

FRBP 2002 Hearing Requirement

Historically, this Court has not required that movants set requests for relief governed by Federal Rule of Bankruptcy Procedure (“Rule”) 2002 for hearing. However, because Rule 2002 does require that a movant give notice of hearing, beginning on **March 14, 2016 (the “Effective Date”)**, **the following requests for relief must be set and noticed for hearing at the time of filing:**

1. Motions to use, sale, or lease property of the estate other than in the ordinary course of business (unless the courts shortens the time or directs another method of giving notice);
2. Motions for approval of a compromise or settlement of a controversy, other than approval of an agreement pursuant to Rule 4001(d);
3. Motions for dismissal of a case or conversion of the case to another chapter in Chapter 7 liquidations, Chapter 11 reorganizations, or Chapter 12 family farmer debt adjustment cases, unless the hearing is under §707(a)(3), §707(b), or for failure to pay the filing fee.
4. Motions for compensation or reimbursement of expenses if the request exceeds \$1,000.00.

Movants may obtain a hearing date from the assigned courtroom deputy. Movant must incorporate “notice of hearing” and “notice of opportunity for hearing” into the title of such requests for relief. The notice of hearing and the notice of opportunity for hearing should mirror the respective notices that appear in **Local Rule 6004-1.B**. As with any other request for relief, if a response is not filed timely, such request for relief will be considered confessed. See Local Rule 9013-1.E. **After the Effective Date, the Court may, without notice or hearing, strike requests for relief that are required to be noticed for hearing, but which are not so noticed.**

On the Effective Date, the following CM/ECF events will include a hearing date:

1. Motion to Sell (outside the ordinary course of business)
2. Trustee's Motion to Sell (outside the ordinary course of business)
3. Motion to Compromise Controversy
4. Motion to Dismiss
5. Trustee's Motion to Dismiss
6. Motion to Dismiss Adversary
7. Motion to Convert or Dismiss
8. Motion to Convert or Dismiss or Appoint Trustee
9. Motion to Convert
10. Trustee's Motion to Convert