

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

Chapter 13 Trustees' Final Reports	)	Administrative Order No. 16-06
and Accounts in Cases Converted)	
to Chapter 7	)	All Divisions

**ADMINISTRATIVE ORDER REGARDING THE FILING OF FINAL REPORTS AND
ACCOUNTS IN CASES CONVERTED FROM CHAPTER 13 TO CHAPTER 7**

Rule 1019(5)(B)(ii) of the Federal Rules of Bankruptcy Procedure (the "Rules") provides that "[u]nless the court directs otherwise, if a chapter 13 case is converted to chapter 7,...the trustee, not later than 30 days after conversion of the case, shall file and transmit...a final report and account." Upon review and consideration, it appears to the undersigned that in certain procedural circumstances the standing chapter 13 trustees for the Northern District of Alabama are unable to comply with Rule 1019(5). Accordingly, pursuant to Rules 1019(5)(B) and 9006(b)(1), and for cause shown, it is ORDERED that, if a chapter 13 case pending in the Northern District of Alabama is converted to a case under chapter 7 of title 11 of the United States Code, the chapter 13 trustee shall file and transmit to the Bankruptcy Administrator a final report and account on or before the later of (a) 30 days after the date of conversion and (b) 45 days after all outstanding checks issued by the chapter 13 trustee in the subject case have been negotiated and cleared.

DONE this the 9th day of December, 2016.

/s/ James J. Robinson
JAMES J. ROBINSON
Chief United States Bankruptcy Judge

/s/ Tamara O. Mitchell
TAMARA O. MITCHELL
United States Bankruptcy Judge

/s/ Jennifer H. Henderson
JENNIFER H. HENDERSON
United States Bankruptcy Judge

/s/ Clifton R. Jessup Jr.
CLIFTON R. JESSUP JR.
United States Bankruptcy Judge

/s/ D. Sims Crawford
D. SIMS CRAWFORD
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

IN RE:	:	
	:	
Deposit and Investment of	:	Administrative Order No. 16-05
Registry Funds	:	(All Divisions)
	:	

**ADMINISTRATIVE ORDER REGARDING DEPOSIT AND
INVESTMENT OF REGISTRY FUNDS**

Because the United States Bankruptcy Court for the Northern District of Alabama, (the “Court”), has determined that it is necessary to adopt local procedures to ensure uniformity in the deposit, investment, and tax administration of funds in the Court’s Registry,

IT IS ORDERED that the following shall govern the receipt, deposit, and investment of registry funds:

I. Receipt of Funds

- a) No money shall be sent to the Court or its officers for deposit in the Court’s registry without a court order signed by the presiding judge in the case or proceeding;
- b) The party making the deposit or transferring funds to the Court’s registry shall serve the order permitting the deposit or transfer on the Clerk of Court; and
- c) Unless provided for elsewhere in this Order, all monies ordered to be paid to the Court or received by its officers in any case pending or adjudicated shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. § 2041 through depositories designated by the Treasury to accept such deposit on its behalf.

II. Investment of Registry Funds

- a) Where, by order of the Court, funds on deposit with the Court are to be placed in some form of interest-bearing account or invested in a court-approved, interest-bearing instrument in accordance with Rule 7067 of the Federal Rules of Bankruptcy Procedure, the Court Registry Investment System (“CRIS”), administered by the Administrative Office of the United States Courts under 28 U.S.C. § 2045, shall be the only investment mechanism authorized;

- b) Interpleader funds deposited under 28 U.S.C. § 1335 meet the IRS definition of a “Disputed Ownership Fund” (hereinafter “DOF”), a taxable entity that requires tax administration. Unless otherwise ordered by the court, interpleader funds shall be deposited in the DOF established within the CRIS and administered by the Administrative Office of the United States Courts, which shall be responsible for meeting all DOF tax administration requirements;
- c) The Director of Administrative Office of the United States Courts is designated as custodian for all CRIS funds. The Director or the Director’s designee shall perform the duties of custodian. Funds held in the CRIS remain subject to the control and jurisdiction of the Court;
- d) Money from each case deposited in the CRIS shall be “pooled” together with those on deposit with the Treasury to the credit of other courts in the CRIS and used to purchase Government Account Series securities through the Bureau of Public Debt, which will be held at the Treasury, in an account in the name and to the credit of the Director of Administrative Office of the United States Courts. The pooled funds will be invested in accordance with the principles of the CRIS Investment Policy as approved by the Registry Monitoring Group;
- e) An account for each case will be established in the CRIS Liquidity Fund titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case based on the ratio each account’s principal and earnings has to the aggregate principal and income total in the fund after the CRIS fee has been applied. Reports showing the interest earned and the principal amounts contributed in each case will be prepared and distributed to each court participating in the CRIS and made available to litigants and/or their counsel; and
- f) For each interpleader case, an account shall be established in the CRIS Disputed Ownership Fund, titled in the name of the case giving rise to the deposit invested in the fund. Income generated from fund investments will be distributed to each case after the DOF fee has been applied and tax withholdings have been deducted from the fund. Reports showing the interest earned and the principal amounts contributed in each case will be available through the FedInvest/CMS application for each court participating in the CRIS and made available to litigants and/or their counsel. On appointment of an administrator authorized to incur expenses on behalf of the DOF in a case, the case DOF funds should be transferred to another investment account as directed by court order.

III. Fees and Taxes

- a) The custodian is authorized and directed by this Order to deduct the CRIS fee of an annualized 10 basis points on assets on deposit for all CRIS funds, excluding the case funds held in the DOF, for the management of investments in the CRIS. According to the Court’s Miscellaneous Fee Schedule, the CRIS fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases and

b) The custodian is authorized and directed by this Order to deduct the DOF fee of an annualized 20 basis points on assets on deposit in the DOF for management of investments and tax administration. According to the Court's Miscellaneous Fee Schedule, the DOF fee is assessed from interest earnings to the pool before a pro rata distribution of earnings is made to court cases. The custodian is further authorized and directed by this Order to withhold and pay federal taxes due on behalf of the DOF.

IV. Transition from Former Investment Procedure

- a) As of the date of this Order, the Clerk of Court did not have any invested funds to transfer to CRIS;
- b) Deposits to the CRIS DOF will not be transferred from any existing CRIS Funds. Only new deposits pursuant to 28 U.S.C. § 1335 made on or after April 1, 2017 will be placed in the CRIS DOF; and
- c) This Order supersedes and abrogates all prior orders of this Court regarding the deposit and investment of registry funds.

Dated this the 21st day of November, 2016.

/s/ James J. Robinson
JAMES J. ROBINSON
Chief United States Bankruptcy Judge

/s/ Tamara O. Mitchell
TAMARA O. MITCHELL
United States Bankruptcy Judge

/s/ Jennifer H. Henderson
JENNIFER H. HENDERSON
United States Bankruptcy Judge

/s/ Clifton Jessup
CLIFTON R. JESSUP, JR
United States Bankruptcy Judge

/s/ D. Sims Crawford
D. SIMS CRAWFORD
United States Bankruptcy Judge

c: Clerk of Court

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

In the Matter of:	{	
Procedural and Administrative Matters	{	Administrative Order No. 16-04
	{	Northern Division Only
	{	

AMENDED ADMINISTRATIVE ORDER RESTATING PLEADINGS
PERMITTED TO BE FILED WITH NEGATIVE NOTICE

IT IS HEREBY ORDERED that Administrative Order No. 16-01 is amended as provided herein. The pleadings set forth below may be filed with Negative Notice. The party filing a pleading with negative notice must serve the pleading upon (a) the Debtor; (b) the claimant; (c) the Trustee; (d) creditors and interested parties according to the Clerk's mailing matrix; and (e) any other entity requesting notice. The notice must advise the parties of the date by which a response is required, but **the notice shall not include a hearing date**. If a timely response is filed, the Court will schedule the matter for hearing.

1. All Chapter 7 Motions to Lift the Automatic Stay.
2. Chapter 13 Motions to Lift the Automatic Stay or Co-Debtor Stay only when the Debtor proposes to surrender the collateral pursuant to the Plan.
3. Objections to Claims based on the following grounds:
 - a. Interest Rate;
 - b. Surrender of Collateral;
 - c. Automatic Stay having lifted;
 - d. Repossession of collateral;
 - e. Statute of Limitations;
 - f. Claim paid direct by a third party;
 - g. Claim paid direct by Debtor(s) as provided in the Plan;
 - h. Claim filed in the wrong case;
 - i. Transferred claim in a severed case;
 - j. Claim is a duplicate of another claim;
 - k. Claim was untimely filed, and the claimant is a creditor whose name and address were accurately shown on the Debtor's timely filed schedules and matrix;
 - l. Claim is not entitled to secured status;
 - m. Claim is for an unsecured debt that was incurred prior to the filing of a prior bankruptcy case in which the Debtor received a discharge; or
 - n. Claim is not entitled to priority status.
4. Motion to Modify Chapter 13 Plan to Reduce Payments or Surrender Collateral.

5. Chapter 13 Trustee Motions to Modify Chapter 13 Plan for the following purposes:

- a. To modify or remove fixed payments to creditor;
- b. To cure default in Plan payments;
- c. To increase Base amount to be paid through Plan:
 - I. To include additional proceeds and assets;
 - ii. To pay unscheduled claims;
 - iii. To pay postpetition mortgage arrearage;
 - iv. To pay a specified dividend to unsecured creditors pursuant to the confirmed Plan;
- d. To increase Plan payments; or
- e. To reduce Plan term.

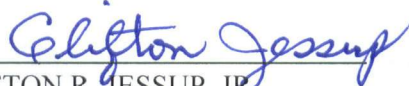
6. Motion to Avoid Lien under 11 U.S.C. § 522(f).

7. Motion to Avoid Lien coupled with Objection to Claim.

8. Motion to Suspend Chapter 13 Plan Payments, provided that:

- a. The Motion may not request more than a three month suspension of Plan payments with negative notice;
- b. The Motion must specifically plead cause or reason for the suspension with supporting facts sufficient to allow the Trustee and creditors to evaluate the merits of the Motion;
- c. The Motion must propose a three month payment monitoring period upon resumption of Plan payments;
- d. The Debtor's counsel must contact the Trustee upon expiration of the negative notice period for an updated Plan payment amount; and
- e. The Order Approving the Motion must be submitted to the Court within **seven (7) calendar days** of expiration of the negative notice period by **Counsel for the Debtor(s)** or the Motion will be denied.

IT IS SO ORDERED this the 3rd day of August 2016.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

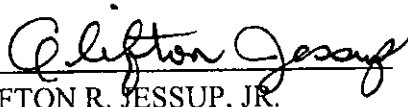
In the Matter of:	{	
Procedural and Administrative Matters	{	Administrative Order No. 16-03
	{	Northern Division Only
	{	

**ADMINISTRATIVE ORDER VACATING
ADMINISTRATIVE ORDERS 10-01 AND 10-2**

IT IS HEREBY ORDERED that the following Administrative Orders which are applicable only in the Northern District of Alabama, Northern Division are hereby **VACATED**:

1. **Administrative Order No. 10-01** regarding the Submission of Complete Schedules and Statements within Fourteen Days of Filing Initial Petition; and
2. **Administrative Order 10-02** regarding Chapter 13 Status Conferences and the payment of mortgage payments through the Chapter 13 Trustee's Office.

IT IS SO ORDERED this the 15th day of April 2016.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

In Re:)	
)	
Sequence of Payments for the Distribution of	)	Administrative Order No. <u>16-02</u>
Attorney Fees to Debtors' Attorneys by the	)	(Southern Division Only)
Chapter 13 Standing Trustee)	
)	

**ADMINISTRATIVE ORDER AUTHORIZING AND ALLOWING
THE SEQUENCE OF PAYMENTS FOR THE DISTRIBUTION OF ATTORNEY FEES
TO DEBTORS' ATTORNEYS BY THE CHAPTER 13 STANDING TRUSTEE**

This Order amends and replaces Administrative Order 11-01 entered on February 11, 2011 to ensure consistency with Local Rules 1006-1 and 5081-1, which were revised on December 1, 2015. The provisions of this Administrative Order are applicable only in Chapter 13 cases filed in the Southern Division. The following sequence of payments is authorized for the Chapter 13 Standing Trustee's distribution of funds in cases where the original petition was filed on or after December 1, 2015, if the plan or modified plan approved by the Court so provides:

- I. From payments received by the Trustee, the Trustee shall collect his percentage fee currently due from all Payments Under the Plan at the time that funds are disbursed until said fee is collected in full;
- II. From payments received by the Trustee, the Trustee shall then disburse any case filing fees that are currently due under 28 U.S.C. Chapter 123 and Local Rule 1006-1;
- III. From payments received by the Trustee, the Trustee shall then disburse post-petition, pre-confirmation adequate protection payments to secured or lease creditors with allowed claims as provided in the debtor's most recent plan until the amounts that are then currently due are paid in full;
- IV. From payments received by the Trustee, the Trustee shall then disburse the initial payment of attorney fees to debtor's attorney as awarded in the Confirmation Order, if an initial payment is awarded, until the initial payment is paid in full;

V. From payments received by the Trustee, the Trustee shall then disburse pursuant to the Confirmation Order or a subsequent Order of the Court the following amounts proportionately:

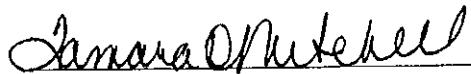
- a. The monthly fixed payments awarded to secured creditors with filed, allowed claims including any amounts currently due and any unpaid arrearages; and
- b. The monthly fixed payments awarded to priority unsecured creditors with filed, allowed claims including any amounts currently due and any unpaid arrearages; and
- c. The monthly fixed payments awarded to debtor's attorney for the unpaid balance of attorney fees including any amounts due and any unpaid arrearages; and
- d. The monthly fixed payments awarded for any other administrative expense including any amounts currently due and any unpaid arrearages.

The monthly fixed payments identified above in Paragraph V. shall continue until the amounts that are then currently due are paid in full.

VI. The monthly fixed payments identified in Paragraph V. above that are due pursuant to the Confirmation Order or a subsequent Order of the Court but are unpaid shall accrue proportionately based upon the amount of each fixed payment awarded, and shall be paid proportionately by the Trustee on a pro rata basis from available funds on hand.¹

VII. The provisions of this Administrative Order shall not be deemed collateral estoppel or res judicata as to a creditor, a creditor's attorney, or another party in interest who files an objection to confirmation or an objection to modification of a Chapter 13 plan pursuant to the United States Bankruptcy Code or other applicable law.

Dated this the 19th day of February, 2016.


TAMARA O. MITCHELL
United States Bankruptcy Judge

¹ For example: If the Confirmation Order provides for fixed payments in the amount of \$200 to a secured car creditor, \$200 to a secured mortgage creditor, and \$100 to debtor's attorney for the balance of the attorney fee awarded in the Confirmation Order, and the Trustee has received a partial plan payment in the amount of \$100, the Trustee shall disburse, after payment of Trustee fees, approximately \$40 to the secured car creditor, approximately \$40 to the secured mortgage creditor, and approximately \$20 to the debtor's attorney.

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

In the Matter of:	{	
Procedural and Administrative Matters	{	Administrative Order No. 16-01
	{	Northern Division Only
	{	

**AMENDED ADMINISTRATIVE ORDER RESTATING PLEADINGS
PERMITTED TO BE FILED WITH NEGATIVE NOTICE**

IT IS HEREBY ORDERED that Administrative Order No. 15-08 is amended as provided herein. The following pleadings may be filed with Negative Notice:

1. All Chapter 7 Motions to Lift the Automatic Stay.
2. Chapter 13 Motions to Lift the Automatic Stay only when the Debtor proposes to surrender the collateral pursuant to the Plan.
3. Objections to Claims based on the following grounds:
 - a. Interest Rate;
 - b. Surrender of Collateral;
 - c. Automatic Stay having lifted;
 - d. Repossession of collateral;
 - e. Statute of Limitations;
 - f. Claim paid direct by a third party;
 - g. Claim paid direct by Debtor(s) as provided in the Plan;
 - h. Claim filed in the wrong case;
 - i. Transferred claim in a severed case;
 - j. Claim is a duplicate of another claim;
 - k. Claim was untimely filed, and the claimant is a creditor whose name and address were accurately shown on the Debtor's timely filed schedules and matrix;
 - l. Claim is not entitled to secured status;

- m. Claim is for an unsecured debt that was incurred prior to the filing of a prior bankruptcy case in which the Debtor received a discharge; or
- n. Claim is not entitled to priority status.

4. Motion to Modify Chapter 13 Plan to Reduce Payments or Surrender Vehicle.

5. Chapter 13 Trustee Motions to Modify Chapter 13 Plan for the following purposes:

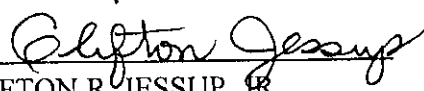
- a. To modify or remove fixed payments to creditor;
- b. To cure default in Plan payments;
- c. To increase Base amount to be paid through Plan:
 - i. To include additional proceeds and assets;
 - ii. To pay unscheduled claims;
 - iii. To pay postpetition mortgage arrearage;
 - iv. To pay a specified dividend to unsecured creditors pursuant to the confirmed Plan;
- d. To increase Plan payments; or
- e. To reduce Plan term.

6. Motion to Avoid Lien under 11 U.S.C. § 522(f).

7. Motion to Avoid Lien coupled with Objection to Claim.

The party filing the Objection or Motion with negative notice must serve the pleading upon (a) the Debtor; (b) the claimant; (c) the Trustee; (d) any committee appointed in the case; and (e) any other entity as the Court may direct. The notice must advise the parties of the date by which a response is required, but **the notice shall not include a hearing date**. If a timely response is filed, the Court will schedule the matter for hearing.

IT IS SO ORDERED this the 16th day of February 2016.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

Director's Procedural Form 2830

) Administrative Order No. 15-10¹
) All Divisions

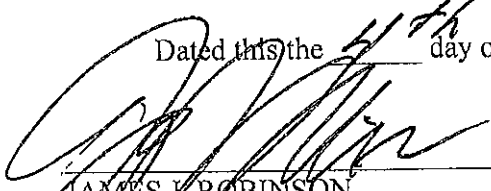
**ADMINISTRATIVE ORDER REGARDING
CHAPTER 13 DEBTOR'S CERTIFICATIONS REGARDING
DOMESTIC SUPPORT OBLIGATIONS AND SECTION 522(q)**

On or about March 8, 2007, this Court entered Administrative Order 07-03, and on or about November 5, 2007, this Court entered Administrative Order 07-07, regarding the Certificate of Compliance, Motion for Issuance of Discharge and Notice of Deadline to Object required in all Chapter 7 and Chapter 13 bankruptcy proceedings. Since that time, the Court has concluded that these Administrative Orders are moot due to the creation of the Director's Procedural Form 2830 for Chapter 13 bankruptcy proceedings and the minimal percentage of cases in which 11 U.S.C. § 727(a)(12) [with reference to 11 U.S.C. § 522 (q)] applies in Chapter 7 bankruptcy proceedings.

NOW, THEREFORE, IT IS ORDERED

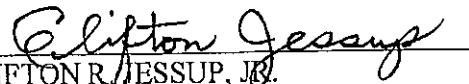
1. Director's Procedural Form 2830 is required in all Chapter 13 bankruptcy proceedings as of January 1, 2009;
2. When required by 11 U.S.C. § 727(a)(12) and 522(q), Chapter 7 debtors will file a form similar to Director's Procedural Form 2830 meeting the requirements of said Bankruptcy Code section; and
3. This order revokes prior Administrative Order 09-01.

Dated this the 4th day of December, 2015.


JAMES E. ROBINSON
Chief United States Bankruptcy Judge


TAMARA O. MITCHELL
United States Bankruptcy Judge


JENNIFER A. HENDERSON
United States Bankruptcy Judge


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

¹ This Administrative Order contains the same content as Administrative Order 09-01 entered on January 9, 2009. This Administrative Order simply updates the references to the Director's Procedural Form 2830, re-named and re-numbered effective December 1, 2015.

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

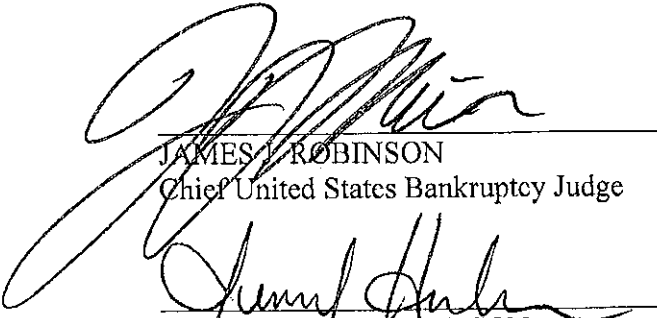
Summary of Schedules Required	)	Administrative Order No. 15-09 ¹
Upon Filing Schedules and All	)	All Divisions
Amended Schedules)	

ADMINISTRATIVE ORDER
REQUIRING THE FILING OF A SUMMARY OF SCHEDULES
UPON FILING SCHEDULES AND AMENDED SCHEDULES


28 U.S.C. §159 requires the filing of a Summary of Your Assets and Liabilities and Certain Statistical Information (Official Form 106Sum) or Summary of Assets and Liabilities for Non-Individuals (Official Form 206Sum). Upon the filing of Bankruptcy Schedules and any Amended Schedule(s), the debtor is hereby **ORDERED** to file the applicable Summary of Schedules. BAPCPA and the statistical requirements imposed upon the Courts necessitates the filing of the Summary of Schedules each time the Schedules or Amended Schedules are filed with the Court so that the proper and amended totals may be submitted to the Administrative Office of the United States Courts.

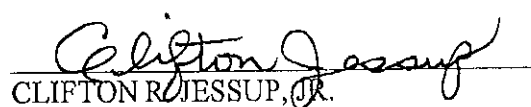
This Order is effective immediately and revokes prior Administrative Order 07-02.

Dated the 4th day of December, 2015.


JAMES I. ROBINSON
Chief United States Bankruptcy Judge


JENNIFER L. HENDERSON
United States Bankruptcy Judge


TAMARA O. MITCHELL
United States Bankruptcy Judge


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

¹ This Administrative Order contains the same content as Administrative Order 07-02 entered on February 28, 2007. This Administrative Order simply amends the references to the "Summary of Your Assets and Liabilities and Certain Statistical Information" (Official Form 106 Sum) and "Summary of Assets and Liabilities for Non-Individuals" (Official Form 206 Sum), re-named and re-numbered effective December 1, 2015.

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

In the Matter of:	}	
Procedural and Administrative Matters	}	Administrative Order No. 15-08
	}	Northern Division Only
	}	
	}	

**ADMINISTRATIVE ORDER RESTATING PLEADINGS
PERMITTED TO BE FILED WITH NEGATIVE NOTICE**

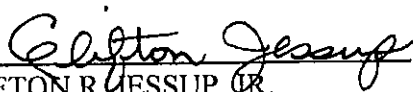
IT IS HEREBY ORDERED that the following pleadings may be filed with Negative Notice:

1. All Chapter 7 Motions to Lift the Automatic Stay
2. Chapter 13 Motions to Lift the Automatic Stay only when the Debtor proposes to surrender the collateral pursuant to the Plan
3. Objections to Claims based on the following grounds:
 - a. Interest Rate;
 - b. Surrender of Collateral;
 - c. Automatic Stay having lifted;
 - d. Repossession of collateral;
 - e. Claim paid direct by a third party (the Automatic Stay must lift);
 - f. Claim paid direct by Debtor(s) as provided in the Plan;
 - g. Claim filed in the wrong case;
 - h. Transferred claim in a severed case;
 - i. Claim is a duplicate of another claim;
 - j. Claim was untimely filed, and the claimant is a creditor whose name and address were accurately shown on the Debtor's timely filed schedules and matrix;
 - k. Claim is not entitled to secured status;
 - l. Claim is for an unsecured debt that was incurred prior to the filing of a prior bankruptcy case in which the Debtor received a discharge; or
 - m. Claim is not entitled to priority status.
4. Trustee's Objection to Claim based on Statute of Limitations
5. Motion to Modify Chapter 13 Plan to Reduce Payments or Surrender Vehicle
6. Motion to Avoid Lien under 11 U.S.C. § 522(f)

7. Motion to Avoid Lien coupled with Objection to Claim

The party filing the Objection or Motion with negative notice must serve the pleading upon (a) the Debtor; (b) the claimant; (c) the Trustee; (d) any committee appointed in the case; and (e) any other entity as the Court may direct. The notice must advise the parties of the date by which a response is required, but **the notice shall not include a hearing date**. If a timely response is filed, the Court will schedule the matter for hearing.

IT IS SO ORDERED this the 15th day of October 2015.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION

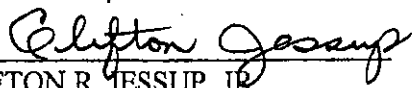
In the Matter of:	}	
Adequate Protection Payments	}	Administrative Order No. 15-07
in Chapter 13 Cases	}	Northern Division Only

**ADMINISTRATIVE ORDER ON PAYMENT OF
PRE-CONFIRMATION ADEQUATE PROTECTION
PAYMENTS ON PERSONAL PROPERTY IN CHAPTER 13 CASES**

IT IS HEREBY ORDERED that effective October 5, 2015:

1. The Chapter 13 Plan proposed and filed by the debtor may provide for payments of pre-confirmation adequate protection payments governed by 11 U.S.C. § 1326(a)(1)(C).
2. The Chapter 13 trustee is directed to make the pre-confirmation payments on personal property described above as proposed in a debtor's Chapter 13 Plan if proper proofs of claim are filed.

IT IS SO ORDERED this the 2nd day of October 2015.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

In the Matter of:	}	
Procedural and Administrative Matters	}	Administrative Order No. 15-06
	}	Northern Division Only
	}	
	}	


**ADMINISTRATIVE ORDER
ESTABLISHING PROCEDURAL DEADLINES**

IT IS HEREBY ORDERED that, effective immediately, the following pleadings must be submitted or filed on or before the Wednesday before a scheduled Motion docket by 12:00 p.m. noon, Central Time:

1. Motions for Continuance;
2. Proposed Stipulated Settlement Orders;
3. Amended Chapter 13 Plans; and
4. Objections to Confirmation.

If a proposed settlement Order or Motion for Continuance is timely submitted and an Order is entered by Friday, the parties are excused from attending the hearing on the scheduled matter. Otherwise, the parties must attend the scheduled hearing.

IT IS SO ORDERED this the 2nd day of October 2015.



CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

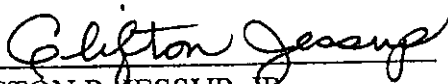
**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

In the Matter of:	}	
Procedural and Administrative Matters	}	Administrative Order No. 15-05
	}	Northern Division Only
	}	
	}	

**ADMINISTRATIVE ORDER REQUIRING
PROPOSED ORDERS TO BE SUBMITTED
WITHIN FOURTEEN CALENDAR DAYS**

IT IS HEREBY ORDERED that, effective October 5, 2015, the local practice requiring proposed orders to be submitted to Chambers within three weeks following a hearing is hereby reduced to fourteen calendar days. Unless otherwise directed, a party must submit a proposed order within fourteen calendar days following a hearing via e-mail to orderscrj@alnb.uscourts.gov. The proposed order must be submitted in a Word or WordPerfect format. If a proposed order is not timely submitted, the Court may deny the relief requested or take other action.

IT IS SO ORDERED this the 2nd day of October 2015.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

In the Matter of:	}	
Post-Confirmation Mortgage Arrearage	}	Administrative Order No. 15-04
	}	Northern Division Only
	}	
	}	


**ADMINISTRATIVE ORDER ON
POST-CONFIRMATION MORTGAGE ARREARAGE**

IT IS HEREBY ORDERED that, effective September 14, 2015, if a Mortgage Creditor files a Motion for Relief from the Automatic Stay, and the Court finds that good cause exists under 11 U.S.C. § 362(d)(1) to modify the automatic stay to allow the postconfirmation cure of mortgage arrearage, unless the Court orders otherwise, the postconfirmation arrearage shall be paid through the Chapter 13 Plan by the Trustee upon the filing of an additional proof of claim for the arrearage; it is further

ORDERED that the Trustee is authorized to Modify the Chapter 13 Plan pursuant to 11 U.S.C. § 1329 as necessary to provide for the postconfirmation arrearage.

IT IS SO ORDERED.

Dated this the 9th day of September 2015.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

Appointment of the Clerk for the	)	Administrative Order No. 15-03
Northern District of Alabama)	

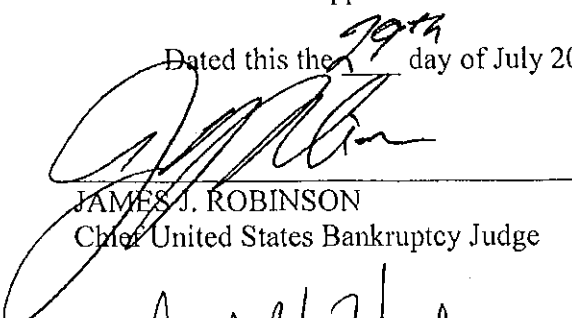
ADMINISTRATIVE ORDER

In accordance with the authority conferred by 28 U.S.C. § 156(b), it is


ORDERED that Joseph E. Bulgarella is hereby appointed as Clerk of the United States Bankruptcy Court for the Northern District of Alabama. Mr. Bulgarella shall enter upon the performance of his duties as Clerk of Court on July 27, 2015. It is further

ORDERED that the Clerk of Court shall exercise all powers and perform all duties in accordance with all applicable laws and regulations.

Dated this the 29th day of July 2015.



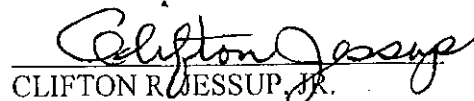
JAMES J. ROBINSON
Chief United States Bankruptcy Judge



TAMARA O. MITCHELL
United States Bankruptcy Judge



JENNIFER H. HENDERSON
United States Bankruptcy Judge



CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

In the Matter of:	}	
Procedural and Administrative Matters	}	Administrative Order No. 15-02
	}	Northern Division
	}	
	}	

ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED that, effective July 10, 2015, the following rules will apply to all cases and proceedings pending in the United States Bankruptcy Court for the Northern District of Alabama, Northern Division.

A. PLEADINGS NO LONGER REQUIRED

1. Objection to Claim as to interest rate on unsecured claims.
2. Chapter 13 Trustee's Motion to Shorten Time on Objections to Confirmation and Motions to Dismiss. An Objection to Confirmation or Motion to Dismiss must be filed two business days before the hearing scheduled on confirmation of the Chapter 13 Plan.

B. PROCEDURAL CHANGES

1. When a Motion to Sever is filed, all claims filed in the Claims Register of the original case will be deemed filed in the severed case. The Clerk's Office will transfer the claims into the Claims Register of the severed case.
2. Orders Sustaining an Objection to Claim based on surrender will provide 90 days for the creditor to file a deficiency claim.

C. PLEADINGS REMOVED FROM THE NEGATIVE NOTICE LIST

1. Trustee's Motion to Approve Compromise and Settlement
2. Trustee's Application to Employ Special Counsel
3. Objection to Claim for property taxes on surrendered property
4. Motion for Valuation of Collateral
5. Motion to Add Pre-Petition, Post-Confirmation Creditors
6. Motion to Modify Mortgage

D. PLEADINGS ADDED TO THE NEGATIVE NOTICE LIST

1. All Chapter 7 Motions to Lift the Automatic Stay
2. Objection to Claim in a severed case based on the claim being owed by the Joint Debtor in the original case

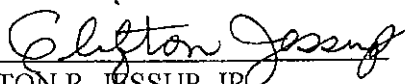
E. NEGATIVE NOTICE ALLOWED FOR THE FOLLOWING OBJECTIONS AND MOTIONS

1. A party may use negative notice for an Objection to Claim based on the following grounds:
 - a. Interest Rate;
 - b. Surrender of Collateral;
 - c. Automatic Stay having lifted;
 - d. Repossession of collateral;
 - e. Claim paid direct by a third party (the Automatic Stay must Lift);
 - f. Claim paid direct by Debtor(s) as provided in the plan;
 - g. Claim filed in the wrong case;
 - h. Transferred claim in a severed case.
2. Trustee's Objection to Claim based on Statute of Limitations
3. Chapter 13 Motion to Lift the Automatic Stay based upon collateral being surrendered pursuant to the plan
4. All Chapter 7 Motions to Lift Stay
5. Motion to Modify to Reduce Payments, Surrender Vehicle, or Incur Post-Petition Debt
6. Motion to Avoid Lien
7. Motion to Avoid Lien and Objection to Claim

The party filing the Objection or Motion with negative notice must serve the pleading upon (a) the Debtor; (b) the claimant; (c) the Trustee; (d) any committee appointed in the case; and (e) any other entity as the Court may direct. The notice must advise the parties of the date by which a response is required, that the Court may set a hearing date on the pleading, and that the failure to file a response with the Court by the given date may result in the Court entering an order granting the relief requested without a hearing.

IT IS SO ORDERED.

Dated this the 1st day of July 2015.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

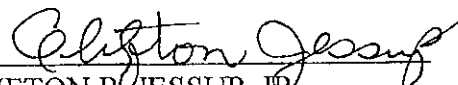
In the Matter of:	}	
Supplementing Local Rule 4001-1	}	Administrative Order No. 15-01
Relief From Automatic Stay	}	Northern Division
	}	

ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED that, effective July 10, 2015, the Fact Summary Sheet required for the Eastern, Southern, and Western Divisions when filing a Motion for Relief From Stay, a Motion for Relief from the Co-Debtor Stay, or a Motion for Adequate Protection filed in a Chapter 7 or 13 case must also be filed in the Northern Division. The Fact Summary Sheet must substantially comply with the Fact Summary Sheet form found on the Court's website at http://www.alnb.uscourts.gov/forms/all-forms/localrules_forms. The movant must file and serve the Fact Summary Sheet completed in full at least 14 days prior to the first hearing date on the Motion. The movant must ensure that, when the Fact Summary Sheet is filed, it is filed as a separate event using the proper event from CM/ECF, not as an attachment to the Motion. To file the Fact Summary Sheet, the movant must select "Bankruptcy," "Miscellaneous," and "Fact Summary for Motion for Relief from Stay." The movant will serve the Fact Summary Sheet using CM/ECF. If the movant does not fully complete, timely file, and properly serve the Fact Summary Sheet, the Court may continue, dismiss, or deny the Motion.

IT IS SO ORDERED.

Dated this the 1st day of July 2015.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In Re:	:	
	:	
Deposit and Investment of Registry Funds	:	Administrative Order No. 14-01 (All Divisions)
	:	
	:	
	:	

ADMINISTRATIVE ORDER

Because the United States Bankruptcy Court for the Northern District of Alabama (the "Court") has determined that it is necessary to adopt local procedures to ensure uniformity in the deposit and investment of funds in the Court's Registry,

IT IS ORDERED that the following shall govern the receipt, deposit and investment of registry funds:

I. Receipt of Funds

a. No money shall be sent to the Court or its officers for deposit in the Court's registry without a court order signed by the presiding judge in the case or proceeding;

b. The party making the deposit or transferring funds to the Court's registry shall serve the order permitting the deposit or transfer on the Clerk of Court; and

c. Unless provided for elsewhere in this Order, all monies ordered to be paid to the Court or received by its officers in any case pending or adjudicated shall be deposited with the Treasurer of the United States in the name and to the credit of this Court pursuant to 28 U.S.C. § 2041 through depositories designated by the Treasury to accept such deposit on its behalf.

II. Investment of Registry Funds

a. Where, by order of the Court, funds on deposit with the Court are to be placed in some form of interest-bearing account, the Court Registry Investment System ("CRIS"), administered by the Administrative Office of the United States Courts (the "A.O."), under 28 U.S.C. § 2045, shall be the only investment mechanism authorized;

b. The Director of the A.O. is designated as custodian for CRIS. The Director or the Director's designee shall perform the duties of custodian. Funds held in the CRIS remain subject to the control and jurisdiction of the Court;

c. Money from each case deposited in the CRIS shall be "pooled" together with those monies on deposit with the Treasury to the credit of other courts in the CRIS and used to purchase Government Account Series securities through the Bureau of Public Debt, which will be held at the Treasury, in an account in the name and to the credit of the Director of the A.O. The pooled funds will be invested in accordance with the principles of the CRIS Investment Policy as approved by the Registry Monitoring Group; and

d. An account for each case will be established in the CRIS titled in the name of the case giving rise to the investment in the fund. Income generated from fund investments will be distributed to each case based on the ratio each account's principal and earnings has to the aggregate principal and income total in the fund. Reports showing the interest earned and the principal amounts contributed in each case will be prepared and distributed to each court participating in the CRIS and made available to litigants and/or their counsel.

III. Deductions of Fees

a. The custodian is authorized and directed by this Order to deduct the investment services fee for the management of investments in the CRIS and the registry fee for maintaining accounts deposited with the Court;

b. The investment services fee is assessed from interest earnings to the pool according to the Court's Miscellaneous Fee Schedule and is to be assessed before a pro rata distribution of earnings to court cases; and

c. The registry fee is assessed by the custodian from each case's pro rata distribution of the earnings and is to be determined on the basis of the rates published by the Director of the A.O. as approved by the Judicial Conference of the United States.

IV. Transition From Former Investment Procedure

a. After this Order is signed, the Clerk of Court will begin the systematic method of transferring all existing investments to the CRIS; and

b. This Order supersedes and abrogates all prior orders of this Court regarding the deposit and investment of registry funds.

Dated this the 26th day of February, 2014.

/s/Thomas B. Bennett
THOMAS B. BENNETT
Chief United States Bankruptcy Judge

/s/Tamara O. Mitchell
TAMARA O. MITCHELL
United States Bankruptcy Judge

/s/Jack Caddell
JACK CADDELL
United States Bankruptcy Judge

/s/Benjamin Cohen
BENJAMIN COHEN
United States Bankruptcy Judge

/s/C. Michael Stilson
C. MICHAEL STILSON
United States Bankruptcy Judge

/s/James J. Robinson
JAMES J. ROBINSON
United States Bankruptcy Judge

c: Clerk of Court

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

In re:

Adoption of Rule 1007-I)
) Administrative Order No. 12-02
) (All Divisions)

ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED that, effective December 1, 2012, Administrative Order 12-01 shall be superseded and rescinded; and

IT IS FURTHER ORDERED that Rule 1007-I, as amended effective December 1, 2012, shall remain in effect until further order of this Court.

PRIOR HISTORY: On October 20, 2008, the National Guard and Reservists Debt Relief Act of 2008, Pub. L. No. 110-438, (the "Act") was enacted into law. The provisions of the Act and Rule 1007-I were effective December 19, 2008. A copy of Rule 1007-I is attached to this Administrative Order. The Act provides a temporary exclusion from the bankruptcy means test for Reservists and members of the National Guard called for no less than ninety days to active duty or homeland defense activity following September 11, 2001. The amendment to section 707(b)(2)(D) of the Bankruptcy Code became effective on December 19, 2008, which was sixty days after enactment. The amendment applies only to cases commenced in the three-year period beginning on the effective date of the Act. Subsequently, on December 13, 2011, the National Guard and Reservist Debt Relief Extension Act of 2011, Pub. L. No. 112-64, (the "2011 Act") extended the temporary exclusion for four additional years. For cases and proceedings not governed by the Act or the 2011 Act, the Federal Rules of Bankruptcy Procedure and the Local Rules of this Court, other than Rule 1007-I, shall apply.

The Judicial Conference of the United States approved the new Rule 1007-I and the amendment to Official Form 22A, Statement of Current Monthly Income and Means Test Calculation and transmitted the same to the courts for adoption. Administrative Order 08-03 adopted Rule 1007-I effective December 19, 2008. Administrative Order 10-03 continued the adoption of Rule 1007-I effective July 1, 2010. Rule 1007-I was amended effective December 1, 2010, to extend the time to file the statement of completion of course in personal financial management in a chapter 7 case filed by an individual debtor from forty-five days after the first date set for the meeting of creditors to sixty days after the first date set for the meeting, and Administrative Order 10-07 adopted this amendment and made Administrative Order 10-03 moot. Administrative Order 12-01 addressed the 2011 Act and superseded and rescinded Administrative Order 10-07. Administrative Order 12-02 addresses a conforming amendment, effective December 1, 2012, which removed an inconsistency created by the 2010 amendment.

Dated this the 1st day of December 2012.


THOMAS B. BENNETT
Chief United States Bankruptcy Judge

/s/ Benjamin Cohen
BENJAMIN COHEN
United States Bankruptcy Judge

/s/ C. Michael Stilson
C. MICHAEL STILSON
United States Bankruptcy Judge


TAMARA O. MITCHELL
United States Bankruptcy Judge

/s/ Jack Caddell
JACK CADDELL
United States Bankruptcy Judge

/s/ James J. Robinson
JAMES J. ROBINSON
United States Bankruptcy Judge

1
2
3
4
5
6
7
8
9
1
1
1
1
1

(b) SCHEDULES, STATEMENTS, AND OTHER DOCUMENTS REQUIRED.

(4) Unless either: (A) § 707(b)(2)(D)(i) applies, or (B) § 707(b)(2)(D)(ii) applies and the exclusion from means testing granted therein extends beyond the period specified by Rule 1017(e), an individual debtor in a chapter 7 case shall file a statement of current monthly income prepared as prescribed by the appropriate Official Form, and, if the current monthly income exceeds the median family income for the applicable state and household size, the information, including calculations, required by § 707(b), prepared as prescribed by the appropriate Official Form.

* * * * *

² Incorporates (1) time amendments to Rule 1007 which took effect on December 1, 2009, (2) an amendment, effective December 1, 2010, which extended the time to file the statement of completion of a course in personal financial management in a chapter 7 case filed by an individual debtor, and (3) a conforming amendment, effective December 1, 2012, which removed an inconsistency created by the 2010 amendment.

15 (c) TIME LIMITS. In a voluntary case, the schedules,
16 statements, and other documents required by subdivision (b)(1), (4),
17 (5), and (6) shall be filed with the petition or within 14 days
18 thereafter, except as otherwise provided in subdivisions (d), (e), (f),
19 and (h), and (n) of this rule. In an involuntary case,
20 the schedules, statements, and other
21 documents required by subdivision (b)(1) shall be filed by the
22 debtor within 14 days of the entry of the order for relief. In a
23 voluntary case, the documents required by paragraphs (A), (C), and
24 (D) of subdivision (b)(3) shall be filed with the petition. Unless
25 the court orders otherwise, a debtor who has filed a statement under
26 subdivision (b)(3)(B), shall file the documents required by
27 subdivision (b)(3)(A) within 14 days of the order for relief. In a
28 chapter 7 case, the debtor shall file the statement required by
29 subdivision (b)(7) within 60 days after the first date set for the
30 meeting of creditors under § 341 of the Code, and in a chapter 11 or
31 13 case no later than the date when the last payment was made by
32 the debtor as required by the plan or the filing of a motion for a
33 discharge under § 1141(d)(5)(B) or § 1328(b) of the Code. The
34 court may, at any time and in its discretion, enlarge the time to file
35 the statement required by subdivision (b)(7). The debtor shall file
36 the statement required by subdivision (b)(8) no earlier than the date
37 of the last payment made under the plan or the date of the filing of a

38 motion for a discharge under §§ 1141(d)(5)(B), 1228(b), or 1328(b)
39 of the Code. Lists, schedules, statements, and other documents
40 filed prior to the conversion of a case to another chapter shall be
41 deemed filed in the converted case unless the court directs
42 otherwise. Except as provided in § 1116(3), any extension of time
43 to file schedules, statements, and other documents required under
44 this rule may be granted only on motion for cause shown and on
45 notice to the United States trustee, any committee elected under
46 § 705 or appointed under § 1102 of the Code, trustee, examiner, or
47 other party as the court may direct. Notice of an extension shall be
48 given to the United States trustee and to any committee, trustee, or
49 other party as the court may direct.

50 * * * * *

51 (n) TIME LIMITS FOR, AND NOTICE TO, DEBTORS
52 TEMPORARILY EXCLUDED FROM MEANS TESTING.

53 (1) An individual debtor who is temporarily excluded from
54 means testing pursuant to § 707(b)(2)(D)(ii) of the Code shall file
55 any statement and calculations required by subdivision (b)(4) no
56 later than 14 days after the expiration of the temporary exclusion if
57 the expiration occurs within the time specified by Rule 1017(e) for
58 filing a motion pursuant to § 707(b)(2).

59 (2) If the temporary exclusion from means testing under
60 § 707(b)(2)(D)(ii) terminates due to the circumstances specified in

61 subdivision (n)(1), and if the debtor has not previously filed a
62 statement and calculations required by subdivision (b)(4), the clerk
63 shall promptly notify the debtor that the required statement and
64 calculations must be filed within the time specified in subdivision
65 (n)(1).

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:)	
)	
Compensation for Debtors' Attorneys	)	Administrative Order No. 11-02
in Chapter 13 Cases	)	(Southern Division - ONLY
	)	Applicable in Cases Assigned to
	)	Judge Tamara O. Mitchell)

ADMINISTRATIVE ORDER SUPPLEMENTING LOCAL RULE 2016(1)

The United States Bankruptcy Court for the Northern District of Alabama has adopted Local Rule 2016 which provides for an award of an attorney fee in chapter 13 cases without the filing of a fee application so long as debtor's counsel complies with the Rule. It appears to this Court that in addition to the provisions of the Rule, which will continue to be applicable in all cases assigned to this Court, in some cases a fee enhancement may be appropriate while in other cases a substantial fee reduction may be appropriate. Thus, this Order will supplement that Local Rule and authorize both the enhancements and the reductions, and provide, outline and define factors and criteria that will be utilized and applied in determining the fees to be awarded to attorneys for debtors in chapter 13 cases assigned to the undersigned Judge when the attorneys seek a fee based on the Local Rule without the filing of a fee application.

A. FEE ENHANCEMENTS

The Court will consider each case to determine whether a fee enhancement is appropriate; this determination will generally occur at the time of confirmation but will not necessarily be limited to that time frame. This enhancement will be in the sole and complete discretion of the Court. The factors and criteria that the court will consider include but are not limited to the following:

1. The chapter 13 plan is confirmed without objection or all objections to confirmation are resolved at least 7 days prior to the date of confirmation.
2. The complexity and size of the case, including the number and amount of priority and secured debts provided for in the plan and the proposed distribution pursuant to the plan.
3. The number of unsecured debts listed and the amount and complexity of the proposed distribution pursuant to the plan.
4. The amount of fees that the debtor has paid to attorneys for prior cases.
5. The amount of fees paid pre-petition.
6. Whether the petition, plan, schedules and all documents were timely filed, complete, legible, and provided sufficient information for the Court and Trustee to properly analyze the case and plan.
7. Whether any filing fees due were timely remitted.

8. Whether the attorney appeared timely at scheduled hearings.

The amount of any enhancement may vary depending on the circumstances of each case and shall also be in the sole and complete discretion of the Court. Further, attorneys that represent chapter 13 debtors shall advise their clients of potential fee enhancements or shall notify the Court that an enhancement is waived.

B. FEE REDUCTIONS

The Court has been and continues to be cognizant of the overuse of "emergency filings"; attorneys too often file a case that they deem an emergency in order to file the bare minimum to get a case number and have a case filing. While this Court fully supports the opportunity to protect debtors by these emergency filings, it also appears to this Court that some may be abusing the process. An emergency filing must include the following forms that are properly completed and signed: petition, B 21 form (Statement of Social Security Number), and Matrix. If a case is an emergency, and if all documents are not filed, the clerk's office enters a notice of deficiency and the CM/ECF system provides on the docket report the date by which the schedules and other remaining documents are due.

In addition to schedules and documents being filed untimely, some that are filed are not legible, are scanned in at an angle or wrong side up, and often have missing information. The Court will review the cases and may reduce the attorney fee based on any deficiencies and any failure to timely correct the deficiencies. The factors and criteria that the Court will consider include but are not limited to the following:

1. The completeness of the schedules and the timeliness of the filing of all schedules and required documents, and the accuracy of the docket events selected compared to the actual PDF document that is filed
2. The number of prior cases for a debtor filed by the same attorney and the fees paid in prior cases.
3. Whether the attorney appears timely at scheduled hearings.
4. Whether the terms of the plan are clear, concise, adequate and complete.
5. The number of confirmation hearings required to get a plan confirmed if the delay is based on the failure of the debtor's attorney to timely provide information, file documents or amend the plan.
6. Whether the debtor's attorney has failed to resolve any procedural issues pre-confirmation.
7. The time elapsed from the filing of an objection to confirmation until the time of filing an amended plan or additional documents, if either or both resolve the issue.
8. Whether a hearing is required on confirmation only to resolve a mathematical dispute between the Trustee and the debtor's attorney regarding the amount of the plan payment and/or fixed payments, and the dispute is ultimately resolved in favor of the Trustee.

The amount of any reduction may vary; however, if schedules are not timely filed (i.e., by the date the CM/ECF system provides for them to be filed - this is generally NOT the hearing date) then an initial reduction of \$500.00 will be made, and a further reduction of \$100.00 per day may be made for every day the schedules are not filed. In addition, if the schedules are filed but have information missing (examples: dates obligations were incurred, dependants, sufficient description of collateral, etc.) more reductions shall be made and will generally start at no less than \$100.00 for each problem or deficiency. Further, if a plan must be amended because it is incomplete, contains information that is clearly incorrect (example: a fixed payment that is to begin before the case was even filed) or omits available information, and the attorney clearly failed to proof read or check the plan or amended plan before filing it, substantial fee reductions will be made.

C. TRUSTEE RECOMMENDATION

The Chapter 13 Trustee shall make a notation on the 341 bench sheet or by separate pleading if he recommends an enhancement or a reduction. Any such recommendation is contingent on all factors being satisfied as noted in this Order. This recommendation shall be considered but shall not be binding on the Court.

D. EFFECTIVE DATE

This Order shall be effective immediately in all currently pending cases, as well as in all new cases filed after entry of this Order and assigned to the undersigned Judge.

Dated: December 16, 2011

/s/ Tamara O. Mitchell
TAMARA O. MITCHELL
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA

In Re:

Unavailability of CM/ECF
from November 15, 2010
through November 17, 2010

Administrative Order 10-08

Extension of Deadlines That Expired While CM/ECF Was Unavailable

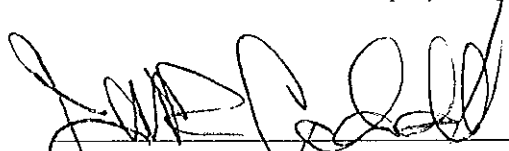
IT IS HEREBY ORDERED that, due to the unavailability of CM/ECF from November 15, 2010 until November 17, 2010, any deadline that expired during that time period is **EXTENDED THROUGH AND INCLUDING WEDNESDAY, NOVEMBER 24, 2010**; and it is further,

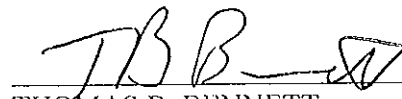
ORDERED that this Order in no way extends or expands deadlines that did not fall between November 15, 2010 and November 17, 2010.

Dated this the 16th day of December, 2010.



BENJAMIN COHEN
Chief United States Bankruptcy Judge


TAMARA O. MITCHELL
United States Bankruptcy Judge


JACK CADDELL
United States Bankruptcy Judge


THOMAS B. BENNETT
United States Bankruptcy Judge


C. MICHAEL STILSON
United States Bankruptcy Judge


JAMES J. ROBINSON
United States Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

In re:

Consent to Action At Hearing on	)	Administrative Order No. <u>10-06</u>
Trustee's Motion to Dismiss in	)	(Southern Division - ONLY
Chapter 13 Cases	)	Applicable in Cases Assigned to
	)	Judge Mitchell)

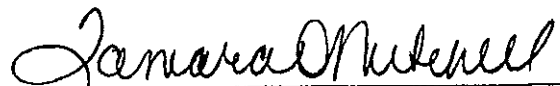
**ADMINISTRATIVE ORDER AUTHORIZING AND ALLOWING
THE FILING OF A CONSENT TO ACTION IN CHAPTER 13 CASES**

The provisions of this Administrative Order are applicable ONLY if a hearing is scheduled on a Trustee's Motion to Dismiss before Judge Mitchell and in a case assigned to Judge Mitchell.

An Attorney may file a Consent to Action At Hearing on a Trustee's Motion to Dismiss in Chapter 13 cases; the Consent filed **MUST** be identical to the form attached to this Administrative Order. If the Consent is complete and is filed properly as well as timely, the Debtor and Debtor's Counsel do not have to appear at the hearing. Counsel shall be sure to notify the Debtor if they do not need to be present.

If the Consent form is not timely filed, is not properly filed, if it is incomplete or if the form has been altered in any way, then the Trustee's Motion to Dismiss will be heard as scheduled and noticed. If Debtor and/or Debtor's counsel fail to appear, the court will still proceed with the hearing.

Dated this the 28th day of July, 2010.



TAMARA O. MITCHELL
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

In re:

) Case No.
)
Debtor.)

**CONSENT TO ACTION AT HEARING ON
TRUSTEE'S MOTION TO DISMISS**

Comes now the Debtor and hereby consents to the following action being taken in this case at the hearing on the Trustee's Motion to Dismiss:

- ☐ The case may be dismissed.
- ☐ The case shall be converted to one under chapter 7 at the Debtor's request.
- ☐ The Debtor shall resume his/her regular payments to the Trustee.
The Debtor consents that the Trustee's Motion to Dismiss will be conditionally DENIED pending compliance by the Debtor with these conditions: (1) the Debtor shall cause a full plan payment to be received in the Trustee's office before 4:00 p.m., 30 days from the date of the hearing on the Trustee's Motion to Dismiss; and, (2) the Debtor shall cause all plan payments due during the next 12 months to be received in the full amounts due in the Trustee's office before 4:00 p.m. on the dates due. The Debtor further consents that if he/she fails to satisfy these conditions, the Trustee may file a Notice of Continuing Default with the Court, with copies to the Debtor and Debtor's attorney, after which the Court may grant the Trustee's Motion to Dismiss and may dismiss this case without further notice or hearing.
- ☐ The Trustee shall issue a payroll deduction order to the employer of the Debtor, _____ (name of Debtor) at:
- _____
(employer's name)
- _____
(employer's address)
- _____
(employer's telephone number)

The Debtor understands that he/she shall make direct payments to the Trustee until the employer begins the deductions.

DATE:

CONSENTED TO BY:

DEBTOR*

CHAPTER 13 TRUSTEE

DEBTOR*

ATTORNEY FOR DEBTOR(S)

*This form must be signed by the Debtor.

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

In re:

Procedural and Administrative Matters	)	Administrative Order No. 10-05 ¹
	)	(Southern Division)
)	

ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED that, effective July 1, 2010, the following rules will apply to all cases and proceedings pending in the United States Bankruptcy Court for the Northern District of Alabama, Southern Division.

A. DEFICIENT OR INCOMPLETE PETITIONS, LISTS, STATEMENTS, AND SCHEDULES

1. Upon the filing of a voluntary petition for relief under any chapter of the Bankruptcy Code, the debtor must file all documentation required by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Bankruptcy Rules.
2. In the event the petition is incomplete or fails to comply with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, or Local Bankruptcy Rules, the clerk shall provide a deficiency notice to the debtor and the attorney for the debtor accompanied by a notice which will make provision for an opportunity for hearing on the dismissal of the debtor's case for failure to file all required documents timely. The notice shall contain a provision stating that the debtor's case may be dismissed if all required documents are not filed within fourteen days from the date of the filing of the petition. If all documents are filed timely, the hearing on dismissal may be removed from the Court's calendar without further notice.

B. DOCUMENTATION IN COMPOSITION CHAPTER 13 CASES

Within fourteen days of the filing of a petition for relief under chapter 13 of the Bankruptcy Code in a case in which the plan proposes to pay less than 100% to unsecured

¹ This Administrative Order contains the same content as Administrative Order 09-02 entered on March 2, 2009, with the exception of Section E in Administrative Order 09-02. Section E addressed registry funds, and Local Rule 7067-1, effective July 1, 2010, now addresses this topic. Otherwise, this Administrative Order simply updates the time periods to seven day increments in accordance with the Statutory Time Period Technical Amendments Act of 2009 and makes minor formatting adjustments consistent with other Administrative Orders and the Local Rules effective July 1, 2010.

creditors, or within fourteen days of the filing of a motion to modify the plan in a chapter 13 case which reduces the proposed distribution to unsecured creditors to be less than 100%, the debtor must provide to the chapter 13 trustee and file with the clerk the following additional documentation:

1. The two most recent pay stubs for the debtor and debtor's spouse, even if the debtor's spouse is not a co-debtor;
2. All W-2 statements or income tax returns for the last calendar year for the debtor and the debtor's spouse, even if the debtor's spouse is not a co-debtor;
3. A recent appraisal or statement from the tax assessor as to the value of each parcel of real estate in which the debtor owns an interest; and
4. A statement of the equity in any mobile home owned by the debtor.

Before filing these documents, the debtor shall redact all but the last four digits of the Social Security number and any account numbers, the names of all minor children, and the month and day of any birth date. Further, these documents shall be filed using the appropriate docket event so this information is protected for privacy purposes pursuant to the Interim Guidelines Regarding Tax Information of the Director of the Administrative Office of the United States Courts. If the debtor fails to properly file the additional documentation at the time of the filing of the plan or the motion to modify, the plan may not be confirmed, or the motion to modify may not be granted.

C. MOTIONS TO SUSPEND PAYMENTS, MOTIONS TO REDUCE PAYMENTS, AND MOTIONS TO MODIFY A CONFIRMED PLAN IN A CHAPTER 13 CASE

Except as otherwise directed by the Court, when the following motions are filed:

1. Motions to Suspend Payment,
2. Motions to Reduce Payments, and
3. Motions to Modify Plan (whether included with an Amendment to Schedules),

the clerk shall send a notice to the parties to whom notice is properly given advising the party that a motion has been filed and that the party has twenty-one days from the date of the notice to object to the filed motion and to request a hearing. The clerk shall not send such a notice on Amendment to Schedules which do not contain a Motion to Modify a Confirmed Plan.

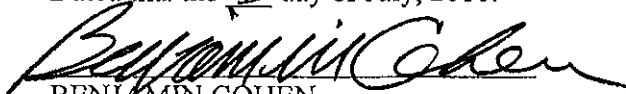
If no objection is timely filed, the motion may be granted. The clerk shall set all objections filed for a hearing. The clerk shall not send such a notice on Amendment to Schedules that do not contain a Motion to Modify a Confirmed Plan.


D. PAYMENTS OF PRE-CONFIRMATION ADEQUATE PROTECTION PAYMENTS ON PERSONAL PROPERTY IN CHAPTER 13 CASES

1. The Chapter 13 Plan Summary proposed and filed by the debtor may provide for payments of personal property leases governed by 11 U.S.C. § 1326(a)(1)(C).

2. The Chapter 13 Plan Summary proposed and filed by the debtor may provide for payments of pre-confirmation adequate protection payments governed by 11 U.S.C. § 1326 (a)(1)(C).
3. The chapter 13 trustee is directed to make the pre-confirmation payments on personal property described above as proposed in a debtor's Chapter 13 Plan Summary if proper proofs of claim are filed.

Dated this the 1st day of July, 2010.


BENJAMIN COHEN
Chief United States Bankruptcy Judge


TAMARA O. MITCHELL
United States Bankruptcy Judge


THOMAS B. BENNETT
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

In re:

Procedural and Administrative Matters	)	Administrative Order No. 10-04 ¹
	)	(Eastern Division)
)	

ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED that, effective July 1, 2010, the following rules will apply to all cases and proceedings pending in the United States Bankruptcy Court for the Northern District of Alabama, Eastern Division.

A. DEFICIENT OR INCOMPLETE PETITIONS, LISTS, STATEMENTS, AND SCHEDULES

1. Upon the filing of a voluntary petition for relief under any chapter of the Bankruptcy Code, the debtor must file all documentation required by the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Bankruptcy Rules.
2. In the event the petition is incomplete or fails to comply with the Bankruptcy Code, Federal Rules of Bankruptcy Procedure, or Local Bankruptcy Rules, the clerk shall provide a deficiency notice to the debtor and the attorney for the debtor accompanied by a notice which will make provision for an opportunity for hearing on the dismissal of the debtor's case for failure to file all required documents timely. The notice shall contain a provision stating that the debtor's case may be dismissed if all required documents are not filed within fourteen days from the date of the filing of the petition. If all documents are filed timely, the hearing on dismissal may be removed from the Court's calendar without further notice.

B. DOCUMENTATION IN COMPOSITION CHAPTER 13 CASES

Within fourteen days of the filing of a petition for relief under chapter 13 of the Bankruptcy Code in a case in which the plan proposes to pay less than 100% to unsecured

¹ This Administrative Order contains the same content as Administrative Order 09-03 entered on March 2, 2009, with the exception of Section E in Administrative Order 09-03. Section E addressed registry funds, and Local Rule 7067-1, effective July 1, 2010, now addresses this topic. Otherwise, this Administrative Order simply updates the time periods to seven day increments in accordance with the Statutory Time Period Technical Amendments Act of 2009 and makes minor formatting adjustments consistent with other Administrative Orders and the Local Rules effective July 1, 2010.

creditors, or within fourteen days of the filing of a motion to modify the plan in a chapter 13 case which reduces the proposed distribution to unsecured creditors to be less than 100%, the debtor must provide to the chapter 13 trustee and file with the clerk the following additional documentation:

1. The two most recent pay stubs for the debtor and debtor's spouse, even if the debtor's spouse is not a co-debtor;
2. All W-2 statements or income tax returns for the last calendar year for the debtor and the debtor's spouse, even if the debtor's spouse is not a co-debtor;
3. A recent appraisal or statement from the tax assessor as to the value of each parcel of real estate in which the debtor owns an interest; and
4. A statement of the equity in any mobile home owned by the debtor.

Before filing these documents, the debtor shall redact all but the last four digits of the Social Security number and any account numbers, the names of all minor children, and the month and day of any birth date. Further, these documents shall be filed using the appropriate docket event so this information is protected for privacy purposes pursuant to the Interim Guidelines Regarding Tax Information of the Director of the Administrative Office of the United States Courts. If the debtor fails to properly file the additional documentation at the time of the filing of the plan or the motion to modify, the plan may not be confirmed, or the motion to modify may not be granted.

C. MOTIONS TO SUSPEND PAYMENTS, MOTIONS TO REDUCE PAYMENTS, AND MOTIONS TO MODIFY A CONFIRMED PLAN IN A CHAPTER 13 CASE

Except as otherwise directed by the Court, when the following motions are filed:

1. Motions to Suspend Payment,
2. Motions to Reduce Payments, and
3. Motions to Modify Plan (whether included with an Amendment to Schedules),

the clerk shall send a notice to the parties to whom notice is properly given advising the party that a motion has been filed and that the party has twenty-one days from the date of the notice to object to the filed motion and to request a hearing. The clerk shall not send such a notice on Amendment to Schedules which do not contain a Motion to Modify a Confirmed Plan.

If no objection is timely filed, the motion may be granted. The clerk shall set all objections filed for a hearing. The clerk shall not send such a notice on Amendment to Schedules that do not contain a Motion to Modify a Confirmed Plan.

D. PAYMENTS OF PRE-CONFIRMATION ADEQUATE PROTECTION PAYMENTS ON PERSONAL PROPERTY IN CHAPTER 13 CASES

1. The Chapter 13 Plan Summary proposed and filed by the debtor may provide for payments of personal property leases governed by 11 U.S.C. § 1326(a)(1)(C).

2. The Chapter 13 Plan Summary proposed and filed by the debtor may provide for payments of pre-confirmation adequate protection payments governed by 11 U.S.C. § 1326 (a)(1)(C).
3. The chapter 13 trustee is directed to make the pre-confirmation payments on personal property described above as proposed in a debtor's Chapter 13 Plan Summary if proper proofs of claim are filed.

Dated this the 1st day of July, 2010.



JAMES J. ROBINSON
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
WESTERN DIVISION**

In Re:

Adequate Protection Payments
in Chapter 13 Cases

Administrative Order No 09-04
(Western Division)

ADMINISTRATIVE ORDER

IT IS HEREBY ORDERED:


**A. PAYMENT OF PRE-CONFIRMATION ADEQUATE PROTECTION
PAYMENTS ON PERSONAL PROPERTY IN CHAPTER 13 CASES**

1. The Chapter 13 Plan Summary proposed and filed by the debtor may provide for payments of pre-confirmation adequate protection payments governed by 11 U.S.C. Section 1326(a)(1)(C)
2. The Chapter 13 Trustee is directed to make the pre-confirmation payments on personal property described above as proposed in a debtor's Chapter 13 Plan Summary if a proper Proof of Claim has been filed.

B. EFFECTIVE DATE OF THIS ORDER

This order shall be effective July 24, 2009.

Dated this the 16 day of July, 2009.


C. Michael Stilson
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

Revocation of Administrative Order 07-03	)	Administrative Order No. 09-01
And Administrative Order 07-07	)	All Divisions

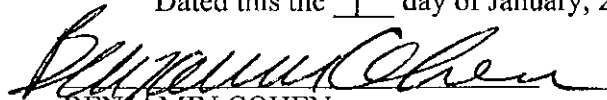
**ADMINISTRATIVE ORDER
REVOKING ADMINISTRATIVE ORDER 07-03
AND ADMINISTRATIVE ORDER 07-07**

On or about March 8, 2007, this Court entered Administrative Order 07-03, and on or about November 5, 2007, this Court entered Administrative Order 07-07, regarding the Certificate of Compliance, Motion for Issuance of Discharge and Notice of Deadline to Object required in all Chapter 7 and Chapter 13 bankruptcy proceedings. Since that time, the Court has concluded that these Administrative Orders are moot due to the creation of the Director's Procedural Form 283 (12/08) for Chapter 13 bankruptcy proceedings and the minimal percentage of cases in which 11 U.S.C. § 727(a)(12) [with reference to 11 U.S.C. § 522(q)] applies in Chapter 7 bankruptcy proceedings.

NOW, THEREFORE, IT IS ORDERED

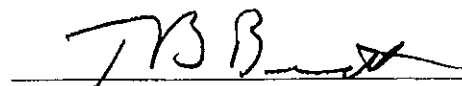
1. Administrative Order 07-03 is VACATED as of January 1, 2009;
2. Administrative Order 07-07 is VACATED as of January 1, 2009;
3. Director's Procedural Form 283 is required in all Chapter 13 bankruptcy proceedings as of January 1, 2009; and
4. When required by 11 U.S.C. §§ 727(a)(12) and 522(q), Chapter 7 debtors will file a form similar to Director's Procedural Form 283 meeting the requirements of said Bankruptcy Code section.

Dated this the 9TH day of January, 2009.

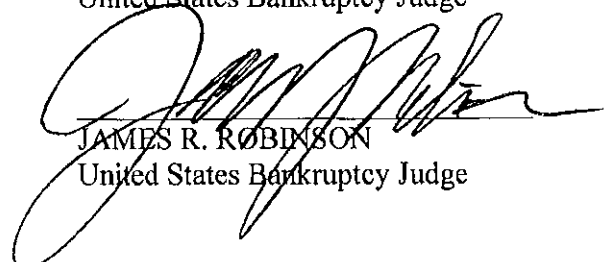

BENJAMIN COHEN
Chief United States Bankruptcy Judge


TAMARA O. MITCHELL
United States Bankruptcy Judge


JACK C. CADDELL
United States Bankruptcy Judge


THOMAS B. BENNETT
United States Bankruptcy Judge


C. MICHAEL STILSON
United States Bankruptcy Judge


JAMES R. ROBINSON
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

New Electronic Transcript Policy	)	Administrative Order No. 08-01
	)	All Divisions

ADMINISTRATIVE ORDER
REGARDING NEW ELECTRONIC TRANSCRIPT POLICY

At its September 2007 session, the U.S. Judicial Conference approved a new policy regarding the availability of transcripts of court proceedings. A new release of CM/ECF, Version 3.2, includes software that facilitates the implementation of this policy. This Administrative Order replaces Administrative Order No. 07-04 regarding electronic transcripts.

I. Summary

- A. Electronic Availability of Transcript of Court Proceedings.** The language from the Judicial Conference's September 2007 session regarding electronic availability of transcripts of court proceedings states:
1. A transcript provided to a court by a court reporter or transcriber will be available at the office of the clerk of court for inspection only, for a period of 90 days after it is delivered to the clerk.
 2. During the 90-day period, a copy of the transcript may be obtained from the court reporter or transcriber at the rate established by the Judicial Conference, the transcript will be available within the court for internal use, and an attorney who obtains the transcript from the court reporter or transcriber may obtain remote electronic access to the transcript through the court's CM/ECF system for purposes of creating hyperlinks to the transcript in court filings and for other purposes.
 3. After the 90-day period has ended, the filed transcript will be available for inspection and copying in the clerk's office and for downloading from the court's CM/ECF system through the judiciary's PACER system.

B. **Application of Fed. R. Bankr. P. Rule 9037(a), *Redacted Filings*.** This rule, effective December 2, 2007, states:

Unless the court orders otherwise, in an electronic or paper filing made with the court that contains an individual's social security number and taxpayer identification number, or birth date, the name of an individual, other than the debtor, known to be and identified as a minor, or a financial account number, a party or nonparty making the filing may include only:

- (1) the last four digits of the social security number and taxpayer identification number;
- (2) the year of the individual's birth
- (3) the minor's initials; and
- (4) the last four digits of the financial account number.

The redaction procedures for transcripts (as well as the 90-day restriction policy) apply only to transcripts of federal courtroom proceedings.

With the exception of transcripts, redaction of the information described in Fed. R. Bankr. P. Rule 9037(a) is the responsibility of the person filing the document. When a transcript is filed, the attorneys and pro se parties who attended the hearing are solely responsible for redaction of the information described in the Rule. Redaction is accomplished only with input from the attorneys and pro se parties who attended the hearing. Transcribers are not responsible for identifying a need for redaction or for redacting transcripts absent a request by an attorney or pro se party.

The court's responsibility is to follow the Judicial Conference guidelines for providing public access to the transcript and for restricting access in accordance with the Judiciary's privacy policy. The clerk is not required to review documents filed with the court for compliance with this rule.

II. Overview of Process within CM/ECF

- A. Upon the request and purchase of a transcript by a party, the court reporter or transcriber (hereinafter "transcriber") electronically files the transcript of court proceedings with the court using the *Transcript* docket event. This event serves as a notice of the filing of a transcript and includes language that indicates that parties have seven (7) calendar days to file with the court a *Notice of Intent to Request Redaction* of this transcript.

- B. During the 90-day period (which may be extended by the court), access to the transcript in CM/ECF is restricted to four types of users:
- Court staff;
 - Public terminal users;
 - Attorney of record or parties who have purchased the transcript from the transcriber; and
 - Other persons as directed by the court.

Any party needing to review the transcript for redaction purposes may purchase a copy from the transcriber or view the transcript at the public terminal in the clerk's office. If a party purchases the transcript from the transcriber, and he or she is an attorney on the case, he or she will be given remote access to the transcript via PACER and CM/ECF. PACER fees apply at all times when accessing transcripts remotely. Except for public terminal viewers, persons authorized to view or download the transcript can also create hyperlinks to the transcript. The clerk's office will grant the access upon notification from the transcriber that payment was received.

- C. The date the transcript is filed is the starting date for all deadlines related to restriction and redaction of the transcript.
- D. A notice of the filing of the transcript (including notice of the 90-day restriction period and the deadlines related to redaction) is provided via the docket text of the transcript event and the Notice of Electronic Filing (hereinafter "NEF") and a separate notice mailed to pro se parties.
- E. The following deadlines apply to the restriction, redaction, and release of a transcript for public viewing.
1. Within seven (7) calendar days of the filing in CM/ECF of the official transcript, each party wishing to redact a transcript must inform the court, by filing a *Notice of Intent to Request Transcript Redaction* with the clerk, of the party's interest to redact personal data identifiers from the electronic transcript of the court proceedings. If no such notice is filed within the allotted time, the court will assume redaction of personal identifiers from the transcript is not necessary.
 2. If redaction is requested, a party has 21 calendar days from the filing of the transcript, or longer if a court so orders, to file a *Request for Redaction* indicating where the personal identifiers to be redacted appear in the

transcript. To identify parts to be redacted, the party filing the request for redaction should attach a list of information to be redacted with the request. The information should be identified by type of identifier (e.g., minor's name, birth date, etc.) and page and line number where the information appears in the transcript. The party filing the request for redaction must serve the request on the transcriber. The transcriber must redact the identifiers as directed by the party.

These procedures are limited to the redaction of the specific personal data identifiers listed in the rules. If an attorney wishes to redact additional information, he or she may make a motion to the court. The transcript will not be electronically available until the court has ruled on any such motion, even though the 90-day restriction period may have ended.

3. The transcriber must, within 31 calendar days of the filing of the transcript, or longer if the court so orders, perform the requested redactions, and file a *Redacted Transcript* with the clerk. The original unredacted electronic transcript will be retained by the clerk as a restricted document.
4. At the end of the 90-day restriction period, transcript restriction can be removed to allow remote electronic access to the transcript as follows:
 - a. If a redacted version of the transcript is not filed and if there are no other redaction documents or motions linked to the transcript, the unredacted version will be made available via remote electronic access and at the public terminal for viewing and printing.
 - b. If a redacted version of the transcript is filed, the redacted version will be made available via remote electronic access and at the public terminal for viewing and printing. The unredacted version will remain permanently restricted.

III. General Issues


- A. During the 90-day restriction period, the transcript and any redacted versions will not be available via remote electronic access. An attorney who purchases the transcript during the 90-day period will be given remote electronic access to the transcript and any redacted version filed. Members of the general public, including pro se parties, will not be given remote electronic access to the transcript or any redacted version filed during the 90-day period.

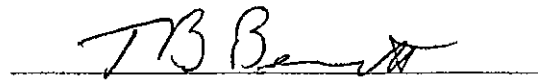
- B. Charges for access through PACER apply during and after the 90-day restriction period. Charges are not capped at 30 pages. The user will incur PACER charges each time the transcript is accessed even though he or she may have purchased it from the transcriber and obtained remote access through CM/ECF. A free copy of the electronic transcript is not available via remote access. After purchasing the transcript from the transcriber, an attorney can receive the original and any redacted transcript in both paper and electronic format.
- C. The redaction-related documents (e.g., notice of intent to redact, etc.) should be in the court record to ensure that the changes to the transcript are documented.
- D. There is no obligation on the part of the clerk's office to perform any redaction. Instead, it rests on the attorneys or pro se parties to tell the transcriber where to redact, and on the transcriber to perform the redaction.

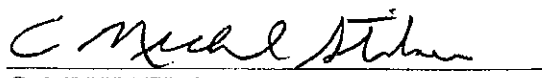
IT IS SO ORDERED, this 19th day of September, 2008.

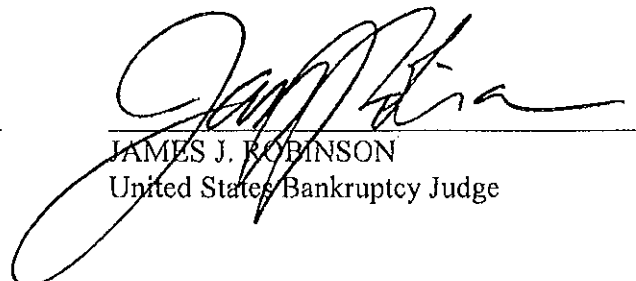

BENJAMIN COHEN
Chief United States Bankruptcy Judge


TAMARA O. MITCHELL
United States Bankruptcy Judge


JACK CADDELL
United States Bankruptcy Judge


THOMAS B. BENNETT
United States Bankruptcy Judge


C. MICHAEL STILSON
United States Bankruptcy Judge


JAMES J. ROBINSON
United States Bankruptcy Judge

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

Assignment of Certain Bankruptcy Cases	)	Administrative Order No. 07-06
in the Southern Division	)	Southern Division
)	
)	

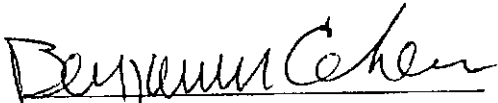
**ADMINISTRATIVE ORDER ON PROCEDURE FOR ASSIGNMENT OF CERTAIN
BANKRUPTCY CASES IN THE SOUTHERN DIVISION**


Rule 9029 of the Federal Rules of Bankruptcy Procedure authorizes this Court to establish and promulgate local rules of practice and procedure not inconsistent with the Federal Rules of Bankruptcy Procedure and subject to the requirements of Rule 83 of the Federal Rules of Civil Procedure.


NOW, THEREFORE, IT IS ORDERED:

1. Any case filed by the same debtor within twelve months of the date of entry of an order of dismissal or discharge of a prior case, shall be assigned to the same judge from the prior case.
2. Any case filed by the same debtor within twelve months of the date of closing a prior case, shall be assigned to the same judge from the prior case.
3. Any case filed by a debtor that already has a case pending, shall be assigned to the same judge as the pending case.
4. If any such case has been assigned either by the random or by the automatic assignment and is inconsistent with this Order, the Clerk's office shall reassign the case consistent with this Order.
5. This Order shall be effective IMMEDIATELY and replaces and supersedes Administrative Order 04-2.

Dated this the 19th day of April, 2007.


BENJAMIN COHEN
Chief United States Bankruptcy Judge


TAMARA O. MITCHELL
United States Bankruptcy Judge


THOMAS B. BENNETT
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION**

In re:)	
)	
PRE-CONFIRMATION DISBURSEMENT)	Administrative Order No. 06-07
OF PAYMENTS RECEIVED FOR)	
ONGOING DOMESTIC SUPPORT)	
OBLIGATIONS)	

**ADMINISTRATIVE ORDER AUTHORIZING EASTERN DIVISION
CHAPTER 13 TRUSTEE TO MAKE PRE-CONFIRMATION DISTRIBUTIONS
OF PAYMENTS RECEIVED FOR ONGOING/POST-PETITION DOMESTIC
SUPPORT OBLIGATIONS**

NOW THEREFORE, IT IS ORDERED that after a case is commenced under chapter 13 of Title 11 of the United States Code, and before the Court's confirmation of a plan in such case, if the Standing Chapter 13 Trustee for the Eastern Division of the Northern District of Alabama (the "Trustee") receives sums from or on behalf of the debtor in such case that are intended as payment of the debtor's ongoing domestic support obligations accruing after the petition filing date in such case, the Trustee is authorized, at her discretion and from time to time, to disburse all or any portion of such sums to those recipients described in 11 U.S.C. § 101(14A)(A) who are entitled to receive payment of domestic support obligations from the debtor; PROVIDED HOWEVER, the Trustee shall not disburse sums as aforesaid: (i) until a proof of claim for such domestic support obligations has been filed in the case, or (ii) while there is an outstanding objection to such claim which has not been overruled by the Court.

Nothing in this Order shall be construed as requiring debtors to pay post-petition, pre-confirmation domestic support obligations through the Trustee rather than directly to those recipients described in 11 U.S.C. § 101(14A)(A). This Order shall apply to all pending cases and to cases filed on or after the date of this Order.

Dated this 11th day of October 2006



JAMES J. ROBINSON
United States Bankruptcy Judge

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

Procedures for Criminal Referrals

) Administrative Order No. 05- 07

ADMINISTRATIVE ORDER

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, Pub. L. No. 109-08, 119 Stat. 23, amended section 158(d) of Title 18 of the United States Code, 18 U.S.C. § 158(d), to require bankruptcy courts to establish procedures for referring, pursuant to section 3057 of Title 18 of the United States Code, 18 U.S.C. § 3057, any case that may contain a materially fraudulent statement in a bankruptcy schedule. These procedures are adopted pursuant to that mandate.

If a judge or the clerk of court identifies any case that may contain a materially fraudulent statement in a bankruptcy schedule, the judge or clerk may refer the matter directly to the individuals designated under section 158(d), or other appropriate individuals or agencies; or, the judge or clerk may, prior to referral, transmit the matter to the Bankruptcy Administrator for further investigation.

If the matter is referred to the Bankruptcy Administrator, the Administrator shall report his conclusions and recommendations to the individual who transmitted the matter to the Bankruptcy Administrator. The judge or the clerk may then refer the matter himself or herself, may ask the Bankruptcy Administrator to refer the matter, or the Administrator may refer the matter himself.

These procedures are adopted for referrals made pursuant to section 3057 for purposes of the requirements of section 158(d), but may be used for referrals on other grounds.

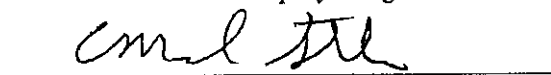
These procedures shall be effective October 17, 2005.



BENJAMIN COHEN
Chief United States Bankruptcy Judge



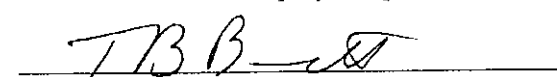
JACK CADDELL
United States Bankruptcy Judge



C. MICHAEL STILSON
United States Bankruptcy Judge



TAMARA O. MITCHELL
United States Bankruptcy Judge



THOMAS B. BENNETT
United States Bankruptcy Judge

Dated: October 17, 2005

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA**

In re:

Debtors Asserting an Exception to the)	
Limitation of the Automatic Stay Under	)	Administrative Order No. 05- <u>06</u>
11 U.S.C. § 362(l) and Procedure for)	
Receiving Rent Deposits.)	

ADMINISTRATIVE ORDER

WHEREAS, the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 amended 11 U.S.C. § 101 *et seq.* ("Code") including the automatic stay provisions of 11 U.S.C. § 362 in regards to actions to recover possession of residential property occupied by a debtor by the enactment of 11 U.S.C. § 362(l), and

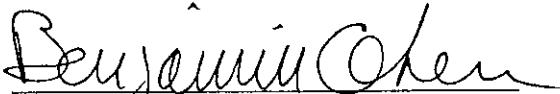
WHEREAS, the Court requires uniformity in the procedure for the deposit of rent by Debtors and transmittal of rent to Lessors under § 362(l)(1)(B) and § 362(l)(5)(D) of the Code, it is hereby

ORDERED, that any deposit of rent made by or on behalf of a debtor, pursuant to § 362(l)(1)(B) of the Code, must be in the form of a **certified check or money order payable to the order of the Lessor**, and delivered to the Clerk of Court upon filing of the Petition and the certification made under § 362(l)(1)(A) of the Code, and it is further

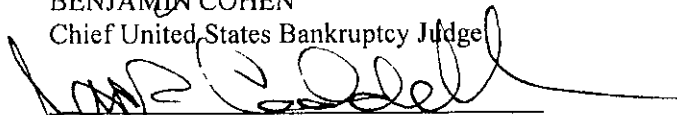
ORDERED, that the debtor must file a copy of the Judgment for Possession together with the Petition, and it is further

ORDERED, that upon the Clerk's receipt of a **certified check or money order payable to the order of the Lessor**, with a copy of the Judgment for Possession, tendered by a Debtor pursuant to § 362(l)(1) of the Code, the Clerk is directed to promptly transmit by mail the certified check or money order to the Lessor, certified mail/return receipt requested, to the address listed on the Judgment for Possession.

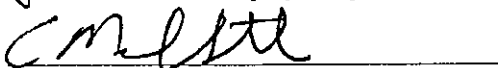
This order shall be effective October 17, 2005.



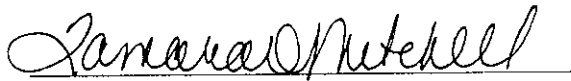
BENJAMIN COHEN
Chief United States Bankruptcy Judge



JACK CADDELL
United States Bankruptcy Judge



C. MICHAEL STILSON
United States Bankruptcy Judge



TAMARA O. MITCHELL
United States Bankruptcy Judge



THOMAS B. BENNETT
United States Bankruptcy Judge

Dated: October 17, 2005

**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

ADMINISTRATIVE ORDER 04-001

Certification of Acceptance and Rejection of Chapter 11 Plans

Prior to the hearing on confirmation, the proponent of a Chapter 11 plan shall certify to the Court the amount and number of allowed claims of each class accepting or rejecting the plan and the amount of allowed interests of each class accepting or rejecting the plan. The original certification shall be filed with the Clerk of the Bankruptcy Court. A copy of the certification shall be served on the debtor, debtor-in-possession, trustee, if any, and any creditors' or equity security holders' committee appointed pursuant to the Code or on the chairperson and counsel for those committees. The Court may find that the plan has been accepted or rejected on the basis of the certification.

Done and entered this the 17th day of August 2004.

ENTERED

8/17/04
UNITED STATES
BANKRUPTCY COURT
DECATUR, ALABAMA

MB
DEPUTY CLERK

J. M. Caddell
JACK CADDELL
United States Bankruptcy Judge

(32)