

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA
ORDER FOR ASSIGNMENT OF CASES**

IT IS ORDERED that upon the filing of a case with the Clerk of Court, it must be assigned in accordance with this Order:

1. Case Assignment Process

a. In General

An electronic Case Assignment System will be maintained by the Clerk's Office for the purpose of assigning a judge to each new case opened in this Court. All cases will be randomly assigned one bankruptcy judge, unless otherwise provided for in this order, by Local Rule, or by order of the Chief Judge.

The Clerk's Office must maintain the case assignment decks that are approved by the Court. Whenever a new case is filed, it must be properly designated as a 3rd Division case, a 4th Division case, a 5th Division case, or a 6th Division case. The case must then be assigned to the most specific case assignment deck category that is applicable to that matter in accordance with this Order and Court policy. Adversary proceedings must be directly assigned to the bankruptcy judge who was assigned to the original bankruptcy case (see Local Rule 1073-1).

b. Case Assignment

To assign a bankruptcy judge to a case, the Case Assignment System will utilize computer-generated decks of cards. Each of the cards in the various decks will bear the name of a judge. The number of cards per judge in each deck will be determined by the Court.

After a bankruptcy judge receives a case assignment, that judge must preside over that case to its resolution, unless: (1) the judge recuses or is disqualified from handling the case or the case is transferred or reassigned as provided in paragraphs 2 and 3 below; or (2) another bankruptcy judge agrees to handle a portion or remainder of the case.

i. 5th and 6th Division Cases

The Court agrees that all 5th Division cases will be directly assigned to one bankruptcy judge and all 6th Division cases will be directly assigned to one bankruptcy judge. See paragraph 3, below, for information on how 5th and 6th Division cases will be reassigned in the event of recusal, disqualification, or transfer.

ii. Caseload Equalization

The Court will periodically review the total pending caseload and may reduce the number of cards for an individual judge in any deck to equalize a judge's caseload with the other bankruptcy judges.

iii. Case Opening Errors by Attorneys

The Clerk's Office is authorized to reassign a case that was opened in error by an attorney when: (1) the attorney designated the case in the wrong division or selected the wrong case assignment deck; (2) the error was identified within 5 business days of case opening; and (3) the case is reassigned in compliance with this Order.

2. Rules Governing Reassignment of Related Cases

- a. For purposes of this Order, a new bankruptcy case may be deemed "related" to another open or closed case, if it appears that:
 - i.* The two cases share common debtors;
 - ii.* A decision or opinion in one of the cases will effectively resolve substantially all the issues in the other case; or
 - iii.* The interests of justice or judicial economy would be best served if the two actions were handled by a single judge, even though the resolution of one case might not effectively resolve all the issues in the other case.
- b. New bankruptcy cases that are related must be originally assigned to a judge in the same manner as all other new cases. If it appears to the Clerk that a new case may be related to an open or closed case, the Clerk must call that matter to the attention of the judge to whom the new case is assigned and the judge to whom the related case is assigned. Whenever any judge learns, either from the Clerk or

independently, that a related case has been assigned to another judge, the judge who first becomes aware of such related cases must call that matter to the attention of the other judge, and the two judges must then review the respective files and determine whether they are in fact related cases.

- c. If the judges agree that two or more cases are related, the judge to whom the newest case has been assigned may enter a written order directing the Clerk to reassign that new case to the judge to whom the earlier case was assigned.

3. Re-Assignment of Cases in the Event of Recusal, Disqualification, or Transfer

Whenever a judge disqualifies or recuses himself or herself or determines to transfer a case, matter, or proceeding, the Chief Judge will direct the Clerk's Office to either: (1) randomly reassign it to one of the remaining bankruptcy judges; or (2) directly assign it to a designated bankruptcy judge.

4. Random Assignment of Cases without a Current Judge

If a closed case becomes active and the originally assigned bankruptcy judge is no longer accepting new cases, the Chief Judge will direct the Clerk's Office to either: (1) randomly reassign the case to one of the remaining bankruptcy judges; or (2) directly assign the case to a designated bankruptcy judge.

5. Reassignment of Cases in Event of a Judge's Departure or Disability

When a bankruptcy judge departs from the Court, the Court will direct the Clerk's Office as to how the caseload of the departed judge will be reassigned. In the event a bankruptcy judge is temporarily disabled, the Court will tailor a plan to meet the needs of that specific situation, which may include the temporary random reassignment of cases.

6. Case Assignment Not Addressed by this Order

Any case assignment issue not addressed by this order must be determined by the Chief Judge.

7. Effective Date

This Order takes effect on January 7, 2022.

Dated: January 3, 2022

[/e/ Michael E. Ridgway](#)

Michael E. Ridgway
Chief United States Bankruptcy Judge

[/e/ Kathleen H. Sanberg](#)

Kathleen H. Sanberg
United States Bankruptcy Judge

[/e/ Katherine A. Constantine](#)

Katherine A. Constantine
United States Bankruptcy Judge

[/e/ William J. Fisher](#)

William J. Fisher
United States Bankruptcy Judge