

2021 Vermont Local Bankruptcy Rules – Effective 12/1/2021
Summary of Significant Revisions¹

❖ **Standing Orders Incorporated in Rules Revision (see Vt. LBR 9029-1)**

18-01	3015-6(d), 3015-8(c)	Revises certain chapter 13 trustee and debtor’s attorney requirements.
18-02	1007-1(f), 5003-1(b), 9011-2(b)	Revises federal form 121 retention requirements.
20-01	Appendix X	Adopts interim federal rules and forms.
20-02	3002.1-1, 3002.1-2, 3002.1-3	Establishes new rules pertaining to notices of mortgage payment change.
20-03	4001-2	Revises procedure for debtor to retain possession of leased premises after entry of pre-petition judgment for possession.
20-04	5005-2(a), 5005-3(a), 5005-4(a), 9011-2(c)	Revises <i>pro se</i> electronic filing procedures.
20-05	1007-1(l), 3070-1(a)	Permits TFS Billpay in lieu of wage withholding in chapter 13 cases.
20-06	4001-3	Establishes procedure to seek to continue or impose the stay under § 362(c)(3) and (4).
20-07	2015-1	Establishes operating report requirements in chapter 12 cases.
20-08	2015-2	Revises operating report requirements in business chapter 13 cases.
20-09	None	Established certain pandemic-related procedures that expired on July 4, 2021.
20-10	9011-1(b), 9011-4(c)	Establishes use of digital signature software products in lieu of ink signatures.
20-11	Appendix X	Adopts revised interim federal rule.
20-12	None	Extension of 20-09 that expired on July 4, 2021.
20-13	9011-1(b), 9011-4(c)	Extension of 20-10.
20-14	None	Extension of 20-09 that expired on July 4, 2021.
20-15	9011-1(b), 9011-4(c)	Extension of 20-10.
21-01	9018-1	Establishes procedure for restricting access to highly sensitive documents.
21-02	Appendix X	Temporarily provides certain pandemic-related relief, in accordance with the Further Consolidated Appropriates Act.
21-03	9011-1(b), 9011-4(c)	Further extension of 20-10. (And extension of 20-09 that expired on July 4, 2021.)
21-04	Appendix IX	Establishes criteria for remote appearances at hearings.
21-05	Appendix IX	Revises criteria for remote appearances at hearings.

❖ **Other Significant Rules Revisions**

	1001-1	Describes scope of rules, abbreviations, defined terms, and other resources.
Part I	1020-1	Deleted as duplicative of the federal rules.
	1072-1(a)	Describes the possibility of, and process for, appearing at hearings remotely.
Part II	2016-1(h)	Adds to flat fee the duties to represent debtor at continued § 341 meetings and to amend petition documents to reflect case developments.
	2016-2(a)	Moves chapter 13 debtor’s attorney presumed reasonable fee to new Appendix XI.
	2016-2(d)	Moves presumed reasonable fees for certain motions to new Appendix XI.

¹This document summarizes the substantively significant changes to the Rules effective December 1, 2021. This document does not summarize *de minimis* changes or those made for accuracy, clarification, consistency, formatting, grammar, or style.

	2090-1(a)	Provides for attorney admission to bar of the District of Vermont through Bankruptcy Court, in accordance with General Order # 82.
	2090-1(c)	Updates legal intern requirements, in accordance with the Rules of Admission to the Bar of the Vermont Supreme Court.
Part III	3007-1	Distinguishes objections to claims procedures in subchapter V and other chapter 11 cases.
	3014-1	Distinguishes § 1111(b) election in subchapter V and other chapter 11 cases.
	3015-8(b)	Encourages movants to supplement motions to modify plan with spreadsheets or other documents.
	3070-1(c)	Provides for chapter 13 trustee compensation if case dismissed or converted pre-confirmation.
	3071-1	Revises post-petition statement requirements for secured creditors and lessors.
Part IV	4001-5	Revises processes for obtaining credit using Appendix VII trustee approval process, or obtaining court approval, in chapter 12 and 13 cases
	4001-7(d)	Permits parties to file stipulation deferring appointment of mortgage mediator.
	4001-7(f)	Moves mediation fee to new Appendix XI.
	4002-1(e)	Updates chapter 11 monthly operating report requirements, in accordance with 28 C.F.R. Part 58.
	4002-2(e)	Deleted chapter 11 small business debtor obligation to file tax return with Court, at request of local rules revision task force chapter 11 subcommittee.
Part V	5003-4	Moved to new 9018-1.
	5005-4(c)	Updated to reflect that fees for filing electronic documents should be made through www.pay.gov .
	5007-1	Updates to reflect current process for obtaining transcripts.
	5070-1	References criteria for appearing remotely at hearings listed in new Appendix IX.
Part VI	6003-1	Requires notice of preliminary hearing on first day motions be served on subchapter V trustee.
Part VII	7052-1	Moved to 9033-1(b).
Part VIII	None	
Part IX	9013-1(g)	Moved to new 9018-1.
	9013-3(b)	Deleted language for notices under conventional procedure and now requires use of notice of motion Form U-1 (which has been updated to include remote appearance instructions).
	9013-4(b)	Adds § 522(f) motions to avoid lien, § 1193 motions to modify a subchapter V plan, and § 1206 motions to sell, as motions that may be noticed under the default procedure.
	9014-3(c)	Deleted language for notices under default procedure and now requires use of notice of motion Form U-2 (which has been updated to include remote appearance instructions).
	9018-1	Revises process for motions to restrict access to court records (formerly “motions under seal”).
	9029-1(a)	Moved to new 1001-1.
	9029-1(c)	Refers to new Appendix X for standing orders not superseded by these updated local rules.
	9033-1(b)	Revises the process for objecting to proposed findings and conclusions.
	9036-1	Deleted as duplicative of 9013-6(d).
	9070-1	Revises the process for filing and disposing of exhibits.
	9076-1(c)	Establishes a procedure for status conferences in subchapter V cases.