

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT**

In re:

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

STANDING ORDER # 11-03

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**TO AMEND VT. LBR 9013-4(b) TO
INCLUDE CHAPTER 7 TRUSTEE'S FINAL
APPLICATIONS FOR COMPENSATION
IN LIST OF APPLICATIONS AND
MOTIONS THAT MAY BE FILED UNDER
DEFAULT PROCEDURE**

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Since the Court may determine parties' rights with respect to certain requests for relief under the Bankruptcy Code and the Federal Rules of Bankruptcy Procedure without a hearing, provided that an opportunity for a hearing is presented to parties entitled to notice of a hearing, this Court has adopted a "default procedure." See Vt. LBR 9013-4.

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Under the default procedure, if a party files a timely opposition, the Court shall hold a hearing on the date designated on the notice, unless the Court decides in its sole discretion that no hearing is necessary and enters an order prior to the hearing date. If no opposition is timely filed, the Court may enter an order without a hearing, and if no order has been entered before the hearing date, the scheduled hearing shall proceed. Additionally, the Court will hold the noticed hearing even in the absence of an objection, if it deems it necessary to do so in order to adjudicate the issue presented.

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The Court has determined that the legal issues raised in a Chapter 7 Trustee's Final Applications for Compensation (see 11 U.S.C. § 704(a)(9)) that are filed with the Trustee's Final Report and Account are the type that may be adjudicated generally without a hearing. Provided the Chapter 7 Trustee files a supplement setting forth certain additional information that would otherwise be presented at a hearing, creditors and parties in interest in each chapter 7 case will have the requisite due process, and the cost of administering Chapter 7 estates will be reduced, if Chapter 7 Trustees in this District seek Court approval of their Final Applications for Compensation using the default procedure.

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Therefore, IT IS HEREBY ORDERED that Chapter 7 Trustees in this District may file their Final Report and Accounts and Final Applications for Compensation using the default procedure, provided they simultaneously file a Supplement to Chapter 7 Trustee's Final Applications for Compensation, with the information set forth in VTB Form Z.

IT IS FURTHER ORDERED that Vt. LBR 9013-4(b)(9) is amended to include 11 U.S.C. § 326 and 503(b) in the list of applications and motions that parties may file using the default procedure.

SO ORDERED.

Burlington, Vermont
July 29, 2011

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Colleen A. Brown
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

In re
[],

Case #
Chapter 7

SUPPLEMENT TO CHAPTER 7 TRUSTEE'S FINAL APPLICATIONS FOR COMPENSATION

I, _____, Esq., the Chapter 7 Trustee in the above-referenced case, file this Supplement to provide information I would otherwise present at a hearing in connection with the Chapter 7 Trustee's Final Applications for Compensation (ECF doc. # ___), and the related Final Report and Account (ECF doc # ___), which I filed on _____, 2011. I request that the Trustee's Final Applications for Compensation be approved, as noticed, without hearing, under the Court's default procedure.

- 1. I served Notice of the Trustee's Final Report and Account and Final Applications for Compensation on [date].
2. In this estate, administrative expenses equal ___% of the gross estate. If they exceed 35% of the gross estate, the reason for the unusually high administrative expenses is as follows:
3. The estate will pay ___% of the allowed priority claims.
4. The estate will pay ___% of the allowed unsecured claims.
5. In my capacity as Trustee, I request authority to pay compensation to myself as Trustee, to my attorney, if any, and to each professional the estate has employed, in the amount each such professional requested, except as follows: [set forth name of professional, the amount Trustee now seeks to pay, the amount of the professional's original request, and the reason for the differential between those two figures].
6. Narrative summary of any unusual circumstances in the case pertinent to the Trustee's Final Report or the related applications for compensation (if applicable):

_____, 2011
Burlington, Vermont

XXXXXX
Trustee
Address
Telephone number and email address