

BANKRUPTCY ^{UP}DATE

February 20, 2018

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Change re: Chapter 13 Confirmation Hearings

When the Federal Rules of Bankruptcy Procedure were amended on December 1, 2017, the time for filing an objection to a chapter 13 plan was notably decreased. Fed.R.Bankr.P. 3002(c). The federal rules, as recently amended, also now provide the last date for filing an objection to a chapter 13 plan has to be a least a week before the confirmation hearing. Fed.Rs.Bankr.P. 2002(a)(9) and 3015(f). The Court anticipated these changes would still allow the meeting of creditors to be held before the plan objection deadline expired, but that was not happening consistently, probably a consequence of our district's low filing rates and the need for only a few creditor meeting dates per month. To address this problem, Judge Nail signed a general order on February 1, 2018, providing a plan objection deadline in a chapter 13 case will always be at least a week after the date first set for the meeting of creditors. After we have used this new scheduling formula awhile, the Local Bankruptcy Rules Committee will be asked whether the change implemented by the general order should be permanent. If the committee so recommends, public comment on the amendment will be sought.

Link

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