

DISTRICT COURT STANDING ORDERS OF REFERENCE

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| # 1 | ORDER OF REFERENCE OF BANKRUPTCY CASES
AND PROCEEDINGS NUNC PRO TUNC | 8/13/84 |
| # 2 | GENERAL ORDER REGARDING REMOVALS OF BANKRUPTCY
RELATED PROCEEDINGS FROM STATE COURT | 6/27/86 |

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

ORDER OF REFERENCE OF BANKRUPTCY CASES
AND PROCEEDINGS NUNC PRO TUNC

WHEREAS, prior to the enactment of Bankruptcy Amendments and Federal Judgeship Act of 1984, Public Law 98-353, Title 28, United States Code, Section 157, the Clerk of the Western District of Texas, pursuant to the authorization from the Judicial Conference of the United States, appointed Bert W. Thompson and Joseph C. Elliott as consultants, pursuant to the provisions of Title 28, United States Code, Section 751, and under Title 5, United States Code, Section 3109, to advise the United States District Court on matters until July 27, 1984, and thereafter until August 27, 1984; and

WHEREAS, pursuant to such appointment said consultants have submitted numerous proposals, each of which have been approved and ordered carried out by Judges of the United States District Court; and

WHEREAS, it is the desire of this Court and of the consultants, that an order of reference of bankruptcy cases and proceedings should be entered pursuant to the Bankruptcy Amendments and Federal Judgeship Act of 1984, Title 28, United States Code, Section 157, it is hereby

ORDERED nunc pro tunc as of June 27, 1984, that any and all cases under Title 11 of the United States Code, and any or all proceedings arising under Title 11, United States Code, or arising in or related to a case under Title 11, United States Code, which were pending in the Bankruptcy Court of the Western District of Texas on June 27, 1984, which have been filed in this district since that date and which may be filed herein hereafter (except those cases and proceedings now pending on appeal) be and they are

hereby referred to the Bankruptcy Judges of this district for consideration and resolution consistent with law.

It is further ORDERED that the Bankruptcy Judges for the Western District of Texas be, and they are hereby directed to exercise the authority and responsibilities conferred upon them as Bankruptcy Judges by the Bankruptcy Amendments and Federal Judgeship Act of 1984 and this Court's order of reference, as to all cases and proceedings covered by this order from and after June 27, 1984.

In accordance with Title 28, United States Code, Section 157(b)(5), it is further ORDERED that all personal injury tort and wrongful death claims arising in or related to a case under Title 11, United States Code, pending in this Court shall be tried in, or as determined by, this Court and shall not be referred by this order.

SO ORDERED this 13th day of August, 1984, at 8:00 a.m. by WILLIAM S. SESSIONS, CHIEF UNITED STATES DISTRICT JUDGE AS AUTHORIZED BY THE UNANIMOUS VOTE OF THE JUDGES OF THE COURT.

Filed August 13, 1984.

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS

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GENERAL ORDER REGARDING REMOVALS
OF BANKRUPTCY RELATED PROCEEDINGS FROM STATE COURT

Title 28, United States Code §1452 provides that a party may remove any claim or cause of action in a civil action related to bankruptcy cases other than a proceeding before the United States Tax Court, or a civil action by a governmental unit to enforce such governmental unit's police or regulatory power to the district court in the district where such civil action is pending, if such district court has jurisdiction of such claim or cause of action under §1334 of Title 28. This court has required that all bankruptcy related matters removed from a state court be filed in the U. S. District Court Clerk's office and assigned to a U. S. District Judge. After filing, these cases have been referred to the bankruptcy judges of this district. Since the bankruptcy court is a unit of the district court and in the interest of justice and economy,

IT IS ORDERED that effective immediately, removal of claims related to bankruptcy cases shall be filed in the bankruptcy unit of the district court as adversary proceedings and assigned directly to a bankruptcy judge of this district.

IT IS FURTHER ORDERED that the bankruptcy judge to whom the case is assigned shall make a determination whether the proceedings are core or non-core proceedings and upon conclusion, to either enter a final order or enter recommended findings to be submitted to the district court for review.

SIGNED and ENTERED this the 27th day of June, 1986 at 8:45 a.m. by
WILLIAM S. SESSIONS, CHIEF JUDGE.

Filed June 27, 1986.