

D.N.J. LBR 9027-1 REMOVAL

- (a) *Notice of Removal; Where Filed.* A party wishing to remove a claim or cause of action from a state or other federal court to the Bankruptcy Court shall file a “Notice of Removal” with the Clerk of the Bankruptcy Court.
- (b) *Procedure after Removal.* Within fourteen days of the filing of the Notice of Removal, the party filing the Notice of Removal shall file, or cause to be filed, with the Clerk of the Bankruptcy Court, certified copies of all records and proceedings relating to the claim or cause of action in the court from which the claim or cause of action was removed.
- (c) *Notice.* The Notice of Removal shall be served in the manner provided for in Fed. R. Bankr. P. 7004 and proof of service shall be filed with the Bankruptcy Court.

NEW JERSEY BOARD OF BANKRUPTCY JUDGES NOTES

2011 Comment: This Rule was adopted in 2011 to implement a local procedure pursuant to Fed. R. Bankr. P. 9027. It seeks to highlight that all cases sought to be removed to the Bankruptcy Court are to be filed directly with the Clerk of the Bankruptcy Court as defined under Fed. R. Bankr. P. 9001(3) and not with the Clerk of the District Court to be referred to the Bankruptcy Court. Consistent with Fed. R. Bankr. P. 9027(e)(2), the rule also puts in place a procedure after removal that directs the party filing the Notice of Removal to file with the Clerk of the Bankruptcy Court, copies of all records and proceedings relating to the claim or cause of action in the court from which the claim or cause of action was removed.