INDEX

LOCAL RULES OF BANKRUPTCY PROCEDURE UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF MISSOURI

2004 Examination

```
Conference of Parties – p. <u>19</u>
Consent Motions – p. <u>19</u>
Contested Motions – p. 20
```

341 Meeting of Creditors

```
Abandonment of Assets – p. <u>52</u>
Attorney Admission, Appearance without – p. <u>26</u>
Continuances and Rescheduling – p. <u>18</u>
Extension of Deadlines, Re-setting Meeting – pp. <u>10, 19</u>
Failure to Appear

Dismissal – pp. <u>13, 19</u>
General Procedures – p. <u>19</u>
Notice of – p. <u>17</u>
Payment Advices, Relationship to Date of 341 meeting – p. <u>8</u>
Reinstatement Following Dismissal for Failure to Appear – p. <u>14</u>
Schedule and SOFAs filed within 10 days of – p. <u>19</u>
Scheduling of, Chapter 11 – p. <u>62</u>
Waiver of Attendance – p. 19
```

Abandonment of Assets – (*See* **341 Meeting of Creditors**/Abandonment of Assets)

Adequate Protection – (See Claims/Secured Claims/Chapter 13 and Plans/Chapter 12 or Chapter 13/Secured Claims)

Adversary Proceedings

```
Bench Trial, Consent to – p. <u>63</u>
Commencement

Cover Sheet – p. <u>53</u>
Filing Fee – p. <u>53</u>

Default Judgment

Entry of Default – p. <u>54</u>

Motion for

Generally – p. <u>55</u>

Hearing – p. <u>55</u>

Service – p. <u>55</u>

Discovery

Deadline – p. 54
```

```
Filing of Discovery Material – p. 54
              Time to Commence -p.54
              Required Disclosures – p. 54
       Jury Trials – (See Jury Trials)
       Mediation – (See Mediation)
       Subpoenas – p. 64
       Summary Judgment
              Motion
                     Generally – p. 55
                     Hearings -p.56
                     Memorandum in Support – p. 55
                     Response
                            Generally – p. 56
                            Memorandum in Support – pp. 56, 61
                            Reply to -p.56
                            Time for -p.56
              Page Limits – p. 56
       Summons
              Issuance -p.53
              Service – p. 53
       Pre-trial Procedures
              Duty to Confer -p.54
              Exhibits
                     Exchange of Witness and Exhibit Lists, and Exhibits – p. 53
                     Objections to -p.53
              Settlement Conference – p. 54
Affiliated Debtor Cases, Chapter 11
       Claims -p. 12
       Docket -p. 12
       Generally -p. 12
       Lead Case – p. 12
Appeals
       Bankruptcy Appellate Panel, Appeals to – p. 56
       Circuit Court, Direct Appeals to – p. 57
       District Court, Appeals to – p. 57
       Election to Have Appeal Heard by District Court – p. 56
      Notice of Appeal – p. 56
Attorneys
```

Admission to Practice in Bankruptcy Court

```
Generally -p.25
              Pro Hac Vice
                     Appearance without Admission – pp. 26, 59
                     Generally -p.25
                     Local Counsel, Affiliation with – p. 26
       Change of Address – p. 26
       Conduct and Obligations
              341 Meetings – p. 27
              Chapter 13 Counsel – p. 27
              Duty to Confer -p. 26
              Generally – p. 26
       Discipline – p. 27
       Fees and Compensation – (See Professionals/Compensation)
Automatic Stay
       Continuance of Automatic Stay
              Beyond 60 Days from Date of Motion for Relief – p. 45
              Motions
                     Generally – p. 46
                     Responses to -p. 46
       Distribution to Chapter 13 Creditors Following Relief from
              Against Co-debtor -p.40
              Against Debtor -p.40
       Communications of Adjustments to Monthly Payments not a Violation, Chapter 13, –
        p. 41
       Imposition of, Motion for -p. 46
       Lessors of Real Property – pp. 46-47
       Relief from
              Motions
                     Consent Motions – p. 45
                     Content of
                            Foreclosure on Collateral
                                   Chapter 13 - p.43
                                   Generally -p.43
                     Duty to Confer -p.45
                     Emergency and Ex Parte – pp. 45, 61
                     Exhibits
                            Generally – p. 44
                            Chapter 13 Cases – p. 44
                            Foreclosure on Collateral – p. 43
                            Responses -p.45
                     Service of -p. 43
```

Hearings on

Continuances – p. $\underline{45}$ Generally – p. $\underline{43}$

```
Outside 30 days as a Result of Movant's Actions – p. 43
                             Outside 60 days as a Result of Movant's Actions – p. 45
                      Responses to -p. 45
       Stay Inapplicable, Motion for Order Confirming – p. 46
Case Administration, Chapter 11
       341 Meeting, Scheduling of – p. 62
       Certificates of Service – p. 63
       Coordination with United States Trustee – p. 62
       First Day Motions – p. <u>61</u>
       Initial Debtor Interview – pp. 16, 62
       Master Notice Lists
              Generally – pp. 62, 63
              Specific Requirements – p. 63
       Master Service Lists
              Generally – pp. 62, 63
              Specific Requirements – p. 62
       Service of Motions and Notices -p. 63
       Regular Hearing Dates and Agenda – p. 62
Certificate of No Response – (See Motion Practice/Certification of No Response)
Certificate of Resolution – (See Motion Practice/Certification of Resolution)
Certificates of Service – (See Documents/Certificates of Service)
Claims
       Distribution on
              Chapter 13
                      Generally – p. 40
                      Relief from the Automatic Stay, Following
                             Against Co-debtor -p.40
                             Against Debtor – p. 40
                      Monthly Payments to a Creditor
                             Post-petition Adjustments – p. 40
                             Real Estate Obligations – pp. 41, 42
                      Secured Claims
                             Generally -p.33
                             Following Minimum Distribution to Unsecured Creditors – p. 41
```

```
Proof of
       Filing
              Attorney Admission not Necessary – p. 26
              Avoidance Action Claims – p. 29
              Chapter 7 - p. 28
              Chapter 11
                     Bar Date -p.29
                     Newly Added Creditors – p. 29
                     Notice of Bar Date – p. 29
              Conversions -p.29
              Debtor, Filing by – p. 29
              Rejection Claims – p. 29
       Form - p. 28
       Exhibits -p.28
       Service, Chapters 7, 12 and 13 - p. 28
       Transferred Claims – p. 28
       Voting on Chapter 11 Plans – pp. 38-39
Objections to
       Chapters 7, 11, 12, 13 - p. 29
       Lien Avoidance, Objections Based on – p. 30
       Negative Notice, Chapter 13
              Generally – p. 69
              Notice of Hearing when Response Filed -p. 70
       Omnibus -p.30
Secured Claims
       Adequate Protection, Chapter 13 - p.34
       Distribution on
              Chapter 12 - p.31
              Chapter 13 - pp. 33, 41
       Interest on
              Chapter 12 - p.31
              Chapter 13 - p. 33
       Real Estate
              Application of Payments Secured by, Chapter 13 - p. 42
              Mortgage Obligations, Disclosure of, Chapter 13 - p. 41
       Vehicle Claims, Chapter 13 - p.33
Treatment of
       Chapter 12 Plan – p. 31
       Chapter 13 Plan - p. 33
Voting on Chapter 11 Plan – (See Plans/Chapter 11/Voting)
```

Closing Case

Chapter 7 - p. 51Chapter 11 - pp. 42, 52Chapter 12 - p. 51Chapter 13 - p. 52

Conversions

Debtors that are not Individuals

Final Report and Account – p. $\underline{15}$

Schedule of Unpaid Debts – p. <u>15</u>

Individual Debtors

Means Test – p. $\underline{15}$

Schedules and SOFA, Necessity to File New – p. 15

Statement of Current Monthly Income – p. <u>15</u>

Initial Debtor Interview, Conversion to Chapter 11 - p. $\underline{16}$

Matrix, Necessity to File New – p. 15

Negative Notice, Motions to Convert (except from Chapter 12 or 13) – pp. 69, 70

Reconversion of Case, Failure to File Means Test/Statement of Current Monthly Income

− p. <u>15</u>

Credit Counseling

Certificate of

General Requirements – p. $\underline{9}$

Required for Filing Petition – pp. 2, 3, 4, 5, 6

Review by Trustee -p. 9

Exemption -p. 10

Exigent Circumstances, Certificate of -p. 9

Creditors

List of 20 Largest Unsecured, Required to Commence Chapter 11 Case – p. $\underline{3}$ Voting on Chapter 11 Plan – (See Plans/Chapter 11/Voting)

Current Monthly Income

Conversion of Case -p. 15

Means of Providing Statement -p. 8

Statement of Required to Commence Case – pp. 3, 4, 6

Discharge

Chapters 7, 11 and 13

Certification of Payment of Domestic Support Obligations as Condition, Chapter

$$13 - p. 48$$

Generally – p. 48

```
Notice Regarding Bankruptcy Code § 1141(d)(5)(C) – p. 48
              Personal Financial Management
                     Exemption -p.49
                     Filing - p. 49
                     Generally – p. 49
                     Proof of Completion – p. 49
                     Relief from Order Dismissing Case for Failure to File – p. 49
       Chapter 12
              Certification of Payment of Domestic Support Obligations as Condition – p. 48
              Generally -p.48
       Closing of Case without Discharge
              Generally – p. 49
              Relief from Order – p. 49
       Delay of Discharge – p. 50
       Prior Discharge, Chapter 13 – p. 50
Disclosure Statement – (See Plans/Chapter 11/Disclosure Statement)
Discovery
       2004 Examinations – (See 2004 Examinations)
       Generally – (See Adversary Proceedings/Discovery)
Dismissal
       Failure to File Schedules or SOFA – p. 10
       Failure to Obtain Credit Counseling – p. 9
       Failure to Pay Filing Fee – pp. 2, 7
       Failure to Provide Payment Advices -p. 8
       Failure to Provide Pre-petition Tax Returns -p. 9
       General Failure to Provide Documents – p. 6
       Motions to Dismiss
              Amended Plan in Response to Motion to Dismiss, Chapter 13
                     Failure to Make Plan Payments – p. 13
                     Lack of Feasibility – p. 14
              Becoming Current in Plan Payments in Response to Chapter 13 Trustee Motion to
                     Dismiss -p. 13
              Chapter 13 Cases, Generally – p. 13
              Chapter 13 Debtor Motion – p. 13
              Chapter 13 Non-debtor Motion – p. 13
              Generally -p. 12
              Failure to Appear at 341 Meeting -p. 13
              Failure to Provide or File Required Documents – p. 13
              Negative Notice
```

```
Chapters 7, 11, 13 - p. 69
                     Notice of Hearing when Response Filed – p. 70
       Pre-confirmation Dismissal, Chapter 13, Allowance of Attorneys Fees – p. 24
       Reinstatement Following
              Failure to Attend 341 Meeting
                     Content of Motion -p. 14
                     Effect on Deadlines – p. 14
                     Time to File Motion -p. 14
                     Procedure – p. 14
              Failure to File Certification of Completion of Personal Financial Management
                Course -p.49
              Failure to File or Provide Required Documents
                     Closing of Case without Discharge – p. 49
                     Content of Motion -p. 14
                     Effect on Deadlines – p. 14
                     Time to File Motion -p. 14
                     Procedure – p. 14
              Failure to Make Plan Payments
                     Content of Motion -p. 14
                     Motions Pending at Time of Dismissal – p. 15
                     Time to File Motion -p. 14
                     Service of Motion -p. 14
Disposable Income
       Documentation – p. 7
       Material Change in, Chapter 13 Duty to Disclose – p. 21
       Median Family Income – p. 7
       Monthly Expenses -p. 7
       Required Form to Commence Case -p. 6
Distribution – (See Claims/Distribution on)
Documents
       341 Meeting – p. 19
       Captions -p.57
       Certificates of Service
              Chapter 11 - p. 63
              CM/ECF Service – p. 58
              Notices of Hearings – p. 68
              Manual Service – p. 58
              Time and Manner of Filing – p. 58
```

```
Commencement of Case
       Declination of Case for Filing – p. 2
       Chapter 7 - p. 2
       Chapter 11 - p. 3
       Chapter 12 - p.4
       Chapter 13 - p.5
       Missing Document, Order and Notice of -p. 6
Dismissal for Failure to Provide - (See Dismissal)
Declination of Documents for Filing – p. 50
Electronic Filing
       Generally – p. 50
       Retention of Originals – p. 60
       Signatures – p. 59
Electronic Service
       Determining which Parties Receive Service Electronically – pp. 58-59
       Certificate of Service – p. 58
       Consent to -p.50
       Effect of Notice – p. 50
       Service of Process, Exception for -p. 50
Filing Fees, Commencement of Case
       Generally – pp. 2, 6
       Payment in Installments -p. 6
       Requirement to Commence Case – pp. 3, 4, 5, 6
       Waiver of Fee – pp. 2, 3, 6
Format -p.58
Location, Place and Manner of Filing, Unrepresented Parties – p. 50
Motion Practice – (See Motion Practice)
Redaction – (See Privacy and Redaction of Documents)
Reinstatement Following Dismissal – (See Dismissal/Reinstatement Following)
Requests for -p. 16
Retention of Originals – p. 60
Service, Address for
       Generally – p. 17
       Internal Revenue Service – p. 17
       Missouri Department of Revenue – p. 17
       Registered Agents -p. 17
Signatures – p. 59
Tax Documents - (See Tax Documents)
Time, Additional Time after Service by Mail -p. 59
Title of -p.58
```

Domestic Support Obligations

Certification of Payment of as Condition Precedent to Confirmation

```
Chapter 11 - p.40
              Chapters 12 and 13 - p.35
       Certification of Payment as Condition Precedent to Discharge
              Chapter 12 - p.48
              Chapter 13 - p.48
       Notice of Commencement of Case and 341 Meeting – p. 17
       Payment of
              Chapter 12 - p. 32
              Chapter 13 - p. 32
Duties of Debtors
       Chapter 11
              General Requirements – p. 21
              Insurance -p.21
       Chapter 12
              Commencement of Case -p. 20
              Disposable Income, Duty to Disclose – p. 20
       Chapter 13
              Material Change in Financial Condition, Disclosure of -p. 21
              Motor Vehicle Insurance – p. 21
              Wage Orders -p.21
Electronic Service – (See Documents/Electronic Service)
Ex Parte Motions – (See Motion Practice/Ex Parte Motions)
Exemptions, Scheduling – p. 47
Exhibits
       Automatic Stay, Relief from
              Generally -p.44
              Chapter 13 Cases – p. 44
              Foreclosure on Collateral – p. 43
              Responses to Motions – p. 45
       Exchange of – p. 66
       Filing of -p. 66
       Format – p. \underline{66}
       Summary
              Entire Exhibits Permitted, when -p. 66
              Generally – p. 66
              Proof of Claim – pp. 28, 29
```

Expedited or Emergency Motions – (*See Motion Practice*/Expedited or Emergency Matters)

Evidence of Income – (See Payment Advices)

Filing Fees to Commence Case – (See Documents/Filing Fees/Commencement of Case)

Filing Documents with Court – (See Documents)

Final Decree, Chapter 11 – (See Plans/Chapter 11 or Closing Case/Procedures/Chapter 11)

Final Report and/or Account by Trustee

Conversion of Case – p. $\underline{15}$

Closing of Case

Chapter 7 - p.51

Chapter 12 - p.51

Chapter 13 - p.52

Negative Notice for Motion to Approve Final Report

Generally – p. 69

Notice of Hearing when Response Filed -p. 70

Hearings

Continuances – p. 68

Negative Notice

Format of Notice -p.69

Generally – pp. 68-69

Types of Motions or Pleadings Subject to -p. 69

Response to Matters Set on -p. 69

Notice of

Form

Generally – pp. 67-68

Negative Notice, Notice of Hearing when Response is Filed – pp. 69-70

Scheduling – p. 67

Telephone and Video Conferences and/or Hearings – p. 71

In Forma Pauperis – (See Filing Fees/Waiver of Fee)

Increase in Income or Expenditures

Means of Providing Statement Disclosing – p. 8

Statement Disclosing Reasonably Anticipated Increase – pp. 3, 4, 5, 6

Individual Retirement Account (educational account or state tuition program)

Means of Providing Statement Disclosing -p. 8

Statement of, Required to Commence Case – pp. 3, 4, 5, 6

Initial Debtor Interview

Conversion of Case – p. $\underline{16}$

Insurance

Chapter 11 Estate Assets – p. $\underline{21}$ Motor Vehicle, Chapter 13 – p. 21

Joint Case Administration -p. 12

Jury Trials

Bench Trial, Consent to -p. 63

Generally – p. 63

Consent to Bankruptcy Court Conducting Jury Trial – pp. 63, 64

Determination of Right to Jury Trial – p. 64

Jury Demand

Form – pp. 63, 64

Specification of Issues – p. 63

Time for -p.63

Pre-trial Procedure – p. 64

Right to, Generally – p. 64

Trial by Bankruptcy Court – p. 64

Waiver of Right to Jury Trial – p. 64

Withdrawal of Reference, Motion for – p. 64

Lien Avoidance

Claim Objection Based on -p. 48

Motion for

Content - p. 47

Hearings – pp. 47, 69, 70

Responses – p. 47

Service -p.47

Matrix

Amended Matrix

Bar Dates, Notice of – p. 11

Chapter 7, Form Notice – p. 11

Chapter 13 Plan, Service of – p. 11

Content -p. 11

Large Chapter 11 Cases – p. 11

Local Form 25 - p.68

Objection to Discharge, Extension of Deadline – p. 12

Requirements, Generally – p. 11

Service -p. 11

Conversion of Case -p. 15 Child Support Enforcement Agency – p. 10 Filing Requirement to Commence Case – pp. 2, 3, 4, 5, 6 General Requirements – p. 10 Internal Revenue Service – p. 10 Missouri Department of Revenue – p. 10 Returned Notices – pp. 18, 68 **Means Testing** Conversion of Case -p. 15 Documentation Supporting – p. 7 Median Family Income -p. 7 Monthly Expenses – p. 7Required to Commence Case -p. 3 Mediation Attendance – p. 65 Confidentiality – p. 65 Mediator Choice of -p. 64 Compensation – p. 65 Proceedings, Effect on -p.65Mediation Report – p. 65 Mediation Statements -p.65**Motion Practice** Ex Parte Motions Automatic Stay, Relief from – pp. 45, 61 Generally – p. 70Types of Matters Considered without Hearing – pp. 70-71 Certification of No Response -p. 70 Certification of Resolution – p. 70 Consent Motions -p. 61 **Expedited or Emergency Matters** Automatic Stay -p. 61 CM/ECF System Shutdown – p. 50 Definition of -p. 61 Hearing, Motion for -p. 61 Response to Motion -p. 61 Memoranda of Law - p. 61Notices of Hearings – pp. 67-68 Proposed Orders – (See Proposed Orders)

Responses

```
Certificate of No Response – p. 66
              Deadlines – p. 60
              Failure to File – p. 60
              General Denials, Prohibition of – p. 60
              Service – p. 60
       Service – p. 60
Negative Notice – (See Hearings/Negative Notice)
Non-attorney Petition Preparer Notice
       Required to Commence Case – pp. 3, 4, 5, 6
Notices
       11 U.S.C. \S 1141(d)(5)(C) – p. 48
       341 Meeting
              Continued Meeting – p. 19
              Child Support Claimants – p. 17
              Generally – pp. 17, 18
              Service and Form of Notice – p. 17
       Abandonment of Assets -p. 52
       Amended Matrix -p. 11
       Amended Schedule(s) -p. 11
       Appeals -pp. 56-57
       Appearance and Request for Service, Attorney Admission not Necessary – p. 26
       Application for Final Decree, Chapter 11 - pp. 42-43
       Claims Bar Date – pp. 11, 28, 29
       Closing of Case without Discharge – p. 49
       Commencement of Case – pp. 11, 17
       Confirmation Hearing
              Chapter 11 - p.38
              Chapters 12 and 13
                     Post-confirmation Amended Plan -p.36
                     Pre-confirmation Amended Plan – p. 36
                     Generally -p.34
       Confirmation Order, Chapter 12 - p.36
       Continued Hearing – p. 60
       Conversion of Case, by Debtor – p. 15
       Disbarment or Suspension – pp. 27, 41
       Disclosure Statement
              Approval of -p. 38
              Generally -p.37
       Dismissal Motion – pp. 12-13
```

```
Domestic Support Obligations, Deadline to File Certification of for Discharge,
              Chapter 12 - p.48
              Chapter 13 - p.48
       Electronic Filing, of -p. 58
       Electronic Notices – p. 50
       Final Report
              Chapter 7 - p.51
              Chapter 12 - p.51
              Chapter 13 - p.52
       First Day Motions, Chapter 11 - p.61
       Full Administration of Estate, Chapter 7 - p.51
       Hearings, Notices of
              Content -pp. 67-68
              Negative Notice, Form of Notice when Response Filed – pp. 69-70
              Service – p. 68
       Lessors of Real Property, Automatic Stay – pp. 46-47
       Master Service and Notice Lists – pp. 62-63
       Monthly Payments to a Creditor, Chapter 13 Plan, Adjustments to – p. 41
       Notice of Appearance, Bar Admission not Necessary – p. 26
       Objection to Abandonment of Assets – p. 52
       Objection to Plan, Deadline, Chapter 11 - p.38
       Objections to Claims – pp. 29-30
       Personal Financial Management, Deadline to File Certificate of Completion for
         Discharge, Chapters 7 and 13 - p.49
       Reinstatement of Case -p. 14
       Returned Notices – pp. 18, 68
       Service of Notices, Chapter 11 - p. 63
Orders – (See Proposed Orders)
Payment Advices
       341 Meeting, Relationship to – p. \underline{8}
       Deadlines – p. 8
       Dismissal for Failure to Provide – p. 8
       Means of providing -p. 7
Personal Financial Management – (See Discharge/Chapters 7, 11 and 13)
Petition
       Non-attorney Petition Preparer Requirements for Filing to Commence Case – pp. 3, 4, 5,
       Requirements for Filing – pp. 2, 3, 4, 5
Photographic Equipment – p. 71
```

Plans

```
Amended Plans
       Chapter 12
              Designation – p. 34
              Service -p.34
       Chapter 13
              Adjustments to Monthly Payments to Certain Creditors, Amended Plan
                Not Necessary – p. 41
              Designation -p.34
              Service -p.34
              Response to Motion to Dismiss – pp. 13, 14
       Confirmed Plans, Chapters 12 and 13, Amendment of
              Confirmation – p. 37
              Motion to Amend
                     Generally – p. 36
                     Objections to -p.37
                     Service of -p. 36
              Trustee's Certification – p. 37
       Interlineation, Prohibition on Modification by, Chapters 12 and 13 - p. 34
       Confirmation
       Amended Plans, Chapters 12 and 13 - p. \underline{36}
       Attendance at Hearing – p. 34
       Chapter 11 – (See Plans/Chapter 11/Confirmation)
       DSOs, Certification of Payment of as Condition in Chapters 12 and 13 - p. 35
       Objections to -pp. 34, 35, 38
       Order, Trustee to Provide – p. 34
       Original Confirmation Hearing – p. 34
       Service of Confirmation Order – p. 36
       Taxes, Certification of Payment of as Condition in Chapter 13 - p.35
       Trustee's Certification, Chapters 12 and 13 - p.35
       Substantially Current, Chapters 12 and 13 - p.35
Chapter 11
       Confirmation
              DSOs, Certification of as Condition Precedent -p. 40
              Title of Plan(s) – p. 39
              Hearing -p.38
              Objections – p. 39
              Order
                     Form -p.39
                     Service – p. 39
       Disclosure Statement
              Form -p.37
              Notice -p.37
```

```
Notice of Approval – p. 38
              Notice of Hearing – p. 37
              Objection to -p.37
              Service -p.37
       Final Decree
              Application for
                      Generally -p.42
                      Service of -p. 42
       Status Reports
              Generally -p.42
              Service of -p. 42
       Voting
              Attorney Admission not Necessary – p. 26
              Ballots
                      Exclusion of Ballots – p. 39
                      Preservation of -p. 39
                      Request that Ballot be Counted -p. 39
                      Summary – pp. <u>38, 39</u>
                      Tabulation -p.38
Chapter 12
       Amended Plan
              Objection to -p.36
              Objection to Confirmation, in Response to -p.35
              Post-confirmation amended plans – pp. 36-37
       Claims, Treatment of -p. 31
       Confirmation – (See Plans/Confirmation)
       Date -p.34
       Designation -p.34
       Dismissal for Failure to File when Due - p. 13
       Filing Requirement to Commence Case – p. 5
       Interlineation, Prohibition on Modification by -p. 34
       Model Plan – p. 34
       Payments outside the Plan - p. 32
       Payments through the Plan – p. \underline{32}
       Reasonable Time to Cure Defaults – p. 31
       Secured Claims
              Distribution on -p. 31
              Interest on -p.31
       Service of Plan - p. 34
       Service of Confirmation Order -p.36
       Signature – p. 34
       Trustee, Payments to -p. 30
       Turnover of Collateral – p. 31
```

Chapter 13 Amended Plan Motion to Dismiss, in Response to -p. 13 Objection to -p. 36 Objection to Confirmation, in Response to -p. 35 Post-confirmation Amended Plans – pp. 36-37 Claims, Treatment of -p. 33 Confirmation – (See Plans/Confirmation) Date -p.34Designation – p. 34Dismissal for Failure to File when Due – p. 13 Filing Requirement to Commence Case – p. 5 Interlineation, Prohibition on Modification by -p. 34 Minimum Distribution to Unsecured Creditors – p. 32 Model Plan - p. 34Monthly Payments -p.33Payments through the Plan -p. 32 Reasonable Time to Cure Defaults – p. 32 **Secured Claims** Adequate Protection, Chapter 13 - p.34Distribution on -p. 33 Interest on -p. 33 Service -p.34Signature – p. 34Turnover of Collateral – p. $\underline{32}$ **Privacy and Redaction of Documents** Generally – p. 65 Redaction of Personal Identifiers Financial Account Numbers – p. 66 Dates of Birth -p.66Generally – p. 65 Minor Children, Names of -p. 66 Social Security Numbers – p. 65 **Professional Compensation and Employment** Disclosure of Compensation, Attorneys Generally – p. 22 Required to Commence Case – pp. 3, 4, 5 Supplemental Disclosure – p. 22 Fee Election Form, Chapter 13

Filing Requirement to Commence Case -p.5

Substitution of Counsel, upon -p. 26

General Requirements – p. 20

```
Chapter13 Debtors' Counsel
              Disbarment or Suspension, Payment upon – p. 41
              Fee Application Option -p. 24
              Flat Fee Option
                     Generally – p. 24
                     Services not Covered – p. 27
              Generally – p. 20
              Service of Fee Applications – p. 24
              Pre-confirmation Dismissal – p. 24
              Withdrawal of Counsel
                     Cessation of Fees -p. 26
                     Fee Election of Substitute Counsel – p. 26
       Compensation
              Applications for
                     Service and Format -p. 22
                     Objections to
                             Chapter 11 - p. 23
                            Non-Chapter 11 - p. 23
                     Hearings
                            Chapter 11 - p. 23
                            Non-Chapter 11, Negative Notice
                                    Generally – pp. 23, 69
                                    Notice of Hearing when Response Filed – p. 70
                     Short Form Attorney Fee Application – p. 25
              Chapter 11 Cases
                     General Requirements – p. 23
                     Monthly Bills (Fee Statements) – p. 23
                     Interim Fee Applications – p. 24
              Chapter 12 Trustee – p. 25
                     Disclosure of -pp. 3, 4, 5, 22
                     Pre-petition Retainers, Disclosure of – p. 22
                     Supplemental Disclosure – p. 22
              Substitution of Counsel – p. 26
                     Fee Election, Chapter 13 - p. 26
                     Generally – p. 26
              Withdrawal of Counsel -p. 26
Proof of Claim – (See Claims/Proof of)
Proposed Orders
       2004 Exam Motions
              Consent Orders – p. 19
              Contested Motions -p.20
```

Automatic Stay

```
General Provisions – p. 45
              Extending Automatic Stay beyond 60 Days from Date of Motion for Relief
                - p. 45
              Relief from to Foreclose on Collateral, Chapter 13 - p. 44
              Stay Inapplicable, Motion for Order Confirming – p. 46
       Captions - pp. 57-58
       Certificate of No Response – pp. 66, 70
       Certificate of Resolution – p. 70
       Competing Orders, Submission of -p. 67
       Confirmation Orders, Chapter 11 Plan – p. 40
       Content - p. 67
       Default Judgment – p. 55
       Extensions of Time -p. 59
       Final Report, Order Approving, Chapter 7 - p.51
       Payment of Filing Fees in Installments – p. 6
       Property Value
              Motion Setting -p.67
              Motion to Determine -p. 67
       Service
              Chapters 7, 12, 13 - p. 67
              Chapter 11 - p. 67
       Time for Submission -p. 66
Reaffirmation Agreements – p. 50
Real Estate
       Application of Payments Secured by, Chapter 13 - p.42
       Automatic Stay with Respect to Lessors of -p. 46
       Mortgage Obligations
              Automatic Stay, Relief from for Failure to Make Post-petition Payments – p. 44
              Disclosure of, Chapter 13 - p.41
Recording Equipment – p. 71
Redaction of Documents – (See Privacy and Redaction of Documents)
Reinstatement Following Dismissal – (See Dismissal/Reinstatement Following)
Requests for Documents – (See Documents/Request for)
Rules
       Application – p. 1
       CM/ECF Event Codes, references to -p. 2
       Citation -p. 1
```

Definition of Terms – p. $\underline{2}$ District Court Rules, relationship to – p. $\underline{1}$ Procedures Manual, relationship to – p. $\underline{1}$ Title – p. $\underline{1}$

Schedules

341 Meeting, Filed within 10 Days of – p. $\underline{19}$

Amended Schedules

Bar Dates, Notice of – p. $\underline{11}$

Chapter 7, Form Notice – p. 11

Content -p. 11

Large Chapter 11 Cases – p. 11

Objection to Discharge, Extension of Deadline – p. 12

Requirements, Generally – p. 11

Service – p. 11

Plan, Service of – p. $\underline{11}$

Conversion of Case -p. 15

Declaration Concerning, Required to Commence Case – pp. 3, 4, 5

Dismissal for Failure to File – p. 10

Extension of Time to File -p. 10

Required to Commence Case – pp. 2, 3, 4, 5

Summary Required to Commence Case – pp. 2, 3, 4, 5

Small Business

Filing Requirements, Chapter $11 - p. \underline{4}$

Social Security Number

Verification Form Required to Commence Case – pp. 3, 4, 5

Statement of Corporate Ownership

Required to Commence Case -pp. 3, 4

Statement of Financial Affairs

341 Meeting, Filed within 10 Days of -p. 19

Conversion of Case -p. 15

Dismissal for Failure to File -p. 10

Extension of Time to File – p. $\underline{10}$

Required to Commence Case – pp. 3, 4, 5

Statement of Intentions, Individual Debtor

Required to Commence Case – p. 3

Statistical Summary of Certain Liabilities

Failure to Provide – p. $\underline{8}$

Means of Providing – p. $\underline{8}$ Required to Commence Case – pp. $\underline{2}$, $\underline{3}$, $\underline{4}$, $\underline{5}$

Status Report, Chapter 11 – (See Plans/Chapter 11/ Status Reports)

Subpoenas – p. <u>64</u>

Withdrawal of Counsel – (See **Professionals**/Compensation and Employment/Chapter 13 Debtors' Counsel/Withdrawal of Counsel <u>and</u> **Professionals**/Compensation and Employment/Compensation/Withdrawal of Counsel)

Withdrawal of Reference

Controlling Rules – p. $\underline{52}$ Place of Filing – p. $\underline{52}$ Response – p. $\underline{52}$ Time and Manner – p. $\underline{52}$

Tax Documents

Access to Filed Tax Documents
Generally – p. 16
Disposition of – p. 16
Tax Returns
Filed Post-petition – p. 9
Filed Pre-petition – p. 9

Telephonic Appearance – (*See* **Hearings**/Telephone and Video Conferences and/or Hearings)

Time

Additional Time after Service by Mail – p. $\underline{59}$ Extensions of Time, Requests for – p. 59

Unclaimed Funds – p. 30

Vehicles, Claims Secured by, Chapter 13

Treatment of -p. $\underline{33}$ Valuation -p. $\underline{33}$