



# MEMORANDUM

**To:** Bankruptcy Practitioners in the Middle District of Georgia  
**From:** Kyle George, Clerk of Court  
**Subject:** Amendment to LBR 1017-2(i) Effect of Dismissal on Future Filings by the Debtor  
**Date:** October 31, 2019

1. The judges of the Court want to make the language of LBR 1017-2(i) “Effect of Dismissal on Future Filings by the Debtor,” clearer. The original intent of the rule was to instruct attorneys that their proposed orders should not include language saying that an order of dismissal is “with prejudice” as to future filings, unless the accompanying motion specifically addresses the prejudicial effect of the relief requested.

2. The LBR would be amended as follows:

## **LBR 1017-2. Dismissal or Suspension – Case or Proceedings (updated April 18, 2016)**

**(a) – (h) Omitted for the purposes of this memo.**

**(i) Effect of Dismissal on Future Filings by the Debtor.** All **proposed** orders of dismissal shall be silent as to the prejudicial effect of the dismissal on future filings by the debtor unless ~~the Court directs otherwise~~ **the motion specifically addresses the prejudicial effect of the relief requested.**

3. This rule change is being made available for public commentary during the period October 31, 2019 to November 30, 2019. If you have any comments or suggestions, please submit them to me at [Kyle\\_George@gamb.uscourts.gov](mailto:Kyle_George@gamb.uscourts.gov).