

[Back to General Orders](#)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF VERMONT

IN RE:)
)
) GENERAL ORDER 98-1
)
 Procedures for Hearings)
)
 on Redemption Agreements)

This Court has experienced an increase in the volume of motions to approve redemption agreements. The sketchy pleadings often make it impossible to determine whether redemption is authorized by law. 11 U.S.C. § 722; Fed.R.Bkrtcy.P. 6008.

Accordingly, to conserve judicial resources and to assure compliance with the law, it is hereby ordered as follows:

1. The signature of the debtor on a redemption agreement shall be deemed to authorize the creditor to file a joint motion for approval. See, Fed.R.Bkrtcy.P. 6008.
2. A motion to approve a redemption agreement must include:
 - a) A copy of the redemption agreement;
 - b) A copy of the instruments creating and perfecting the security interest;
 - c) A complete description of the property, including, original purchase price, date of purchase, amount paid, amount still due, and any other necessary information upon which the Court may make a determination as to the appropriateness of the requested action.
3. All motions for approval of agreements to redeem property for payments totaling \$1,000 or more in principal, interest, and charges shall be set for hearing. Attendance by creditor's counsel is mandatory.
4. All other motions for approval may be submitted to the Court for ex parte determination. The Court shall have discretion to set the matter for hearing and require attendance by the creditor, creditor's counsel, debtor's counsel, and/or the debtor.

DATED at Rutland, Vermont, this 3 day of November, 1998.

/s/ FRANCIS G. CONRAD
U.S. Bankruptcy Judge