

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

**In re:
CONDUCT OF HEARINGS IN THE
U.S. BANKRUPTCY COURT FOR THE
DISTRICT OF VERMONT**

SUPERSEDING STANDING ORDER # 22-01

STANDING ORDER # 22-06

On January 5, 2022, the United States Bankruptcy Court for the District of Vermont entered Standing Order No. 22-01, addressing court operations related to the conduct of hearings in response to a spike in COVID-19 cases within the communities it serves, converting all hearings to a remote format through Zoomgov. Given current trends with the COVID-19 cases in Vermont, the Court finds that it is appropriate for the Court to revisit operations related to the conduct of hearings and to lift the pandemic restrictions as of **August 1, 2022**.

All scheduled hearings, conferences, trials, or evidentiary hearings will be conducted in accordance with the Vermont Local Bankruptcy Rules, including but not limited to, Appendix IX “Eligibility Criteria and Process for Remote Hearings.” The Court may impose safeguards during such proceedings for those appearing in person to minimize the risk of illness to attorneys, parties, court staff, and the public.

At the option of the Court, a scheduled hearing, conference, trial, or evidentiary hearing may be held using ZoomGov or other remote means. Parties are encouraged to check PACER and the docket of each case for information regarding the manner in which a hearing will be conducted. If the Court determines a scheduled hearing will be held remotely, the parties will receive a notification directly from the courtroom deputy.

This order is based in part on the current levels of prevalence of the COVID-19 virus in the communities served by the Court. Should there be a significant and lasting change in the prevalence levels of the virus in those communities, the Court may revisit this order.

Accordingly, IT IS HEREBY ORDERED that, effective immediately upon entry of this Order:

1. Standing Order # 22-01, in which this Court converted all hearings to a remote format, is superseded and no longer in effect.
2. Appendix X to the Local Rules (Standing Orders Issued Prior to Effective Date of Local Bankruptcy Rules) is revised to clarify that Standing Order # 22-01 is no longer in effect; and
3. Local Forms U-1 and U-2 (Notices of Motion), courtesy copies of which are attached, should be used going forward by all parties when noticing hearings on or after **August 1, 2022**.

SO ORDERED.

July 5, 2022
Burlington, Vermont



Heather Z. Cooper
United States Bankruptcy Judge

Attachments: Vt. LB Forms U-1 and U-2

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re:

_____,
Debtor(s).

Chapter ____
Case # _____

NOTICE OF MOTION UNDER CONVENTIONAL PROCEDURE

A MOTION FOR _____ [title of motion] has been filed on [date] by [state the name of the party], through their attorney, _____, seeking [specific relief sought].

A HEARING ON THE MOTION and any responses **will be held** at [time] on [date] at the following location: [indicate Rutland or Burlington location].

You may appear for the above scheduled hearing (a) in person at the location listed above; **or** (b) if you meet the criteria for appearing at remote hearings set forth in Appendix IX to the Court's Local Rules (available on the Court's website), you may appear virtually by using the Zoomgov application on an electronic device. If you are eligible for remote participation and choose to appear by Zoomgov, you must follow the process set forth in Appendix IX, including requirements regarding use of both audio and video components, notice to the courtroom deputy, and limitations of remote participation. If you have any questions regarding this process, you are encouraged to contact the courtroom deputy by email at Jody_Kennedy@vtb.uscourts.gov or by telephone at (802) 657-6404.

IF YOU OPPOSE THE MOTION, you are encouraged to file a written response with the Clerk of Court specifying your opposition to the motion, **on or before 4:00 P.M. on [a date that is no less than three (3) business days prior to the hearing date]**. If you file a written response, you must also serve a copy of that written response on the moving party, the debtor, the debtor's attorney, the United States trustee, the case trustee, if any, and, in a chapter 11 case, also on the creditors' committee and its attorney or, if there is no committee, then upon the 20 largest unsecured creditors. Addresses for those parties are set forth below.

Dated: _____

By: _____
[Signature of Movant's attorney]
[typed name, with address, e-mail
address, and telephone number]

U.S. Trustee
11A Clinton Ave., Room 620
Albany, NY 12207

[Name], Case Trustee
Chapter [#] Trustee
[Street Address or P.O. Box]
[City, State, Zip Code]

For [Party's Name]
c/o [Attorney's Name]
[Name of Law Firm, if any]
[Street Address or P.O. Box]
[City, State, Zip Code]

[Any other interested parties upon
whom responses must be served]

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In re:

_____,
Debtor(s).

Chapter _____
Case # _____

NOTICE OF MOTION UNDER DEFAULT PROCEDURE

A **MOTION FOR** [title of motion] has been filed on [date] by [state the name of the party], through their attorney, _____, seeking [specific relief sought].

IF YOU OPPOSE THE MOTION, you must file a written response with the Clerk of the Court specifying your opposition to the motion, **on or before 4:00 P.M. on [date]**. You must also serve a copy of your response on the moving party, the debtor, the debtor's counsel, the United States trustee, the case trustee, if any, and in a chapter 11 case, the Creditors' Committee and its counsel or, if no committee is appointed, then upon the 20 largest unsecured creditors. Addresses for those parties are set forth below.

IF A RESPONSE TO THE MOTION IS TIMELY FILED, the Court will hold a hearing on the Motion and any response at [time] on [date] at the following location [indicate Rutland or Burlington location], unless the Court deems no hearing is necessary and enters an order prior to the time set for hearing.

You may appear for the above scheduled hearing (a) in person at the location listed above; *or* (b) if you meet the criteria for appearing at remote hearings set forth in Appendix IX to the Court's Local Rules (available on the Court's website), you may appear virtually by using the Zoomgov application on an electronic device. If you are eligible for remote participation and choose to appear by Zoomgov, you must follow the process set forth in Appendix IX, including requirements regarding use of both audio and video components, notice to the courtroom deputy, and limitations of remote participation. If you have any questions regarding this process, you are encouraged to contact the courtroom deputy by email at Jody_Kennedy@vtb.uscourts.gov or by telephone at (802) 657-6404.

IF NO RESPONSE IS TIMELY FILED, the Court **may** deem the matter unopposed and grant the motion without further hearing. Note: If an order has not been entered before the hearing date, the hearing shall proceed and the Movant must appear.

Dated: _____

By: _____
[Signature of Movant's attorney]
[typed name, with address, e-mail
address, and telephone number]

U.S. Trustee
11A Clinton Ave., Room 620
Albany, NY 12207

Chapter [#] Trustee
[Street Address or P.O. Box]
[City, State, Zip Code]

[Name of Law Firm, if any]
[Street Address or P.O. Box]
[City, State, Zip Code]

[Any other interested parties upon
whom responses must be served]

[Name], Case Trustee

For [Party's Name]
c/o [Attorney's Name]