

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

In the Matter of: {
Procedural and Administrative Matters { Administrative Order No. 22-05¹
{ Northern Division Only
{

**AMENDED AND RESTATED ADMINISTRATIVE ORDER REGARDING PLEADINGS
PERMITTED TO BE FILED WITH NEGATIVE NOTICE**

A. Applicability. For pleadings permitted to be filed with negative notice (“Notice”) in the Northern Division of the Northern District of Alabama, the pleading must include a Notice provision which substantially complies with the requirements set forth herein.

B. Notice, Service, and Hearing.

- i. The Movant must serve the pleading and Notice upon the following:
 - the Debtor;
 - the Claimant;
 - the Trustee; and
 - any other entity required to be served pursuant to the Federal Rules of Bankruptcy Procedure and as the Court may direct.
- ii. The Notice must advise the parties of the date by which a response is due (the “Response Deadline”) and that failure to timely file a response may result in the Court entering an order approving the relief requested without further notice or hearing.
- iii. For Motions to Lift the Automatic Stay, the Notice must include a waiver, stating substantially as follows:

NEGATIVE NOTICE WAIVER: The movant hereby waives any and all applicable 11 U.S.C. § 362(e) deadlines and agrees that the automatic stay shall continue in effect pending the conclusion of any hearing on, and final determination of, this Motion.

- iv. If a response is filed by the Response Deadline, the Court will schedule the matter for hearing within thirty (30) days following the response date.

¹ Administrative Order No. 17-01, Amended Administrative Order Restating Pleadings Permitted to be filed with Negative Notice, is revoked.

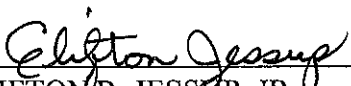
- v. If a response is not timely filed by the Response Deadline, the Court will consider the pleading unopposed and may enter an order approving the requested relief without further notice or hearing. The Court may, however, schedule a hearing even if no response is filed.

C. Pleadings Permitted to be Filed with Negative Notice.

- i. **ALL** Chapter 7 Motions to Lift the Automatic Stay.
- ii. Chapter 13 Motions to Lift the Automatic Stay or Co-Debtor Stay when the confirmed Plan provides for either surrender of the subject collateral or to reject a lease.
- iii. Objections to Claims [*unless the creditor is a government entity*] based on the following grounds:
- Interest Rate;
 - Surrender of Collateral;
 - Automatic Stay having lifted;
 - Repossession of collateral;
 - Statute of Limitations;
 - Claim paid direct by a third party or by the Debtor(s) as provided in the Plan;
 - Claim filed in the wrong case;
 - Transferred claim in a severed case;
 - Claim is a duplicate of another claim;
 - 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;
 - Claim is not entitled to secured status;
 - 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
 - Claim is not entitled to priority status.
- iv. Motions to Modify Chapter 13 Plan to Reduce Payments or Surrender Collateral.
- v. Chapter 13 Trustee Motions to Modify Chapter 13 Plan for the following purposes:
- to modify or remove fixed payments to a creditor(s);
 - to cure a default in Plan payments;
 - to increase the Base amount to be paid through the Plan:
 - (a) to include additional proceeds and assets;

- (b) to pay unscheduled claims;
 - (c) to pay postpetition mortgage arrearage;
 - (d) to pay specific dividends to unsecured creditors pursuant to the confirmed Plan;
- to increase Plan payments; or
 - to reduce Plan term.
- vi. Motions to Avoid Lien under 11 U.S.C. § 522(f) [*unless the creditor is a government entity*].
- vii. Motions to Avoid Lien coupled with an Objection to Claim [*unless the creditor is a government entity*].
- viii. Motions to Suspend Chapter 13 Plan Payments, provided that:
- The Motion may not request more than a three-month suspension of Plan payments with negative notice;
 - 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;
 - The Motion must propose a three-month payment monitoring period upon resumption of Plan payments;
 - The Debtor's counsel must contact the Trustee upon expiration of the negative notice period for an updated Plan payment amount; and
 - 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.
- ix. Applications to Amend Schedules to add creditors.

IT IS SO ORDERED this the 5th day of October 2022.



CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

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

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| In the Matter of: | } | |
| | } | |
| Attorney's Fees under § 4.3 of the | } | Administrative Order No. 22-03 |
| Local Chapter 13 Plan and the Sequence | } | Northern Division Only |
| Payments under Part 7 of the Local | } | |
| Chapter 13 Plan | } | |

**ADMINISTRATIVE ORDER REGARDING: (1) ATTORNEY'S
FEES UNDER § 4.3 OF THE LOCAL CHAPTER 13 PLAN, AND
(2) SEQUENCE OF PAYMENTS UNDER PART 7 OF THE
LOCAL CHAPTER 13 PLAN FOR CASES FILED IN
THE NORTHERN DIVISION ON OR AFTER
OCTOBER 1, 2022**

Pursuant to local form *Chapter 13 Maximum Attorney Compensation Exempt From Fee Application Effective for Cases Filed On or After October 1, 2022*, an attorney representing a Debtor in a Chapter 13 case may charge total compensation that does not exceed \$4,500 without filing a detailed application for compensation as required by Fed. R. Bankr. P. 2016, provided the attorney meets all the conditions and requirements listed in Bankr. N.D. Ala. R. 2016-1(l). Pursuant to § 4.3 of the local form Chapter 13 plan adopted by the Northern District of Alabama pursuant to Rule 3015.1 of the Federal Rules of Bankruptcy Procedure (the "Local Chapter 13 Plan"), the balance of the fee owed to Debtor(s)' attorney shall be payable in accordance with this Administrative Order as provided herein for all cases filed in the Northern Division on or after October 1, 2022.

Unless otherwise ordered, the Chapter 13 Standing Trustee shall disburse payments received by the Trustee under §§ 2.1, 2.2, or 2.3 of a Plan in the following sequence:

1. The Trustee shall collect her percentage fee currently due from all Plan payments at the time that funds are disbursed, until the fee then due is collected in full.
2. If the Plan proposes to pay the Chapter 13 case filing fee through the Plan, the Trustee

shall then disburse the filing fee installment payments currently due to the Clerk of the Court, until the amounts then due are paid in full.

3. The Trustee shall then disburse post-petition adequate protection payments to secured or lease creditors with allowed claims, if any, as provided in the Debtor(s)' most recent Plan, until the amounts then due are paid in full.
4. Beginning with the first post-confirmation distribution made by the Trustee, the Trustee shall disburse payments to the Debtor(s)' attorney until a maximum of \$3,500, less any amount of the attorney's fee paid prepetition, of the total attorney's fee awarded in the Confirmation Order is paid. Payments will be made from the balance of the Plan payments received that remain after payment of: (i) the Trustee's fee; (ii) the filing fee; and (iii) adequate protection payments.
5. The Trustee shall then disburse pursuant to the Confirmation Order or a subsequent Order of the Court the following amounts proportionately until the amounts that are then currently due are paid in full:
 - a. The monthly fixed payments on allowed secured claims, if any, including any amounts currently due and any unpaid arrearages; and
 - b. The monthly fixed payments on allowed priority unsecured claims for domestic support and § 503(b) administrative expenses, if any, including any amounts currently due and any unpaid arrearages; and
 - c. The monthly fixed payments on the remaining balance of the attorney's fee as awarded in the Confirmation Order, if any, including any amounts currently due and any unpaid arrearages.

The monthly fixed payments identified in paragraph 5 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.

6. The Trustee shall then disburse the amounts to be paid to holders of allowed priority unsecured claims, if any, on a pro rata basis until paid in full.
7. The Trustee shall then disburse the amounts to be paid to holders of allowed separately classified nonpriority unsecured claims, if any, on a pro rata basis until paid in full.
8. The Trustee shall then disburse the amounts to be paid to holders of allowed nonpriority unsecured claims not separately classified by the Plan, if any, on a pro rata basis or as provided in the Debtor(s)' most recent Plan.
9. The provisions of this Administrative Order shall not be given preclusive effect in the event a creditor or other party in interest timely objects to confirmation of a Debtor(s)' Plan, or to any proposed modification to a Debtor(s)' Plan.

IT IS SO ORDERED this the 19th day of September 2022.

/s/ Clifton R. Jessup, Jr.
Clifton R. Jessup, Jr.
United States Bankruptcy Judge

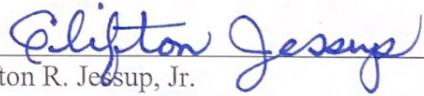
UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION

In the Matter of: }
Procedural and Administrative Matters } Administrative Order No. 22-01
 } Northern Division Only
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**AMENDED ADMINISTRATIVE ORDER REQUIRING PROPOSED ORDERS TO BE
SUBMITTED TIMELY UNDER PENALTY**

IT IS HEREBY ORDERED that, effective May 16, 2022, unless otherwise directed, a party must submit a proposed order within twenty days following a hearing where the Court approved the relief requested, via e-mail to ordersCRJ@alnb.uscourts.gov. The proposed order must be submitted in Microsoft Word format. If a proposed order is not timely submitted, it will not be accepted for entry by the Court, absent excusable cause.

IT IS SO ORDERED this the 11th day of May, 2022.



Clifton R. Jessup, Jr.
United States Bankruptcy Judge

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

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| In the Matter of: | } | |
| | } | |
| Motions to Extend Stay or to Impose Stay | } | Administrative Order No. 21-04 |
| Supported by Affidavit or Other Declaration | } | Northern Division Only |

ADMINISTRATIVE ORDER

All motions to extend the automatic stay pursuant to 11 U.S.C. § 362(c)(3)(B), or to impose the automatic stay pursuant to 11 U.S.C. § 362(c)(4)(B), shall comply with and be scheduled for hearing in accordance with Local Rule 4001-1.1.

Debtors are not required to attend the hearing to provide testimony in support of the motion, provided that the motion is accompanied by a supporting affidavit or other declaration made under penalty of perjury. The affidavit or declaration must include all information required by Local Rule 4001-1.1.

Counsel must appear on behalf of debtor(s) at the hearing on the motion or the relief requested may be denied.

IT IS SO ORDERED this the 1st day of July 2021.

/s/ Clifton R. Jessup, Jr.
Clifton R. Jessup, Jr.
United States Bankruptcy Judge

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

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| In the Matter of: | } | |
| TEMPORARY AMENDMENT | } | Administrative Order No. 20-08 |
| OF PROCEDURE FOR | } | Northern Division Only |
| SUSPENDING CHAPTER 13 | } | |
| PLAN PAYMENTS AND | } | |
| EXTENDING PLAN TERMS | } | |

ADMINISTRATIVE ORDER

As stated during the Telephonic Attorney Meeting held on April 6, 2020 and pursuant to the Coronavirus Aid, Relief, and Economic Security Act or CARES Act, the Court will temporarily amend the negative notice procedure for suspending Chapter 13 Plan payments and extending Plan terms for debtors who have experienced a material financial hardship due, directly or indirectly, to the COVID-19 pandemic. Motions to Suspend Chapter 13 Plan Payments and Extend Plan Terms must be filed in substantial compliance with the form found on this Court's website at <https://www.alnb.uscourts.gov/forms/all-forms?page=2> and must be served upon: (a) the Trustee; (b) creditors and interested parties according to the Clerk's mailing matrix; and (c) 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.

Motions to Suspend Chapter 13 Plan Payments and Extend Plan Terms may be filed with **fourteen (14)** days' Negative Notice, 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 and extension 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 monitoring period upon resumption of Plan payments;
- d. Counsel for the Debtor(s) must contact the Trustee upon expiration of the negative notice period for the number of months necessary for extension of the Plan term to be incorporated into an Order; 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.

This Administrative Order is effective pending further Order.

IT IS SO ORDERED this the 14th day of April 2020.

/s/ Clifton R. Jessup, Jr.
Clifton R. Jessup, Jr.
United States Bankruptcy Judge

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

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| In the Matter of: | } | |
| TEMPORARY AMENDMENT OF | } | Administrative Order No. 20-07 |
| NOTICE OF DEFAULT | } | Northern Division Only |
| PROCEDURE | } | |

ADMINISTRATIVE ORDER

As stated during the Telephonic Attorney Meeting held on April 6, 2020 and in light of the developing issues with COVID-19 and the resulting global pandemic, the Court will temporarily deny approval of Agreed Orders on Motions for Relief from the Automatic Stay (“Agreed Orders”) which include a Notice of Default provision automatically lifting the stay in the event default is not timely cured. Agreed Orders may instead provide that in the event a creditor does not receive any required payments, the creditor may file a “Motion to Enforce Agreed Order” which will be scheduled for hearing.

This Administrative Order is effective pending further Order.

IT IS SO ORDERED this the 7th day of April 2020.

/s/ Clifton R. Jessup, Jr.
Clifton R. Jessup, Jr.
United States Bankruptcy Judge

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

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| In the Matter of: | } | |
| Internal Chapter 13 Procedures | } | Administrative Order No. 20-005 |
| and Controls | } | Northern Division Only |
| | } | |

ADMINISTRATIVE ORDER

The Chapter 13 Trustee for the Northern District of Alabama, Northern Division has formally requested authorization to temporarily suspend the filing of Motions to Dismiss and Motions to Modify Chapter 13 Plans for delinquency given the developing issues with the COVID-19 virus and the resulting global pandemic.

IT IS THEREFORE ORDERED, effective March 25, 2020, that the Chapter 13 Trustee for the Northern District of Alabama, Northern Division is hereby authorized, at the Chapter 13 Trustee's discretion, to suspend the filing of Motions to Dismiss Chapter 13 Cases and Motions to Modify Chapter 13 Plans for delinquency pending further Order of this Court.

IT IS SO ORDERED March 24, 2020.

/s/ Clifton R. Jessup, Jr.
Clifton R. Jessup, Jr.
United States Bankruptcy Judge

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

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| In the Matter of: | } | |
| Administrative Order | } | Administrative Order No. 19-04 |
| Regarding Chapter 13 Procedures and | } | Northern Division Only |
| Compensation for Debtors' Attorneys | } | |
| in Chapter 13 Cases | } | |

**AMENDED ADMINISTRATIVE ORDER REGARDING
CHAPTER 13 PROCEDURES AND COMPENSATION
FOR DEBTORS' ATTORNEYS IN CHAPTER 13 CASES**


IT IS HEREBY ORDERED, effective January 1, 2020, as follows:

1. **Deadline to File Amended Chapter 13 Plan.** Where a hearing is required on an Objection to Confirmation or Motion to Dismiss brought by the Chapter 13 Trustee, an amended Chapter 13 plan filed in response to such pleading must be filed by **12:00 p.m., Noon, CDT**, no less than **two (2) business days** prior to the scheduled confirmation hearing.¹ If an amended Chapter 13 plan cannot be timely filed, then a request for continuance must be filed by the same deadline.
2. **Reduction of Compensation for Debtors' Attorneys for Failure to Timely File Amended Chapter 13 Plans and Reasonable Cause:**
 - i. If counsel for a debtor fails to comply with the deadline established herein for filing an amended Chapter 13 Plan or request for continuance when necessary to resolve the Chapter 13 Trustee's Objection to Confirmation or Motion to Dismiss, then pursuant to 11 U.S.C. § 329(b) and Local Rule 2016-1(l), the amount of compensation awarded to counsel shall be and is hereby reduced by \$250.00, per incident, per case, which reduction in compensation shall thereafter appear in any subsequent amended Chapter 13 plan and in the confirmation order.
 - ii. The Chapter 13 Trustee may request a further reduction in compensation awarded pursuant to Local Rule 2016-1(l), up to \$1,000.00, for reasonable cause. After notice and hearing, the Court will determine the appropriate amount of any fee reduction based upon the totality of the circumstances.
3. **Payment of Attorney's Fees upon Dismissal.** If dismissal of a Chapter 13 case occurs prior to confirmation and if counsel for a debtor has complied with the filing requirements of Administrative Order No. 18-01, then debtor's counsel is allowed an administrative expense in an amount not to exceed \$1,000.00 of any unpaid fee, and the Chapter 13 Trustee is hereby authorized to pay said amount as an administrative expense under 11 U.S.C. § 503(b)(2) prior to returning any undistributed funds to a debtor pursuant to 11 U.S.C. § 1326(a)(2). Any party

¹ For example, for a Monday hearing date, the amended plan must be filed by noon the preceding Thursday. For a Wednesday hearing date, the amended plan must be filed by Noon Monday.

in interest, including the debtor and the Chapter 13 Trustee, shall have seven (7) days from the date of the order of dismissal to object to the allowance of such administrative expense. If the sum of undistributed funds held by the Chapter 13 Trustee as of the date of the order of dismissal is a de minimus amount of less than \$100.00, then an administrative expense to debtor's counsel under this part shall not be allowed. Nothing in this Administrative Order shall prohibit counsel for a debtor from seeking compensation by separate fee application filed with the Court.

IT IS SO ORDERED this the 19th day of December, 2019.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

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

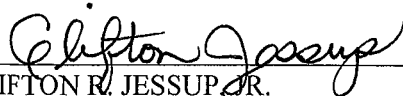
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| In the Matter of: | } | |
| Administrative Order | } | Administrative Order No. 19-02 |
| Regarding Chapter 13 Procedures and | } | Northern Division Only |
| Compensation for Debtors' Attorneys | } | |
| in Chapter 13 Cases | } | |

**ADMINISTRATIVE ORDER REGARDING
CHAPTER 13 PROCEDURES AND COMPENSATION
FOR DEBTORS' ATTORNEYS IN CHAPTER 13 CASES**

IT IS HEREBY ORDERED, effective January 1, 2020, as follows:

1. **Deadline to File Amended Chapter 13 Plan.** An amended Chapter 13 plan must be filed by **12:00 p.m., Noon, CDT**, no less than **two (2) business days** prior to the scheduled confirmation hearing.
2. **Reduction of Compensation for Debtors' Attorneys for Failure to Timely File Amended Chapter 13 Plans and Reasonable Cause:**
 - i. If counsel for a debtor fails to comply with the deadline established herein for filing an amended Chapter 13 Plan, the amount of compensation awarded to counsel pursuant to Local Rule 2016-1(l) shall be and is hereby reduced by \$250.00, per incident, per case.
 - ii. The Chapter 13 Trustee may request a further reduction in compensation awarded pursuant to Local Rule 2016-1(l), up to \$1,000.00, for reasonable cause. After notice and hearing, the Court will determine the appropriate amount of any fee reduction based upon the totality of the circumstances.
3. **Payment of Attorney's Fees upon Dismissal.** If a Chapter 13 plan is not confirmed, upon Certification by counsel for a debtor that the services rendered in the case equal or exceed \$1,000.00, pursuant to Local Rule 2016-(p), attorney's fees in an amount not to exceed \$1,000.00 are hereby allowed and the Chapter 13 Trustee is hereby authorized to pay said amount as an administrative expense under 11 U.S.C. § 503(b)(2) prior to returning any undistributed funds to a debtor pursuant to 11 U.S.C. § 1326(a)(2).

IT IS SO ORDERED this the 14th day of November 2019.



CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

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


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| In the Matter of: | } | |
| Procedural Matters in | } | Administrative Order No. 19-01 |
| Chapter 7 and Chapter 13 | } | Northern Division Only |

ADMINISTRATIVE ORDER REGARDING ADDITIONS TO CREDITOR MATRIX

Pursuant to Rule 1007(a)(1) of the Federal Rules of Bankruptcy Procedure, the debtor in a voluntary case shall file with the petition a list containing the name and address of each entity included or to be included on Schedules D, E/F, G, and H as prescribed by the Official Forms, commonly referred to as a Creditor Matrix. Pursuant to Rule 1007(c), the schedules, statements, and other documents required by subdivision (b)(1), (4), (5), and (6) shall be filed either with the petition or within 14 days thereafter.

If the debtor adds any creditors to the Schedules which were not included on the original Creditor Matrix filed with the petition, the debtor is hereby required and directed to mail the Notice of Bankruptcy Case, Meeting of Creditors, & Deadlines to such added creditors within three (3) calendar days after the creditor is added to the case and shall immediately file a Certificate of Service reflecting service upon each added creditor. Failure to timely mail the required Notice or to file the Certificate of Service shall constitute cause for dismissal of the case or other appropriate sanctions.

IT IS SO ORDERED this the 19th day of August 2019.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

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

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| In the Matter of: | } | |
| Procedural Matters in | } | Administrative Order No. 18-01 |
| Chapter 7 and Chapter 13 | } | Northern Division Only |


**ADMINISTRATIVE ORDER REGARDING DEFICIENT FILINGS
AND PROCEDURE FOR DISMISSAL OF CASES**

Pursuant to Rule 1007(a)(1) of the Federal Rules of Bankruptcy Procedure, the Debtor(s) in a voluntary case shall file with the petition a list containing the name and address of each entity included or to be included on Schedules D, E/F, G, and H as prescribed by the Official Forms, commonly referred to as a Creditor Matrix. Further, pursuant to Rule 1007(c) of the Federal Rules of Bankruptcy Procedure, the schedules, statements, and other documents required by subdivision (b)(1), (4), (5), and (6) shall be filed either with the petition or within 14 days thereafter. As a result of repeated violations of these Rules by counsel for Debtors, it is hereby

ORDERED, ADJUDGED AND DECREED as follows:

1. Debtor(s) and counsel for Debtor(s) are hereby notified that if the Creditor Matrix is not filed with the petition and/or uploaded to CM/ECF on the same date, the case will be **DISMISSED** without further notice or hearing unless the Debtor(s) files a Motion requesting an extension of time to file and upload the Creditor Matrix which contains adequate cause for such extension. The Court will determine if a hearing is necessary on the Motion, or the Court may grant or deny the requested extension without a hearing based upon the cause alleged in the Motion. The Motion must be filed with the petition or the case will be dismissed.
2. Debtor(s) and counsel for Debtor(s) are hereby notified that if all schedules, statements, and documents required by Rule 1007(c) are not filed within **FOURTEEN (14) DAYS** after the filing date of the petition, the case will be **DISMISSED** without further notice or hearing unless the Debtor(s) files a Motion requesting an extension of time to file the required document(s) which contains adequate cause for such extension. The Court will determine if a hearing is necessary on the Motion, or the Court may grant or deny the requested extension without a hearing based upon the cause alleged in the Motion. The Motion must be filed within **14 DAYS** after the filing date of the petition or the case will be dismissed.

IT IS SO ORDERED this the 9th day of July 2018.


CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

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

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| In the Matter of: | } | |
| | } | |
| Attorney's Fees under § 4.3 of the | } | Administrative Order No. 17-06 |
| Local Chapter 13 Plan and the Sequence | } | Northern Division Only |
| Payments under Part 7 of the Local | } | |
| Chapter 13 Plan | } | |

**ADMINISTRATIVE ORDER REGARDING: (1) ATTORNEY'S
FEES UNDER § 4.3 OF THE LOCAL CHAPTER 13 PLAN, AND
(2) SEQUENCE OF PAYMENTS UNDER PART 7 OF THE
LOCAL CHAPTER 13 PLAN**

This Administrative Order is effective December 1, 2017 as to all Chapter 13 cases filed in the Northern Division of the United States Bankruptcy Court for the Northern District of Alabama regardless of when the Chapter 13 case was filed. In the Northern Division, pursuant to § 4.3 of the local form Chapter 13 plan adopted by the Northern District of Alabama pursuant to Rule 3015.1 of the Federal Rules of Bankruptcy Procedure (the "Local Chapter 13 Plan"), the balance of the fee owed to Debtor(s)' attorney shall be payable in accordance with this Administrative Order as provided herein.

Unless otherwise ordered, the Chapter 13 Standing Trustee shall disburse payments received by the Trustee under §§ 2.1, 2.2, or 2.3 of a Plan in the following sequence:

1. The Trustee shall collect her percentage fee currently due from all Plan payments at the time that funds are disbursed, until the fee then due is collected in full.
2. If the Plan proposes to pay the Chapter 13 Case filing fee through the Plan, the Trustee shall then disburse the filing fee installment payments currently due to the Clerk of the Court, until the amounts then due are paid in full.
3. The Trustee shall then disburse post-petition adequate protection payments to secured or lease creditors with allowed claims, if any, as provided in the Debtor(s)' most recent Plan, until the amounts then due are paid in full.

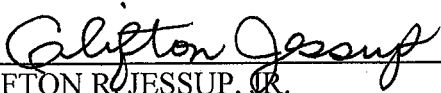
4. Beginning with the first post-confirmation distribution made by the Trustee, the Trustee shall pay the balance of the fee owed to the Debtor(s)' attorney as awarded in the Confirmation Order from the balance of the Plan payments received by the Trustee that remain after the Trustee disburses the amounts set forth in paragraphs 1, 2 and 3 above, until the allowed attorney fee is paid in full.
5. The Trustee shall then disburse pursuant to the Confirmation Order or a subsequent Order of the Court the following amounts proportionately until the amounts that are then currently due are paid in full:
 - a. The monthly fixed payments on allowed secured claims, if any, including any amounts currently due and any unpaid arrearages; and
 - b. The monthly fixed payments on allowed priority unsecured claims for domestic support and § 503(b) administrative expenses, if any, including any amounts currently due and any unpaid arrearages.

The monthly fixed payments identified in paragraph 5 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.

6. The Trustee shall then disburse the amounts to be paid to holders of allowed priority unsecured claims, if any, on a pro rata basis until paid in full.
7. The Trustee shall then disburse the amounts to be paid to holders of allowed separately classified nonpriority unsecured claims, if any, on a pro rata basis until paid in full.
8. The Trustee shall then disburse the amounts to be paid to holders of allowed nonpriority unsecured claims not separately classified by the Plan, if any, on a pro rata basis or as provided in the Debtor(s)' most recent Plan.

9. The provisions of this Administrative Order shall not be given preclusive effect in the event a creditor or other party in interest timely objects to confirmation of a Debtor(s)' Plan, or to any proposed modification to a Debtor(s)' Plan.

IT IS SO ORDERED this this 28th day of November 2017.



CLIFTON R. JESSUP, JR.
United States Bankruptcy Judge

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

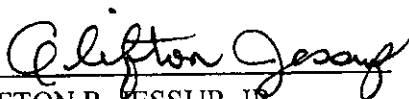
In the Matter of: {
Procedural and Administrative Matters { Administrative Order No. 16-03
{ Northern Division Only
{

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

**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:

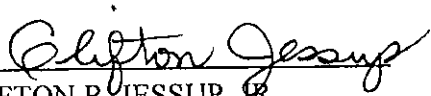
- a. To modify or remove fixed payments to creditor;
- b. To cure default in Plan payments;
- c. To increase Base amount to be paid through Plan:
 - i. To include additional proceeds and assets;
 - ii. To pay unscheduled claims;
 - iii. To pay postpetition mortgage arrearage;
 - iv. To pay a specified 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
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**

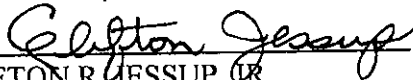
IT IS HEREBY ORDERED that the following pleadings may be filed with Negative Notice:

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**

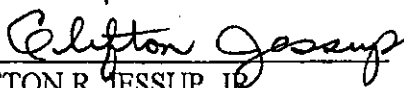
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| In the Matter of: | } | |
| Adequate Protection Payments | } | Administrative Order No. 15-07 |
| in Chapter 13 Cases | } | Northern Division Only |

**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 |
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**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

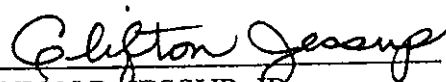
**UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
NORTHERN DIVISION**

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

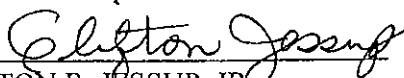
E. NEGATIVE NOTICE ALLOWED FOR THE FOLLOWING OBJECTIONS AND MOTIONS

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**

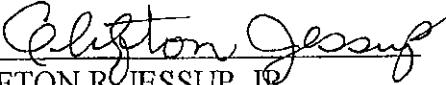
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| In the Matter of: | } | |
| Supplementing Local Rule 4001-1 | } | Administrative Order No. 15-01 |
| Relief From Automatic Stay | } | Northern Division |
| | } | |

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
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
(32)

J. M. Caddell
JACK CADDELL
United States Bankruptcy Judge