

LR 2100 - Bankruptcy Cases and Proceedings

LR 2100-1 Definitions

Unless the context requires otherwise, terms used but not defined in LR 2100 through LR 2200 have the meaning assigned in title 11 of the United States Code or the Federal Rules of Bankruptcy Procedure (Bankruptcy Rules).

LR 2100-2 Referral to Bankruptcy Court of Bankruptcy Cases and Proceedings; Local Rules; Filing Location

(a) Referral

- (1) Pursuant to 28 U.S.C. § 157(a), this Court refers to this district's bankruptcy court all cases under title 11 and all proceedings arising under title 11 or arising in or related to a case under title 11; and pursuant to 28 U.S.C. § 157(c)(2), with the consent of all parties to a proceeding that is not a core proceeding but is otherwise related to a case under title 11, this Court refers the proceeding to the bankruptcy court to hear and determine and to enter appropriate orders and judgments in the proceeding, subject to review under 28 U.S.C. § 158. And pursuant to section 403(a) of the Bankruptcy Reform Act of 1978, Pub. L. No. 95-598, this Court also refers to the bankruptcy court all cases and proceedings arising under the Bankruptcy Act of 1898, as amended.
- (2) The LR 2100-2(a)(1) referral includes all claims and causes of action removed under 28 U.S.C § 1452(a).
- (3) As a component of the referral of cases and proceedings to the bankruptcy judges of this district, the Court specifically authorizes such bankruptcy judges, as part of the performance of their judicial duties, to act as mediators or settlement judges through judge-hosted settlement conferences. To the extent necessary or appropriate to give effect to this aspect of the reference, all bankruptcy judges for the district are designated as possible judicial neutrals pursuant to 28 U.S.C. §§ 651-658.

(b) Local Bankruptcy Rules: Adoption.

Pursuant to Bankruptcy Rule 9029(a), this Court authorizes the bankruptcy court, subject to the requirements of Fed. R. Civ. P. 83 and Bankruptcy Rule 9029(a), to make and amend rules of practice and procedure, also known as local bankruptcy rules (LBRs). In the case of any conflict between the LBRs, on one hand, and LRs 2100 through 2200, on the other, the latter controls.

(c) Local District and Bankruptcy Rules: Application

- (1) Except as provided in LR 2100-2(c)(2), documents filed with the bankruptcy court clerk and proceedings in the bankruptcy court, including those governed by

LR 2100-4 through LR 2100-7 while in the bankruptcy court, are governed by LR 2100 through LR 2200 and the LBRs.

- (2) Documents filed with the district court clerk, but not transmitted from the bankruptcy clerk, and proceedings in the district court, including those governed by LR 2100-4 through LR 2100-7 while in the district court, are governed by the U.S. District Court Local Rules of Civil Procedure and Local Rules of Bankruptcy Procedure.

(d) Filing Location: General Rule

- (1) In a referred case, adversary proceeding, or contested matter not governed by LR 2100 through LR 2100-7, all documents—including those that initiate the case, adversary proceeding, or contested matter and motions to abstain, change venue, or withdraw referral—must be filed with the bankruptcy clerk.
- (2) Without limiting LR 2100-2(d)(1), a notice of removal of an action over which the district court has jurisdiction under 28 U.S.C. § 1334 must be filed with the bankruptcy clerk, and if the removed complaint also contains claims or causes of action over which the district court has jurisdiction other than under section 1334, a separate notice of removal must be filed with the district clerk.
- (3) The caption of each document must state whether it is filed in the bankruptcy court or the district court.
- (4) In accordance with Bankruptcy Rule 5005(c), if a document that must be filed with the bankruptcy clerk is filed with the district clerk, the district clerk must note on the document the date of filing and transmit it to the bankruptcy clerk upon receipt of an order of a district judge or magistrate judge under LR 2100-2(d)(5). The bankruptcy clerk will treat it as filed as of the date filed with the district clerk.
- (5) On the motion of any party or a district or magistrate judge, a district or magistrate judge may enforce LR 2100-2(d)(4).

LR 2100-3 Common Procedures for Bankruptcy Matters Requiring Action by District Judge

- (a) **Scope.** This LR 2100-3 applies to LR 2100-4 through LR 2100-7, which governs matters requiring action by both a bankruptcy judge and a district judge.
- (b) **Notice of Readiness**
 - (1) A notice of readiness must notify the district clerk that a bankruptcy matter is ready for consideration by a district judge and –
 - (A) comply with LR 2100-4 through LR 2100-7;

- (B) describe (i) the motion, proposed findings and conclusions of law (proposed findings), or other matter ready for consideration by a district judge or (ii) the adversary proceeding or contested matter ready for a jury trial before a district judge;
 - (C) if the subject of the notice is a contested matter, state the title and docket number of the document initiating the contested matter;
 - (D) state whether any party has requested oral argument before a district judge about the notice; and
 - (E) make and include or attach any recommendation by the bankruptcy judge for disposition of the motion, proceeding, or other matter.
- (2) The bankruptcy clerk must transmit the notice to the district clerk.
- (c) **Filing Location: Proceedings under LR 2100-4 through LR 2100-7**
- (1) Until transmittal of the notice of readiness, all documents regarding the subject of the notice must be filed with, and all judgments and orders by the bankruptcy judge entered by, the bankruptcy clerk.
 - (2) After the transmittal, no document regarding the subject of the notice may be filed with the district clerk except on order of the district judge. Any document filed with the district clerk must –
 - (A) state below the district court civil action number the numbers of the bankruptcy case and any adversary proceedings; and
 - (B) if the referral of the adversary proceeding of contested matter has been withdrawn under LR 2100-4 or LR 2100-6(d)(3), state below the bankruptcy case and any adversary proceeding numbers "Referral Withdrawn."
 - (3) Any judgement or order by the district judge must be entered by the district clerk, and the district clerk must transmit notice of the judgment or final order to the bankruptcy clerk for entry.

LR 2100-4 Motion for District Judge to Withdraw Referral

- (a) **Scope.** This LR 2100-4 applies to a motion under 28 U.S.C. § 157(d) that a district judge withdraw the referral of a case, adversary proceeding, or contested matter.
- (b) **Procedure**
 - (1) A motion may be filed by a party or the bankruptcy judge. Under LR 2100-2(d)(1), the motion must be filed with the bankruptcy clerk.

- (2) In the motion and any objection, a party must state whether it requests oral argument before a district judge and identify by title and docket number all other documents in the case, adversary proceeding, or contested matter on which the party relies to support the motion or objection.
- (3) After any hearing on the motion, the bankruptcy judge must file a notice of readiness. The notice must state the titles and docket numbers of the motion and any objection and other documents identified under LR 2100-4(b)(2).
- (4) If the motion is granted, documents thereafter filed in the withdrawn case, adversary proceeding, or contested matter must be filed with the district clerk. If the motion is denied, the district clerk must transmit to the bankruptcy clerk notice of the denial; the case, adversary proceeding, or contested matter will continue before the bankruptcy judge; and documents thereafter filed in the case, adversary proceeding, or contested matter must be filed with the bankruptcy clerk.
- (5) This LR 2100-4 does not limit a district judge's withdrawal of referral on the judge's own motion.

LR 2100-5 Proceedings Requiring Entry of Final Judgement or Order by District Judge

(a) Noncore Proceeding

- (1) This LR 2100-5 applies to an adversary proceeding or contested matter, or portion thereof, that is subject to 28 U.S.C. § 157(c)(1) but not § 157(c)(2).
- (2) The bankruptcy judge must attach to the proposed findings a proposed judgment or final order for entry by a district judge.
- (3) Within seven days after the filing of any response under Bankruptcy Rule 9033(b) to a party's objection to the proposed findings, the objector may file a reply in support of the objection.
- (4) In an attachment to a party's objection or response, the party must state whether the party requests oral argument before a district judge and identify by title and docket number all documents in the adversary proceeding or contested matter that the party wishes a district judge to consider.
- (5) After expiration of the latest time provided by Bankruptcy Rule 9033(a) through (c), the bankruptcy judge must file a notice of readiness. The notice must state the titles and docket numbers of the bankruptcy judge's proposed findings, all objections, responses, and replies, all other documents that any party has listed under LR 2100-5(a)(4), and any later-filed transcripts and exhibits.

(b) Core Proceeding

If the bankruptcy judge or district judge determines that the Constitution does not permit entry of a judgment or final order by the bankruptcy judge in a referred core adversary proceeding or contested matter under 28 U.S.C. § 157, and the parties do not consent to the bankruptcy judge entering a judgment or final order, then the adversary proceeding or contested matter will be governed by LR 2100-5 as though it were described in LR 2100-5(a)(1).

LR 2100-6 Jury Trial

(a) **Scope.** This LR 2100-6 applies to an adversary proceeding or contested matter in which a party timely demands a jury trial and the bankruptcy judge determines that the party has a right to a jury trial.

(b) **Involuntary Petition**

Issues arising under 11 U.S.C. § 303 may be tried before a bankruptcy judge without a jury.

(c) **Jury Trial Before Bankruptcy Judge**

(1) If all parties consent in writing to the bankruptcy judge conducting the jury trial and the bankruptcy judge agrees to do so, the bankruptcy judge may file (a) a request that the district court specially designate the bankruptcy judge to conduct the jury trial and (b) a notice of readiness.

(2) If the request is granted, the district clerk may authorize the bankruptcy judge to use jurors called for district court jury service.

(d) **Jury Trial Before District Judge**

(1) If fewer than all parties consent to the bankruptcy judge conducting the jury trial or the district judge denies a request for special designation, then the bankruptcy judge must conduct pretrial proceedings through the lodging of a pretrial order under LR 16-5. If the jury trial will be held in a contested matter, the pretrial order must identify by title and docket number the documents that initiate or relate to the contested matter.

(2) After the lodging of the pretrial order, the bankruptcy judge must file a notice of readiness. In addition to complying with the requirements of LR 2100-3(b), the notice must—

(A) state that the adversary proceeding or contested matter is ready for a jury trial before a district judge;

(B) state the titles and docket numbers of the pretrial order and any documents identified in the pretrial order; and

- (C) recommend that, in accordance with LR 2100-6(d)(3), the district court withdraw referral of the adversary proceeding or contested matter.
- (3) Upon transmittal of the notice of readiness, the district judge will enter an order withdrawing the referral of the adversary proceeding or contested matter.

LR 2100-7 Certification by District Judge of Question of State Law in Bankruptcy Case

- (a) **LR 83-14.** Except to the extent inconsistent with this LR 2100-7, LR 83-14 applies to certification to the Oregon Supreme Court of a question of Oregon law in an adversary proceeding or contested matter.
- (b) **Procedure**
 - (1) Any party or the bankruptcy judge may move for certification by a district judge to a state appellate court of a determinative question of state law if permitted by state law.
 - (2) The motion must attach a proposed certification, including all facts relevant to the question of law, the full nature of the controversy in which the question arose, any other information required by state law, and a request that the response be transmitted to the bankruptcy clerk.
 - (3) After any hearing on the motion, the bankruptcy judge must file a notice of readiness stating the titles and docket numbers of the motion and any objection and related documents.
 - (4) If the district judge grants the motion, the district clerk must transmit the certified question to the state appellate court.

Amendment History to LR 2100	
June 1, 2002	
LR 2100	Rules numbers have been restyled to track the current district court local rules numbering format, e.g., LR 2100.1 has been renumbered to LR 2100-1.
LR 2100-12(e)(2)	This rule has been amended to add the last sentence, which had been included in previous drafts, but inadvertently was omitted in the final version of the original rule.

December 1, 2009	
Generally	The word "shall" replaced by either "must" or "will."
LR 2100-12(e)(2)	Time for filing objections changed from "10" days to "fourteen (14)" to conform to federal rules.
March 1, 2012	
LR 2100-12(b)	Italicized " <i>sua sponte</i> " and spelled out the number of days for those referred to within the rule.
March 1, 2014	
LR 2100-1(c)	This new subsection sets forth a procedure for core proceedings requiring final adjudication by the district judge. LR 2100-1(c)(1)(A) and (B) are based in part on Fed. R. Civ. P. 72(b)(2) and (3).
May 1, 2015	
LR 2100-11(c) and (d)	Removed reference to subsection (a) of Local Bankruptcy Rule 9021-1.
March 1, 2016	
LR 2100-1(a)	Changed "This court" to "This Court."
LR 2100-1(c)(1)	Added comma after "proceeding" and changed text thereafter to: "under 28 U.S.C. § 157 that has been referred under LR 2100-1(a) but the parties consent to the bankruptcy judge entering a judgment or final order, the proceeding will be treated as though it were one under 28 U.S.C. § 157(c)(1)."
LR 2100-1(c)(2)(C)	Changed "Federal Rules of Bankruptcy Procedure" to "Fed. R. Bankr. P."
Commentary	After "See," added " <i>Wellness Int'l Network, Ltd. v. Sharif</i> , 135 S. Ct. 1932, 191 L. Ed. 2d 911 (2015)." Removed " <i>In re Bellingham Ins. Agency, Inc.</i> , 702 F.3d 553 (9th Cir. 2013), <i>cert. granted sub nom. Exec. Benefits Insur. Agency v. Arkison</i> , No. 12-1200 (June 24, 2013)."
LR 2100-9	In the caption, changed "Matters" to "Proceedings." In the rule text, changed "matter" to "proceeding," and "this court" to "this Court."

LR 2100-11(c)	In the caption, changed "Matter" to "Proceeding." In the rule text, changed "matter" to "proceeding."
LR 2100-11(d)	In the caption, changed "Matter" to "Proceeding." In the rule text, changed "matter" to "proceeding."
LR 2100-12(5)(B)	Changed "Fed.R.Bank.P." to "Fed. R. Bank. P."
March 1, 2017	
LR 2100-5(b)	Inserted comma after "perjury."
January 1, 2019	
LR 2100-3(d)	Replaced "After entry of an order by a district judge withdrawing the reference of an entire case or adversary proceeding, or after an appeal is filed from a judgment, order, or decree of a district court judge, documents must be filed with the district court clerk" with: "Objections to a report and recommendation of a bankruptcy judge on a motion to withdraw the reference must be filed with the district court clerk. After entry of an order by a district judge withdrawing the reference of an entire case, contested matter, or adversary proceeding, documents in the withdrawn case, matter, or proceeding must be filed with the district court clerk."
LR 2100-3(f)	Deleted comma and "which" after "responses." Added "that" after "responses." Deleted "which" after "record." Added "that" after "record."
December 1, 2020	
LR 2100	Rule name changed from "Referral of Bankruptcy Proceedings" to "Bankruptcy Cases and Proceedings."
LR 2100-1	Former LR 2100-1 is deleted and replaced with "Definitions," provision stating, "Unless the context requires otherwise, terms used but not defined in LR 2100 through LR 2200 have the meaning assigned in title 11 of the United States Code or the Federal Rules of Bankruptcy Procedure (Bankruptcy Rules)."
LR 2100-1 Commentary	Deleted.

LR 2100-2	"Referral to Bankruptcy Court of Bankruptcy Cases and Proceedings; Local Rules; Filing Location" replaces former LRs 2100-1 and 2100-2.
LR 2100-3	"Common Procedures for Bankruptcy Matters Requiring Action by District Judge" replaces former LR 2100-3.
LR 2100-4	"Motion for District Judge to Withdraw Referral" replaces former LR 2100-4.
LR 2100-5	"Proceedings Requiring Entry of Final Judgment or Order by District Judge" replaces former LRs 2100-5 and 2100-11.
LR 2100-6	"Jury Trial" replaces former LRs 2100-6 and 2100-8.
LR 2100-7	"Certification by District Judge of Question of State Law in Bankruptcy Case" replaces former LRs 2100-7 and 2100-12.
LR 2100-8	Deleted.
LR 2100-9	Deleted.
LR 2100-10	Deleted.
LR 2100-11	Deleted.
LR 2100-12	Deleted.

December 1, 2025

<u>LR 2100-2(a)(3)</u>	<u>Inserted new subsection, "As a component of the referral of cases and proceedings to the bankruptcy judges of this district, the Court specifically authorizes such bankruptcy judges, as part of the performance of their judicial duties, to act as mediators or settlement judges through judge-hosted settlement conferences. To the extent necessary or appropriate to give effect to this aspect of the reference, all bankruptcy judges for the district are designated as possible judicial neutrals pursuant to 28 U.S.C. §§ 651-658."</u>
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