

Appeals Docket Events

May 12, 2020

Several amendments to the Federal Rule of Bankruptcy Procedure regarding appeals went into effect on December 1, 2014. See [FRBP 8009](#) and [FRBP 8010](#) for additional information.

The appellant must file with the bankruptcy clerk and serve on the appellee a designation of the items to be included in the record on appeal and a statement of the issues to be presented. All documents designated as part of the record on appeal must be submitted to the Bankruptcy Court Clerk of Court's office in PDF on a compact disc. If the party fails to provide the documents, the bankruptcy clerk must prepare the copy at the party's expense.

In connection with the FRBP amendments, ALNB added several new appeal events to CM/ECF which are located in CM/ECF under **Bankruptcy > Appeal**. Below is a description of each event:

Transcript Ordered Re: Notice of Appeal

FRBP 8009(b)(1)(A)&(B) and FRBP 8009(b)(2)(A)&(B) require the appellant(s) and appellee(s) to either file a copy of the transcript order or file a certification that a transcript is **not** being ordered.

Certification of No Transcript Ordered

FRBP 8009(b)(1)(A)&(B) and FRBP 8009(b)(2)(A)&(B) require the appellant(s) and appellee(s) to either file a copy of the transcript order or file a certification that a transcript is **not** being ordered.

Statement of Evidence in Lieu of Transcript

FRBP 8009(c) allows an appellant to file a statement of evidence when a transcript is unavailable. Parties have 14 days to file responses, then the Bankruptcy court must settle and approve.

Response to Statement of Evidence in Lieu of Transcript

FRBP 8009(c) allows an appellant to file a statement of evidence when a transcript is unavailable. Parties have 14 days to file responses, then the Bankruptcy court must settle and approve.

Agreed Statement in Lieu of Record on Appeal (ROA)

FRBP 8009(d) allows the parties to an appeal to file an agreed statement as to the record on appeal (ROA); the court must approve it and certify it as the ROA.

Acknowledgement of Request for Transcript of Testimony

FRBP 8010(a)(2)(A) states - Upon receiving an order for a transcript in accordance with Rule 8009(b), the reporter must file in the bankruptcy court an acknowledgment of the request that shows when it was received, and when the reporter expects to have the transcript completed.