

Proposed change to the local rules for the United States Bankruptcy Court for the Northern District of Indiana. New material is indicated by redline, and deleted material is indicated by ~~strikeout~~.

B-7024-1
Procedure for Notification of Any Claim of Unconstitutionality

- 1 ~~(a) Whenever (1) the constitutionality of any act of Congress affecting the public interest is~~
2 ~~drawn into question in any action, suit, or proceeding to which the United States, or any agency,~~
3 ~~officer or employee thereof, is not a party, or (2) the constitutionality of any statute of a State~~
4 ~~affecting the public interest is drawn into question in any action, suit, or proceeding in which a~~
5 ~~State or any agency, officer, or employee thereof is not a party, counsel for the party raising or~~
6 ~~intending to raise such constitutional issue shall immediately notify the clerk, in writing,~~
7 ~~specifying the act or the provisions which are attacked, with a proper reference to the title and~~
8 ~~section of the relevant act if available.~~
- 9 ~~(b) Failure to comply with this rule will not be grounds for waiving the constitutional issue or~~
10 ~~for waiving any other rights the party may have. Any notice provided under this rule, or lack of~~
11 ~~notice, will not serve as a substitute for, or as a waiver of, any pleading requirement set forth in~~
12 ~~statute or the Federal Rules of Civil Procedure.~~ Abrogated.

Drafting Comments

This change conforms the local bankruptcy rules to revisions in Federal Rule of Civil Procedure 5.1 and Local Rule 5.1.1 of the United States District Court for the Northern District of Indiana.