using the "Attorney Fee Election Form" event in the CM/ECF system, which ~~Such fee election event~~ must be completed at the time of the attorney's initial Fed. R. Bankr. P. 2016(b) disclosure.

~~1. **Flat Fee Option.** Attorneys for debtors in Chapter 13 cases who elect the "Flat Fee Option" are, without application to the Court, permitted to be paid attorneys' fees, including expenses, not to exceed $5,800.00 for cases filed on or after December 1, 2024 (plus the filing fee if the filing fee is advanced).~~

B. Flat Fee Option.

1. **Maximum Payment.** An attorney for a debtor in a Chapter 13 case filed on or after December 1, 2024, who elects the "Flat Fee Option" may be paid, prior to the filing of the case or under the terms of a confirmed plan, an amount not to exceed $5,800.00. This limitation includes both attorneys' fees and expenses, except that if the attorney has advanced the filing fee, the attorney may receive reimbursement of the filing fee in addition to the $5,800.00 limitation.

2. ~~**Fee**~~ **Application** ~~**Option.** Attorneys for debtors in Chapter 13 cases who elect the "Fee Application~~ **Process in Cases Filed on or after December 1, 2026.** An attorney electing the "Flat Fee Option" in ~~cases~~ a case filed on or after December 1, ~~2025, are permitted to be paid up to $3,600 (plus the filing fee if the filing fee is advanced) in accord with a confirmed Chapter 13 plan, subject to approval, modification or disgorgement, but counsel must file an initial fee application promptly after receipt of $3,600 from any sources. All other fees will be allowed to the debtor's attorneys who elect the "Fee Application Option" only on subsequent fee application/s filed in accordance with L.R. 2016-1(B).~~ 2026, must apply for an award of fees and expenses by completing Part 6 of the debtor's plan on Local Form 13. If the debtor proposes an amended plan before any plan has been confirmed in the case, the attorney's application must be included in the amended plan. If the debtor proposes an amended plan after a plan has been confirmed and a fee application has been granted, the amended plan should not include an application for fees or expenses.

3. **Service.** Service of a plan in accordance with Fed. R. Bankr. P. 3015 and L.R. 3015-3 constitutes sufficient service of a fee application included in the plan.

C. ~~**B. Service of Applications**~~ **Hourly Fee Option.**
~~Service must be in accordance with L.R. 2016-1(B)(2).~~

1. **Application Process in Cases Filed on or after December 1, 2026.** An attorney for a debtor in a Chapter 13 case filed on or after December 1, 2026, who elects the “Hourly Fee Option” must indicate in Part 6 of the debtor’s original plan and of each proposed amended plan that the attorney will file a separate application for an award of fees and expenses. The attorney’s initial fee application should be filed before or promptly after the initial plan is filed, should include all fees and expenses incurred through the filing and service of the plan, and should be set for hearing in connection with the confirmation of the plan. If the debtor proposes an amended plan before any plan has been confirmed in the case, the attorney may file and set for hearing an amended fee application that includes all fees and expenses incurred through the filing and service of the amended plan.

2. **Form and Service**. Regardless of the date of commencement of the case, a fee application under the “Hourly Fee Option,” previously referred to as the “Fee Application Option,” must be served upon the debtor, the debtor’s attorney (if any), the Trustee, and all creditors and parties in interest.

D. ~~C.~~ Fees upon Pre-confirmation Case Dismissal.
If a debtor’s attorney wishes to receive fees in a Chapter 13 case that has been dismissed prior to confirmation of a ~~chapter 13~~ plan, the attorney must, within fourteen (14) days of the entry of the dismissal order, (1) file an application for an order allowing the fees as a ~~bankruptcy code~~ Bankruptcy Code § 503(b) expense, and (2) obtain an order directing the ~~trustee~~ Trustee to hold funds pending resolution of the fee application. If the ~~fee~~ fees and expenses sought, including ~~fees~~ amounts paid prior to the filing of the case, ~~does~~ do not exceed $1,000.00, the attorney may use the Court’s Short Form Attorney Fee Application and may file the application as a motion without hearing pursuant to L.R. 9062. If the ~~fee~~ fees and expenses sought, including ~~fees~~ amounts paid prior to the filing of the case, ~~exceeds~~ exceed $1,000.00, the application must comply with the form, notice, and hearing requirements of L.R. 2016-1.

Rationale:
This change creates greater clarity around attorney fees in Chapter 13 cases. It gives more direction for attorneys selecting the “Flat Fee Option” and creates a new process for applying for fees for attorneys selecting the “Hourly Fee Option.”

4. L.R. 3015-2 – Chapter 13 Plans – Plan Contents

…

D. The plan must provide for all claims to be paid by the Trustee directly to creditors except as provided herein or as permitted by the Court. The following may be paid by the debtor: ~~directly to the holders of:~~

1. Claims on the home in which the debtor resides, if the claim is for post-petition mortgage payments or post-petition mobile home payments.
2. Claims for child support arrearage if the arrearage was being paid pursuant to a pre- petition agreement and the child support creditor consents to continuation of the payment arrangement post-petition. Consent of the creditor must be in

writing, filed with the Court and served on the Trustee prior to the hearing on confirmation of the plan.

3. Lease payments related to any assumed executory contracts for real property
4. Criminal restitution payable per a federal or state court order.

…

Rationale:

- The suggestion is to amend Subsection D of this rule to add criminal restitution as a debt that a debtor may pay directly in a Chapter 13 case to avoid disruptions in receipt of the restitution payments. Restitution is not automatically entitled to pre-confirmation payment. If the trustee does not receive the debtor's payment in sufficient time to release it for a disbursement, the restitution may not be paid. An unexpected claim filed with the same or higher priority than the restitution claim could divert funds from the restitution claim. A disruption in restitution payments can have consequences that are more significant than disruptions of other claims. A restitution payment disruption can negatively affect a debtor's probation which in turn affects the debtor's ability to pay creditors. The language is permissive such that a plan can still provide for the trustee to make the restitution payment if the debtor's attorney feels that is a better option for a particular debtor.

5. L.R. 3015-3 – Chapter 12 and 13 Plans – Form and Filing

…

B. Designation, Caption, and Signature on Chapter 12 and 13 Plans.

Every plan and amended plan must be dated and signed by the debtor unless otherwise authorized by the Court. If the original plan is not filed with the petition, the plan must reflect the date, time, and location of the confirmation hearing in the caption. Each amended plan should be titled “First Amended Plan,” “Second Amended Plan,” etc., as may be appropriate and must reflect the date, time, and location of the confirmation hearing in the caption. In a Chapter 13 case, the plan title should include “and Attorney Fee and Expense Application” if, and only if, the debtor’s attorney is applying for fees and expenses in Part 6 of the plan. In a Chapter 12 case, the plan or amended plan must conspicuously and directly beneath the title state the deadline under L.R. 3015-4(G) or (I), as applicable, by which objections to confirmation must be filed.

…

Rationale:

- This is a change meant to conform to the change made to L.R. 2016-3.

6. L.R. 3015-4 – Chapter 12 and 13 Plans – Confirmation Procedures

…

G. Objections to ~~Original~~ Plan.

1. Chapter 13 Cases

Objections to confirmation of the debtor’s original plan must be filed with the Clerk of Court and served on the debtor, the debtor’s attorney (if any), and the Trustee no later than twenty-one (21) days after the conclusion of the § 341 meeting. Objections to confirmation of an amended plan must be filed with the Clerk of Court and served on the debtor, the debtor’s attorney (if any), and the

Trustee no later than twenty-one (21) days after service of the amended plan. An objection to a plan will continue until the objection is overruled or withdrawn. Failure to appear or prosecute an objection at the confirmation hearing will be considered an abandonment of the objection.

2. **Chapter 12 Cases**
Objections to confirmation of the debtor's original or amended plan must be filed with the Clerk of Court and served on the debtor, the debtor's attorney (if any), and the Trustee no later than seven (7) days prior to the scheduled confirmation hearing.

…

~~**I. Objections to Pre-confirmation Amended Plans.**~~
~~**Objections to confirmation of an amended plan must be filed and served no later than twenty-one (21) days after service of the amended plan.**~~

…

Rationale:

- L.R. 3015-4(G) applies to chapters 12 and 13. The 21-day objection deadline for a plan makes sense in Chapter 13 but not in Chapter 12, because the plan isn't even due until 90 days after the petition date. The suggestion is to amend this rule to separate Chapter 12 and 13 cases.

7. L.R. 4001-1 – Relief from the Automatic Stay

…

D. Responses to Motions for Relief from the Automatic Stay. Any response to a motion for relief from the automatic stay must be filed no later than seven (7) days before the hearing date set for the motion for relief. The response must specifically admit or deny the allegations in each paragraph. A general denial is insufficient and prohibited. When a response asserts adequate protection, the response must state how the movant will be adequately protected if the automatic stay remains in effect. A party may request that any response not filed in satisfaction with this rule and L.R. 9013-1(C) be stricken from the record. The parties must file exhibits in accordance with L.R. 9040.

…

Rationale:

- The suggestion is to allow a party to request that any response not filed in satisfaction with L.R. 4001-1 and L.R. 9013-1(C) be stricken from the record. This is meant to incentivize the drafting of better responses and allow opposing counsel some recourse if the response is vague and unhelpful.

8. L.R. 4001-1 – Relief from the Automatic Stay

…

H. Mandatory Form Consent Order & Stipulation re: Relief from Stay on Real Property.

1. The Court adopts as a Local Form "Consent Order and Stipulations in Settlement of Motion for Relief." This form is available on the Court's web site. Absent good cause, use of this form is mandatory in Chapter 13 cases.

2. If responding to a Notice of Default filed after entry of a Consent Order, the debtor must specifically admit or deny the allegations in each paragraph.

…

Rationale:

- LR 4001-1(D) requires a response to a motion for stay relief to admit or deny the allegations paragraph by paragraph. It's useful to the court and opposing counsel when counsel complies. There's no similar requirement for a response to a notice of default, which often results in responses that are so vague as to be rendered useless. The change here is to implement the same requirements for responses to a notice of default that we require for responses to motions for relief from stay.

9. L.R. 4001-6 – Relief from the Co-debtor Stay

A. Service of Motions for Relief from the Co-Debtor Stay.
The movant must serve any motion for relief from the co-debtor stay of Bankruptcy Code § 1201(a) or § 1301(a) and notice of hearing on: the co-debtor, the debtor, the debtor's attorney (if any), the Trustee, and any entity actually known by the movant to have a mortgage on or consensual interest in the collateral. A combined motion that seeks relief from the stay of Bankruptcy Code § 362(a) and the co-debtor stay of § 1201(a) or § 1301(a) must be served on the parties identified in L.R. 4001-1(A) and in this rule.

B. **Hearings on Motions for Relief from the Co-Debtor Stay.**
Motions for relief from the co-debtor stay must ordinarily be set giving a minimum of twenty-one (21) days' notice. A motion for relief under Bankruptcy Code § 1201(c)(2) or § 1301(c)(2) may be set giving a minimum of fourteen (14) days' notice but may not be combined with a motion that seeks relief from the stay of Bankruptcy Code § 362(a) unless it provides a minimum of twenty-one (21) days' notice. If the movant sets a motion under § 1201(c)(2) or § 1301(c)(2) for a hearing on, or requests a continuance of the hearing to a date that is more than twenty (20) days from the date of the motion, the movant will be deemed to have waived the movant's right to have the co-debtor stay terminated pursuant to Bankruptcy Code § 1201(d) or § 1301(d).

C. Responses to Motions for Relief from the Co-Debtor Stay.
Any response to a motion for relief from the co-debtor stay must be filed no later than seven (7) days before the hearing date set for the motion for relief, except that if the movant gives less than twenty-one (21) days' notice of a motion under Bankruptcy Code § 1201(c)(2) or § 1301(c)(2), any party in interest may file a response at any time prior to the hearing or may present a response at the hearing.

Rationale:
We added L.R. 4001-6 last year to address the co-debtor stay of § 1301. The amendment includes a change to include § 1201 also. It's rare to see a co-debtor stay motion in Chapter 12 cases, but the language and issues are the same.

10. L.R. 9061 – Negative Notice Procedures

A. Negative Notice.

Certain motions or pleadings may be considered by the Court without setting a hearing date if appropriate notice and opportunity to object to the requested relief are provided to necessary parties ("Negative Notice"). If a party sets a motion for hearing that may have otherwise been set on Negative Notice, any response must be filed no later than seven (7) days before the date of hearing pursuant to L.R. 9013-1(B).

Negative Notice may be used for the following types of motions or pleadings:

…

5. motions to dismiss a Chapter 7, 12 or 13 case, except for a debtor's motion to dismiss a Chapter 12 or 13 case that has not previously been converted under Code §§ 706, 1112, and/or 1208;

…

D. Notice of Hearing when a Response is Filed.

If a response is filed, the movant, applicant, claimant, or claim objector must schedule the matter for hearing by contacting the Courtroom Deputy for the assigned judge or by consulting the Court's web site. Such party must file and serve a notice of hearing on the respondent and all entities described in L.R. 9013-1(A). The notice of hearing must provide the amount of notice specified below. Nothing precludes any party or the Court from setting a matter for hearing if a response is filed.

1. Fourteen (14) days' notice of hearing required for:
   a. motions to compel abandonment of property;
   b. motions to avoid liens on exempt property;
   c. motions for continuation of utility service/adequate assurance of payment under 11 U.S.C. § 366;
   d. motions to incur debt (automobile debt only); ~~and~~
   e. Trustee or creditor motions to dismiss a Chapter 13 case; ~~(except as noted below).~~ and
   f. motions to retain auto insurance and homeowner insurance proceeds.

2. Twenty-one (21) days' notice of hearing required for:
   a. applications for final decree;
   b. motions to convert case, but not from a Chapter 12 or 13 case;
   c. motions to dismiss a Chapter 7 or 12 case;
   d. fee applications, except in Chapter 11 cases; and
   e. in Chapter 13 cases:
      i. motions to retain a tax refund;
      ii. motions to incur debt (non-automobile);
      iii. motions to sell or refinance property; ~~and~~
      iv. objections to claims~~.~~; and
      v. motions to approve and/or retain personal injury/worker's compensation settlement.

…

Rationale:

- The debtor has a non-waivable right to dismiss in both Chapter 12 and 13 cases. Local Rule 9061(A) says that a motion to dismiss a Chapter 12 or 13 case should be served with 21 days' negative notice. The court does not require this for a debtor's motion to voluntarily dismiss a Chapter 12 or 13 case. This amendment explicitly excludes these types of motions, provided that the case has not previously been converted under Code §§ 706, 1112, and/or 1208.

- This amendment proposes to include auto insurance and homeowner's insurance among the list of motions requiring 14 days' notice of hearing.
- This amendment proposes to include motions to approve and/or retain personal injury/worker's compensation settlement among the list of motions requiring 21 days' notice of hearing. The idea is this will speed up getting orders for these matters.

11. L.R. 9062 – Matters Without Hearing

Unless otherwise directed, the Court will ordinarily consider the following matters without hearing. Nothing, however, precludes any party from requesting that any of these matters be set for hearing. Copies of any motion or application that will not be set for hearing under this Rule must be served on all entities entitled to notice as specified in the Federal Rules of Bankruptcy Procedure or in these Rules. Any response must be filed and served immediately.

…

23. motions to increase plan base in Chapter 13 cases; ~~and~~
24. motions to establish confirmation procedures in Subchapter V cases~~.~~; and
25. debtor motions to dismiss a Chapter 12 or 13 case.

Rationale:

This is a corresponding change to the one made above in L.R. 9061(A)(5). The change above explicitly excludes debtor motions to voluntarily dismiss a Chapter 12 or 13 case that hasn't been previously converted from the lists of matters set on negative notice. This change adds those motions to the list of matters that may be considered without a hearing.