

UNITED STATES BANKRUPTCY COURT

Eastern and Western Districts of Arkansas

LOCAL RULE 9015-1

Jury Trial

- (a) Jury Trial. Issues triable of right by jury shall, if timely demanded, be by jury.
- (b) Demand. Any party may demand a trial by jury of any issue triable of right by a jury by serving upon the other parties a demand therefor in writing at any time after the commencement of the action and not later than 10 days after the service of the last pleading directed to such issue. Such demand may be endorsed upon a pleading of the party.
- (c) Specification of Issues. In the demand a party may specify the issues which the party wishes so tried; otherwise the party shall be deemed to have demanded trial by jury for all the issues so triable. If the party has demanded trial by jury for only some of the issues, any other party within 10 days after service of the demand or such lesser time as the court may order, may serve a demand for trial by jury of any other or all of the issues of fact in the action.
- (d) Waiver. The failure of a party to serve a demand as required by this rule and Federal Rule of Bankruptcy Procedure 5005 and to file it as required by Rule 5(d) constitutes a waiver by the party of trial by jury. A demand for trial by jury made as herein provided may not be withdrawn without the consent of the parties.
- (e) Determination by Bankruptcy Court. On motion of a party or on its own motion, the Bankruptcy Court may determine whether there is a right to jury trial on the issues for which a jury is demanded.
- (f) Trial by Court. If entitlement to jury trial on the issues for which a jury is demanded is found, the bankruptcy judges have been designated by the United States District Courts for the Eastern and Western Districts of Arkansas to conduct jury trials if all parties express their consent by filing and serving a statement pursuant to Federal Rule of Bankruptcy Procedure 9015(b). If any party does not consent, the issues shall be referred to the applicable District Court for further proceedings.

(adopted 5/20/92)

(rev. 3/9/01)