

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NORTH CAROLINA

LOCAL RULE REFERENCING )  
 )  
ALL BANKRUPTCY MATTERS )  
 )  
TO THE BANKRUPTCY JUDGE AND )  
 )  
PROVIDING FOR BANKRUPTCY COURT )  
 )  
CLERK )

**FILED**  
CHARLOTTE, N. C.

JUL 30 1984

U. S. DISTRICT COURT  
W. DIST. OF N. C.

(a) Bankruptcy Resolution:

The purpose of this Rule is to convey to the bankruptcy judge of this district authority to act in bankruptcy matters and to provide for the bankruptcy court clerk under and in accord with the provisions of the "Bankruptcy Amendments and Federal Judgeship Act of 1984", and in the light and after consideration of Memoranda of the Administrative Office of the United States Courts dated June 28, 1984, July 20, 1984, and July 11, 1984.

The judges of the district court find and conclude that it is the clear intent of Congress to refer bankruptcy matters to bankruptcy judges, that the judge, clerk, and their staff have the specialized expertise necessary for the determination and handling of bankruptcy matters, all of which is in place for the continuation of the appropriate handling of the existing bankruptcy caseload, administratively and otherwise; and that the bankruptcy judge has this date certified to the Judicial Council of the Fourth Circuit and to the Director of the Administrative Office of the United States Court that the number of cases and proceedings pending within the jurisdiction under section 1334 of the "Bankruptcy Amendments and Federal Judgeship Act of 1984" within this judicial district warrants the appointment by the bankruptcy judge of an individual to serve as Clerk of such bankruptcy court.

Therefore, pursuant to the provisions of the "Bankruptcy Amendments and Federal Judgeship Act of 1984", the orderly conduct of the business of the court in the handling of bankruptcy matters requires this referral to the bankruptcy judge.

(b) Reference to the Bankruptcy Judge is hereby made of:

(1) All cases under Title 11 and all core proceedings arising under Title 11, or arising in a case under Title 11,

subject to the reference exception and powers of the Bankruptcy Judge as set out in the provisions of the "Bankruptcy Amendments and Judgeship Act of 1984".

(2) All proceedings that are not core proceedings but that are otherwise related to a case under Title 11, subject to the reference exception and powers of the Bankruptcy Judge as set out in the provisions of the "Bankruptcy Amendments and Judgeship Act of 1984".

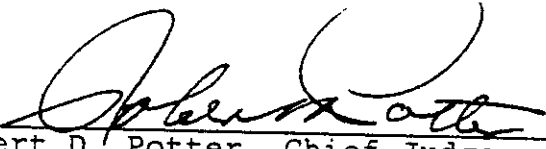
(c) Clerk of Court


(1) The bankruptcy judge having certified the need for a bankruptcy clerk as provided for in Section 156 of the Act, all functions of the "clerk" as provided by law are hereby referenced to the bankruptcy clerk appointed by the bankruptcy judge.

(d) Effective Date and Pending Cases.

The Rule shall become effective immediately, and shall apply to all cases governed by the Bankruptcy Act of 1898, and the Bankruptcy Code of 1978 as amended. Any bankruptcy pending before the bankruptcy judge on the effective date of this Rule shall be deemed referred to that judge. All bankruptcy matters filed on and after the effective date of this Rule shall be deemed automatically referred to that judge.

This the 30th day of July, 1984.

  
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Robert D. Potter, Chief Judge

  
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Woodrow W. Jones

  
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James B. McMillan