

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

In the Matter of:	{	
Procedural and Administrative Matters	{	Administrative Order No. 17-01
	{	Northern Division Only
	{	

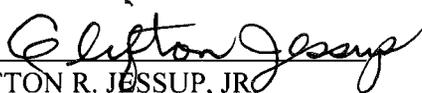
**AMENDED ADMINISTRATIVE ORDER RESTATING PLEADINGS
PERMITTED TO BE FILED WITH NEGATIVE NOTICE**

IT IS HEREBY ORDERED that Administrative Order No. 16-04, Amended Administrative Order Restating Pleadings Permitted to be filed with Negative Notice, is revoked. 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, **UNLESS THE CREDITOR IS A GOVERNMENT ENTITY**, based on the following grounds:ⁱ
 - 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. Motions 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. **Motions to Avoid Lien under 11 U.S.C. § 522(f), UNLESS THE CREDITOR IS A GOVERNMENT ENTITY.**
 7. **Motions to Avoid Lien coupled with Objection to Claim, UNLESS THE CREDITOR IS GOVERNMENT ENTITY.**
 8. **Motions 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.
 9. **APPLICATIONS TO AMEND SCHEDULES TO ADD CREDITORS.**

IT IS SO ORDERED this the 8th day of June 2017.


 CLIFTON R. JESSUP, JR.
 United States Bankruptcy Judge

ⁱ All changes are in bold and capitalized. Objections to Claims and Motions to Avoid Liens filed against the Internal Revenue Service, the State of Alabama, or any other government entity will be scheduled for hearing when filed, even if the pleading is filed with negative notice.