

Rule 9015-1

Jury Trials

(a) Jury demand. In any case in which a party asserts the right to a jury trial, the jury trial demand must be made pursuant to Fed. R. Civ. P. 38, and filed in accordance with Fed. R. Bankr. P. 5005. Nothing in this rule shall be deemed to (1) create or imply a right to trial by jury where such right does not otherwise exist under applicable law, or (2) violate a party's right of trial by jury as set forth in the Seventh Amendment to the Constitution or in any statute of the United States. On motion or on its own initiative, the Court may determine whether there is a right to trial by jury in any adversary proceedings or contested matter or whether a jury demand should be granted or stricken.

(b) Consent to Have Trial Conducted by Bankruptcy Judge. The parties may consent to have a trial by jury conducted by a bankruptcy judge under 28 U.S.C. § 157(e) if the following requirements are met:

- (1) the right to a jury trial applies;
- (2) a timely demand has been filed;
- (3) the bankruptcy judge has been specially designated by the District Court to conduct the jury trial; and
- (4) the parties jointly file a statement of consent within thirty (30) days of the date following the date that the last responsive pleading is required to be filed.

(c) Lack of Mutual Consent to Have Jury Trial Conducted by Bankruptcy Judge. A proceeding must be referred to the District Court if the first three requirements of subsection (b) of this LBR are met but not all of the parties consent to the trial being conducted before a Bankruptcy Judge.