

New Procedure for Transmitting Appeals

Rule 8007 (b) of the Federal Rules of Bankruptcy Procedure requires the Clerk of the Bankruptcy Court to transmit the record on appeal to the Clerk of the District Court forthwith. CM/ECF now allows the Bankruptcy Court to transmit the Notice of Appeal, and Record on Appeal to the District Court electronically. Therefore, attorneys no longer need to send copies of items designated as prescribed by Rule 8006 of the Federal Rules of Bankruptcy Procedure. The below procedure for filing Appeals is effective immediately. This procedure is not meant to replace the Federal Rules of Bankruptcy Procedure Part VIII. Rather, it formalizes procedures used to electronically transmit appeal documents between the Bankruptcy and District Clerk's offices. It also relieves attorneys from the responsibility of providing paper copies of the *Record on Appeal*, as the Bankruptcy Clerk will assume that responsibility as outlined in Rule 8006, without expense to the parties by transmitting the record electronically.

1. Appellant files a Notice of Appeal in accordance with Part VIII of the Federal Rules of Bankruptcy Procedure.
2. Appellant electronically pays filing fee.
3. Appellant shall file Designation of Record in accordance with Rule 8006 of the Federal Rules of Bankruptcy Procedure.

****The Appellant needs only to file the *Designation of Record* and does not need to submit copies of documents.****

4. Appellee shall file designation of additional items to be included in the record on appeal in accordance with Rule 8006 of the Federal Rules of Bankruptcy Procedure.

****The Appellee needs only to file the *Designation of Record* and does not need to submit copies of documents.****

5. The U. S. Bankruptcy Court will transmit the Notice of Appeal and Designation of Record on Appeal to the U. S. District Court electronically in accordance with Rule 8007 (b) of the Federal Rules of Bankruptcy Procedure.
6. Upon receipt, the District Court will open a case, docket the Designation of Record on Appeal and retrieve documents so designated from the Bankruptcy Court for docketing.
7. The appeal will then follow normal process prescribed by Part VIII of the Federal Rules of Bankruptcy Procedure and the Local Rules of the District Court.
8. Cross appeals will follow the same procedure.
9. In accordance with Rule 8016 of the Federal Rules of Bankruptcy Procedure, the District Court Clerk will transmit the Judgment and Opinion of the District Court to the Bankruptcy Clerk electronically for entry on the Bankruptcy Docket.