UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA

STANDING ORDER NO. 12 (REVISED)

CONTINUING ORDER REFERRING BANKRUPTCY CASES AND PROCEEDINGS TO BANKRUPTCY JUDGES, AUTHORIZING JURY TRIALS, AND AUTHORIZING BANKRUPTCY APPEALS TO BE DECIDED BY THE NINTH CIRCUIT BANKRUPTCY APPELLATE PANEL SERVICE

IT IS ORDERED that Standing Order No. 12 (revised), filed on May 24, 1985, as revised on September 26, 1995, is revised and amended as follows:

PART I: REFERRAL OF BANKRUPTCY CASES AND PROCEEDINGS

1.01 CASES AND PROCEEDINGS UNDER TITLE 11, UNITED STATES CODE

This Court hereby refers to the bankruptcy judges of this district all cases under Title 11, and all proceedings arising under Title 11 or arising in or related to cases under Title 11.

1.02 JURY TRIALS

If the right to a jury trial applies in a proceeding that may be heard under 28 U.S.C. § 157 by a Bankruptcy Judge, the Bankruptcy Judges of this District may conduct the jury trial with the express consent of all the parties.

PART II: BANKRUPTCY APPEALS

2.01 BANKRUPTCY APPELLATE PANEL

Pursuant to 28 U.S.C. § 158(b)(6), this Court hereby authorizes the Bankruptcy Appellate Panel Service to hear and determine appeals from judgments, orders, and decrees entered by bankruptcy judges originating in this district.

2.02 RULES GOVERNING BANKRUPTCY APPEALS

(a) Practice in such bankruptcy appeals as may come before this District Court shall be governed by Part VIII of the Federal Rules of Bankruptcy Procedure, except as provided in this Order or in rules subsequently adopted by this District Court.

(b) Notwithstanding subparagraph (a), the time for filing appellant's, appellee's, and reply briefs for consideration by the District Court shall be 40 days, 30 days, and 14 days, respectively, in lieu of the time limits specified in Rule 8009(a) of the Federal Rules of

Bankruptcy Procedure, provided however, that the District Court may shorten these time limits in appropriate cases.

(c) In lieu of the page limitations set forth in Rule 8009(c) of the Federal Rules of Bankruptcy Procedure, the length of briefs filed in appeals before District Court shall comply with the Local Rules of Procedure adopted by the District Court for Motion Practice as set forth in Local Rule 7.1(d)(2), that as of the effective date are as follows:

(1) Appellant and Appellee briefs are limited to 6500 words, excluding caption and certificates of service and compliance.

(2) Reply briefs are limited to 3250 words, excluding caption and certificates of service and compliance.

(3) A party may not exceed these word limits without prior leave. Any brief that exceeds standard limits must include a table of contents and a table of cases with page references.

(4) Briefs must include a certificate of compliance that the brief complies with the word limits of this rule. The certificate must state the number of words in the brief, excluding caption and certificates of service and compliance. The signer of the certificate may rely on the word count of a word-processing system used to prepare the brief.

(5) These limitations may be amended from time to time. Parties should review the briefing requirements set forth in the Local Rules of Procedure adopted by the District Court prior to filing any briefs in an appeal.

PART III: EFFECTIVE DATE

This Order shall become effective immediately and supersedes all previous orders of this Court regarding bankruptcy cases, proceedings, and appeals.

IT IS SO ORDERED this 9th day of December, 2009.

Chief U.S. District Judge Richard F. Cebull

U.S. District Judge Donald W. Molloy

U.S. District Judge Sam E. Haddon