

**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 # 24-02**

**REVISING LOCAL RULE 9013-4(b) AND APPENDIX VII**

**TO CLARIFY THE RELIEF AVAILABLE THROUGH USE  
OF THE DEFAULT PROCEDURE**

---

Vermont Local Rule 9013-4(b) and Appendix VII to the Local Bankruptcy Rules for the United States Bankruptcy Court for the District of Vermont do not clearly indicate that default procedure may be used for motions to declare a debtor current. Accordingly, IT IS HEREBY ORDERED that Local Rule 9013-4(b) is revised to read as follows, with the changes redlined (and with clean copy attached):

**VT. LBR RULE 9013-4. HEARINGS – NOTICES UNDER DEFAULT PROCEDURE.**

**(b) Relief Available Through Use of the Default Procedure.** The default procedure may only be used for applications or motions seeking the following relief:

- (1) abandon property (11 U.S.C. § 554(b));
- (2) allow administrative expenses (other than professional fees) (11 U.S.C. § 503(b));
- (3) automatic stay, relief from (11 U.S.C. § 362(d));
- (4) automatic stay, relief from co-debtor (11 U.S.C. § 1301);
- (5) automatic stay, declaration not in effect (11 U.S.C. § 362(c)(4));
- (6) claim, objection to (11 U.S.C. § 502(b));
- (7) compensation (11 U.S.C. §§ 326, 330, 331);
- (8) convert a case (11 U.S.C. §§ 706, 1112(b), 1208(a), 1307);
- (9) credit counseling requirement, permanent waiver of (11 U.S.C. § 109(h)(4));
- (10) declare mediation closed, motion to (Local Rule 4001-7(f));
- (11) discharge in a chapter 12 case (11 U.S.C. § 1228(f));
- (12) discharge in a chapter 13 case (11 U.S.C. § 1328(h));
- (13) dismiss case for cause (11 U.S.C. §§ 707, 1112(b), 1208(c), 1307(c));
- (14) enlarge time to assume or reject a nonresidential lease (11 U.S.C. § 365(d)(4));
- (15) enlarge time to file chapter 11 plan or disclosure statement (11 U.S.C. §§ 1121(d), 1189);
- (16) enlarge time to file chapter 12 plan (11 U.S.C. § 1221);
- (17) enlarge time to file complaint objecting to discharge or dischargeability of a debt (11 U.S.C. §§ 523, 727; Bankruptcy Rule 4004(b), 4007(c));
- (18) enlarge time to file motion to dismiss under §707 (11 U.S.C. § 707);

- (19) enlarge time to pay filing fee (Bankruptcy Rule 1006(b));
- (20) examine any person or entity (Bankruptcy Rule 2004);
- (21) exemption, objection to (Bankruptcy Rule 4003(b));
- (22) final decree in chapter 11 case (Bankruptcy Rule 3022);
- (23) forward mail of a corporate debtor to the trustee (11 U.S.C. § 542(e));
- (24) hardship discharge (11 U.S.C. §§ 1228(b), 1328(b));
- (25) lease property (11 U.S.C. § 363(b)(1));
- (26) lease or executory contract, assume or reject (11 U.S.C. § 365);
- (27) lien or mortgage, strip as wholly unsecured or avoid as impairing exemption (11 U.S.C. §§ 506(a), 522(f));
- (28) limit scope of employment and reduce scope of legal services (Local Rule 2016-1(h)(4));
- (29) mortgage mediation, direct parties to attend (Local Rule 4001-7);
- (30) modify chapter 11 subchapter V, 12, or 13 plan post-confirmation (11 U.S.C. §§ 1193, 1229, 1329);
- (31) modify mortgage (Local Rule 6004-1(f));
- (32) obtain credit (11 U.S.C. § 364(b), (c), and (d));
- (33) post-petition payment of mortgage creditor charges in conduit mortgage payment case (Local Rule 3015-6(a)(1));
- (34) redeem property (11 U.S.C. § 722);
- (35) reopen a case (Bankruptcy Rule 5010);
- (36) sell property (11 U.S.C. §§ 363(b)(1) and (f), 1206);
- (37) settlement of an adversary proceeding or contested matter, approve (Bankruptcy Rule 9019);
- (38) substitute counsel (Local Rule 2091-1(b) and (c));
- (39) tax returns, waive requirement to present or file (11 U.S.C. § 521(e)(2)(A)(i));
- (40) transfer adversary proceeding (28 U.S.C. § 1412);
- (41) trustee final report and account, approve report and compensation (11 U.S.C. §§ 704(a)(9), § 1183(b)(1), 1202(b)(1), 1302(b)(1));
- (42) turnover of property to the trustee (11 U.S.C. § 542);
- (43) vacate discharge to allow debtor to seek approval of a reaffirmation agreement (Local Rule 4008-1);
- (44) valuation of collateral and allowance of secured claim (11 U.S.C. § 506(b); Bankruptcy Rule 3012);
- (45) venue, change (28 U.S.C. § 1412); **and**
- (46) waive requirement to make conduit mortgage payments (Local Rule 3015-6(a)(9), (b)(2)); **and**
- (47) declare debtor current (Local Rule 3002.1-3(c)).**

IT IS FURTHER ORDERED that Appendix VII to the Local Rules is revised to provide for noticing of a motion to declare debtor current under the default procedure, as attached.

IT IS FURTHER ORDERED that these revisions to the Local Rules are effective upon entry of this Order.

IT IS FURTHER ORDERED that since these revisions are effectively errata corrections, the Local Rules will be updated on the Court's website to include these minor changes.

December 1, 2024  
Burlington, Vermont



---

Heather Z. Cooper  
United States Bankruptcy Judge

**VT LBR RULE 9013-4. HEARINGS – NOTICES UNDER DEFAULT PROCEDURE.**

**(b) Relief Available Through Use of the Default Procedure.** The default procedure may only be used for applications or motions seeking the following relief:

- (1) abandon property (11 U.S.C. § 554(b));
- (2) allow administrative expenses (other than professional fees) (11 U.S.C. § 503(b));
- (3) automatic stay, relief from (11 U.S.C. § 362(d));
- (4) automatic stay, relief from co-debtor (11 U.S.C. § 1301);
- (5) automatic stay, declaration not in effect (11 U.S.C. § 362(c)(4));
- (6) claim, objection to (11 U.S.C. § 502(b));
- (7) compensation (11 U.S.C. §§ 326, 330, 331);
- (8) convert a case (11 U.S.C. §§ 706, 1112(b), 1208(a), 1307);
- (9) credit counseling requirement, permanent waiver of (11 U.S.C. § 109(h)(4));
- (10) declare mediation closed, motion to (Local Rule 4001-7(f));
- (11) discharge in a chapter 12 case (11 U.S.C. § 1228(f));
- (12) discharge in a chapter 13 case (11 U.S.C. § 1328(h));
- (13) dismiss case for cause (11 U.S.C. §§ 707, 1112(b), 1208(c), 1307(c));
- (14) enlarge time to assume or reject a nonresidential lease (11 U.S.C. § 365(d)(4));
- (15) enlarge time to file chapter 11 plan or disclosure statement (11 U.S.C. §§ 1121(d), 1189);
- (16) enlarge time to file chapter 12 plan (11 U.S.C. § 1221);
- (17) enlarge time to file complaint objecting to discharge or dischargeability of a debt (11 U.S.C. §§ 523, 727; Bankruptcy Rule 4004(b), 4007(c));
- (18) enlarge time to file motion to dismiss under §707 (11 U.S.C. § 707);
- (19) enlarge time to pay filing fee (Bankruptcy Rule 1006(b));
- (20) examine any person or entity (Bankruptcy Rule 2004);
- (21) exemption, objection to (Bankruptcy Rule 4003(b));
- (22) final decree in chapter 11 case (Bankruptcy Rule 3022);
- (23) forward mail of a corporate debtor to the trustee (11 U.S.C. § 542(e));
- (24) hardship discharge (11 U.S.C. §§ 1228(b), 1328(b));
- (25) lease property (11 U.S.C. § 363(b)(1));
- (26) lease or executory contract, assume or reject (11 U.S.C. § 365);
- (27) lien or mortgage, strip as wholly unsecured or avoid as impairing exemption (11 U.S.C. §§ 506(a), 522(f));
- (28) limit scope of employment and reduce scope of legal services (Local Rule 2016-1(h)(4));
- (29) mortgage mediation, direct parties to attend (Local Rule 4001-7);
- (30) modify chapter 11 subchapter V, 12, or 13 plan post-confirmation (11 U.S.C. §§ 1193, 1229, 1329);
- (31) modify mortgage (Local Rule 6004-1(f));
- (32) obtain credit (11 U.S.C. § 364(b), (c), and (d));
- (33) post-petition payment of mortgage creditor charges in conduit mortgage payment case (Local Rule 3015-6(a)(1));
- (34) redeem property (11 U.S.C. § 722);
- (35) reopen a case (Bankruptcy Rule 5010);
- (36) sell property (11 U.S.C. §§ 363(b)(1) and (f), 1206);
- (37) settlement of an adversary proceeding or contested matter, approve (Bankruptcy Rule 9019);
- (38) substitute counsel (Local Rule 2091-1(b) and (c));
- (39) tax returns, waive requirement to present or file (11 U.S.C. § 521(e)(2)(A)(i));
- (40) transfer adversary proceeding (28 U.S.C. § 1412);
- (41) trustee final report and account, approve report and compensation (11 U.S.C. §§ 704(a)(9), § 1183(b)(1), 1202(b)(1), 1302(b)(1));
- (42) turnover of property to the trustee (11 U.S.C. § 542);
- (43) vacate discharge to allow debtor to seek approval of a reaffirmation agreement (Local Rule 4008-1);
- (44) valuation of collateral and allowance of secured claim (11 U.S.C. § 506(b); Bankruptcy Rule 3012);
- (45) venue, change (28 U.S.C. § 1412);
- (46) waive requirement to make conduit mortgage payments (Local Rule 3015-6(a)(9), (b)(2)); and
- (47) declare debtor current (Local Rule 3002.1-3(c)).