

General Information Regarding BAP Appeals

As of January 1, 2022

(a) Case Opening Letter. As soon as the panel clerk receives from the bankruptcy court clerk a copy of the notice of appeal and a copy of the order or judgment being appealed, the appeal will be opened on the BAP's docket and assigned a case number.

Once the appeal has been opened, the panel clerk sends a letter to counsel via CM/ECF and via United States Mail to pro se parties informing them of the date the appeal was opened and the case number assigned. The case opening letter will also state whether the filing fee requirement has been satisfied.

(b) Filing Fee. The \$298 fee to file an appeal must be paid in the BANKRUPTCY COURT from which the appeal originated. If the filing fee is not timely paid, the appeal may be dismissed for lack of prosecution.

(c) Supporting Documents. The Appellant's Statement of Issues, Designation of the Record on Appeal, and Transcript Order should be filed within 14 days of the filing date of the Notice of Appeal in the BANKRUPTCY COURT from which the appeal originated. The applicable bankruptcy court's local rules and procedures should be consulted for directives concerning the designation of the record on appeal. An appeal may be dismissed for lack of prosecution if supporting documents are not timely filed. *Note: The BAP strongly encourages complete transcripts. Partial transcripts may be filed if the complete transcript is voluminous. The panel, however, may request further portions of a transcript or the entire transcript, if needed, and this may delay the appeal.*

(d) Electronic Filing. All filings by attorneys in appeals to the Bankruptcy Appellate Panel of the Sixth Circuit are to be made electronically through CM/ECF, the Sixth

Circuit's adaptation of the Electronic Court Filing program designed and implemented throughout the federal judiciary. Attorneys who are members of the Sixth Circuit bar and who have previously registered with the Sixth Circuit Clerk's office for their ID's and passwords may use those to make BAP e-filings. Attorneys who have not registered, whether or not they have been admitted to the bar of the Sixth Circuit, should contact Ken Loomis of the Circuit/BAP Clerk's office at (513) 564-7067, for further direction. The registration process is simple, quick, and free.

(e) Form for Appearance of Counsel. Any attorney wishing to file documents or present argument on behalf of a party must file an appearance form. 6th Cir. BAP LBR 8090-1(b).

https://www.ca6.uscourts.gov/sites/ca6/files/documents/bap/bk_appearance.pdf

(f) Unrepresented (Pro Se) Parties. Although individuals may prosecute and oppose appeals before the BAP without counsel, most litigants generally benefit from retaining experienced counsel to assist on appeal. Appearing pro se does not excuse a party from meeting the requirements of the Federal Rules of Bankruptcy Procedure, the BAP's Local Rules, or other applicable law. Pro se litigants may file documents in-person at the Sixth Circuit Clerk's office or via mail. Through December 21, 2022, pro se litigants may e-mail documents in PDF format to the following email box, and those documents will be processed in the normal course: CA06_Temporary_Pro_Se_Efiling@ca6.uscourts.gov