

N.D.W.V. LBR 5010-1

Reopening Cases.

(a) A motion to reopen a Chapter 7 or Chapter 13 bankruptcy case for the sole purpose of including one or more creditors that were inadvertently left off of the original petition and matrix shall set forth the name and address of the creditor(s), the reason for the omission, and the amount(s) owed. The motion shall be accompanied by the appropriate filing fee together with an order and a twenty (20) day negative notice in substantial compliance with Appendices O-1, O-2 and O-3, together with a certificate of service showing delivery of the motion, order and notice to the creditor(s). If a motion to join the reopening and a nondischargeability complaint are filed by one or more of the added creditors within the twenty (20) day period, the Court shall conduct a telephonic conference to determine if the order should be entered, reopening is appropriate, or some other relief should be granted.

(b) In all other cases, a motion to reopen a Chapter 7 or Chapter 13 bankruptcy case which has been closed shall include particular grounds supporting the relief sought. Unless otherwise ordered, the required filing fee shall accompany the motion to reopen. Any party affected by reopening of the case shall be served with a copy of the motion and any supporting documents. The motion shall be accompanied by a notice which complies with N.D.W.V. LBR 9013-1.

Cross Reference

11 U.S.C. 350(b)
Bankruptcy Rule 5010
N.D.W.V. LBR 9013-1
Appendices A (Fees); O (Suggested forms)