

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In re:

**MODIFICATION OF THE LOCAL RULES
OF PRACTICE AND PROCEDURE
IN THE U.S. BANKRUPTCY COURT
FOR THE DISTRICT OF VERMONT**

STANDING ORDER # 23-01

REVISING LOCAL RULE 3015-2 AND 5070-1

As a result of the changes to the structure of meetings of creditors, conducted by the Office of the United States Trustee, the Local Bankruptcy Rules for the United States Bankruptcy Court for the District of Vermont need to be amended as to Chapter 13 confirmation hearings and location of hearings.

Accordingly, **IT IS HEREBY ORDERED** that Local Rule 3015-2 is stricken in its entirety:

~~**VT. LBR 3015-2. TIMING AND LOCATION OF CONFIRMATION HEARINGS IN CHAPTER 13.**~~

~~Based on the geography of Vermont, the travel distances between some towns and the federal courthouses within the state, the success of the prior practice of holding the initial meetings of creditors and confirmation hearings on the same day, and the adverse economic impact that would result otherwise, the Court determines it is in the best interest of all parties to continue the practice of holding chapter 13 meetings of creditors on the same day, and at the same location, as chapter 13 confirmation hearings. This determination creates a rebuttable presumption that any party may challenge by written objection on 14 days' notice to all parties in interest.~~

IT IS FURTHER ORDERED that Local Rule 5070-1, is revised to read as follows, with the changes redlined (and with clean copy attached):

VT. LBR 5070-1. COURT CALENDARS AND SCHEDULED HEARINGS.

(b) **Where the Hearing Should be Set.**

When setting a hearing, the movant must select the location ~~where the meeting of creditors is scheduled~~ (Rutland or Burlington) **based upon the geographical location of the debtor**, unless the interested parties agree otherwise, or the Court determines exigent circumstances warrant a different location.

IT IS FURTHER ORDERED this revision to the Local Rules is effective upon entry of this Order.

January 3, 2023
Burlington, Vermont



Heather Z. Cooper
United States Bankruptcy Judge

~~**VT. LBR 3015-2. TIMING AND LOCATION OF CONFIRMATION HEARINGS IN CHAPTER 13.**~~

VT. LBR 3015-2 is hereby stricken in its entirety.

VT. LBR 5070-1. COURT CALENDARS AND SCHEDULING HEARINGS.

Who Schedules the Hearings.

The courtroom deputy will schedule pre-trial conferences, hearings on motions to dismiss adversary proceedings, oral argument on motions for summary judgment, evidentiary hearings, trials, hearings on the adequacy of a disclosure statement or confirmation of a plan in chapter 11 cases, and all emergency motions. Attorneys must schedule all other hearings through CM/ECF.

Where the Hearing Should be Set.

When setting a hearing, the movant must select the location (Rutland or Burlington) based upon the geographical location of the debtor, unless the interested parties agree otherwise, or the Court determines exigent circumstances warrant a different location.

Use of Technology at a Hearing.

Counsel must make arrangements through the courtroom deputy if they wish to use the courtroom technology or other audio-visual aid, and must make the request sufficiently in advance of the hearing to allow for set-up of the requested equipment during hours when the Court is not in session.

Procedure for, and Limitations on, Remote Participation in Court Hearings and Conferences.

In order to participate remotely in a Court hearing or conference, a party must obtain Court approval through the courtroom deputy at least one full business day prior to the hearing or conference, and must meet the criteria set forth in Appendix IX to these Rules. See also Vt. LBR 5007-1(c); Vt. LBR 7016-1(c).