

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In re:

**AMENDMENT OF LOCAL RULES OF PRACTICE
AND PROCEDURE IN BANKRUPTCY COURT,
DISTRICT OF VERMONT**

STANDING ORDER 11-01*

**TO REDUCE NOTICE PERIOD REQUIRED UNDER
VERMONT LOCAL BANKRUPTCY
RULE 3015-2(f)(1) REGARDING REQUESTS
TO POSTPONE INITIAL CONFIRMATION HEARINGS**

WHEREAS the Court's goals in the chapter 13 confirmation process are to allow parties sufficient time to prepare cases for confirmation, to give all parties adequate notice of the actual date of the initial confirmation hearing, to hold initial confirmation hearings within 60 days of the filing of the plan, and to confirm as many plans as possible at initial confirmation hearings; and

WHEREAS it is often difficult for debtors' counsel to predict whether a case is ready for confirmation more than 14 days before the date set for the initial confirmation hearing and it is both expensive and a potential risk to employment for a debtor to be required to appear in Bankruptcy Court on multiple days for the meeting of creditors and confirmation hearing; and

WHEREAS since most active case participants accept notice via electronic means, notice that complies with principles of due process can now be accomplished more quickly than when Vt LBR 3015-2(f) was enacted; and

WHEREAS these factors persuade the Court that it is possible to accomplish its goals for the chapter 13 confirmation process without requiring that debtors file requests to postpone hearing at least 14 days prior to the initial date set for the confirmation hearing.

IT IS HEREBY ORDERED that Vt.LBR 3015-2(f)(1) is amended to read as follows:

Request to Postpone the Initial Confirmation Hearing. A request to postpone the initial confirmation hearing may be made by motion or stipulation. In either event, it must

- (A) be filed at least 7 days prior to the initial confirmation hearing date,
- (B) be accompanied by the Trustee's consent,
- (C) set forth good cause for the continuance, and
- (D) be served on all creditors and parties in interest.

The Court will grant the motion if it finds that the movant has set forth good cause for the continuance and that the granting of the continuance will not prejudice creditors.

* Supersedes standing order of same number signed June 21, 2011 and is a stylistic change only. Requirements formerly identified by the numbers (1), (2), (3), and (4) are now identified by the letters (A), (B), (C), and (D) to conform with the Court's usual writing style.

Unless the Court enters an order granting the continuance and canceling the initial confirmation hearing, the initial confirmation hearing will proceed as scheduled and the debtor's attorney must appear at the hearing.

SO ORDERED.

Rutland, Vermont
July 20, 2011

A handwritten signature in black ink, appearing to read "Colleen A. Brown". The signature is written in a cursive style with a horizontal line underneath it.

Colleen A. Brown
United States Bankruptcy Judge