

PROPOSAL FOR PROCEDURES FOR  
CHAPTER 13 CONFIRMATION HEARINGS IN FLINT

Notice is hereby given of the following procedures to be applied to all Flint chapter 13 confirmation hearings before Judge Opperman in Flint beginning January 16, 2007:

1. The Court will consider confirmation of the debtor's plan only if the debtor's attorney has e-mailed a proposed order confirming plan, in Word or WordPerfect format, to the Chapter 13 Trustee's by 4:30 six (6) calendar days prior to the hearing date (For January 16, 2007, that date would be January 10, 2007). Forms of this order in these formats are available on the Court's website, at [http //www.mieb.uscourts.gov/](http://www.mieb.uscourts.gov/) under "Local Forms".
2. Before the debtor's attorney e-mails the proposed order confirming plan to the Trustee, the debtor and all parties objecting to confirmation must undertake all reasonable efforts to resolve the objections that were timely filed by creditors and the Trustee.
3. If all objections are resolved, the stipulation for the entry of the confirmation order shall be e-mailed to the chapter 13 Trustee office in PDF and the OCP in Word or Word Perfect. The orders shall be transmitted to the case manager responsible for the file (for the general assignment of cases to Chapter 13 Trustee staff see [www.flint13.com](http://www.flint13.com).)
  - a. If all objections are resolved and the Debtor attorney provides the OCP and stipulations as stated above in the time indicated above, no appearance is required at the hearing for the Order Confirming Plan. The Stipulation and the Order will be entered by the Trustee.
4. If after all reasonable efforts, impasse is reached between the debtor and any objecting parties regarding any objections, then the debtor's attorney must email to the Trustee by the deadline established in paragraph 1:
  - a. A proposed order confirming the plan (1) that is signed by the creditors whose objections have been resolved, and (2) provisions that provide for the debtor's proposed resolution of the parties' remaining objections; and
  - b. A certificate, filed with the Court and served on any creditors whose objections are not resolved, stating (1) that the debtor and the specified objecting parties are at an impasse in their reasonable efforts to resolve objections, (2) the legal and factual issues to be resolved in connection with the remaining objections to confirmation, and (3) any request for an adjournment and any reasons why good cause exists for the adjournment. A copy of the form for this certificate is attached to this Notice, and forms of this certificate in Word and WordPerfect format are available on the Court's website, under "Local Forms."
  - c. If the above documents are provided attorney for the debtor is to appear at the status conference for resolution of the issues presented and if the matters are resolved at the status conference, an appropriate Order will be prepared and submitted to the chapter 13 Trustee staff, prior to the conclusion of the status conference, for submission to the court. In the case of the proper submissions

prior to the status conference, and the resolution of the issues at the status conference, the attorney for the debtor is not required to attend the contested hearing.

5. If the debtor's attorney does not timely email a proposed order confirming plan as provided in either paragraph 1 or paragraph 4(a), or does not timely file and serve the certificate as required in paragraph 4(b), then the debtor's attorney must appear for the status conference to resolve the issues presented. And also the Debtor's attorney must attend the hearing on the contested docket. This is so even if the matter becomes confirmable at the status conference. The order resolving the hearing in these cases will be entered by the Trustee's office only after the hearing on the contested matters is concluded. The debtor attorney will explain to the Court why the order confirming plan or the certificate of impasse was not timely submitted or filed.
6. The above procedures only apply to cases that are scheduled for a confirmation hearing. There will continue to be status conferences for all confirmation matters (other than those for which a confirmation order signed by all necessary parties has been emailed to the Trustee by the deadline stated in paragraph 1 above) and for any matters scheduled for hearing on a motion (other than those matters scheduled by separate Court order such as a show cause order or an expedited hearing.) If at the status conference the parties are unable to resolve the matter it will be heard by the judge during the contested hearing. All motions to extend the automatic stay and to impose the automatic stay will continue to be heard during the contested hearing.
7. Any proposed confirmation orders that require revisions or additional signatures after the deadline established in paragraph 1 above (*e.g.*, because objections are resolved by agreement at the status conference or by a decision of the court in the contested hearing) must be revised and/or signed, at court by the close of the contested hearings, or immediately thereafter, on that hearing day.
8. Within 3 business days following a confirmation hearing day, the Trustee will assemble all orders confirming plans and orders adjourning confirmation hearings (with conditions) in electronic form and submit them to the clerk for entry.
9. Orders adjourning confirmation without condition will be entered by minute orders in the docket by the courtroom deputy.
10. These procedures do not apply to cases involving debtors who are not represented by counsel.