

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF ALABAMA

LOCAL GENERAL ORDER NO. 15 (amended) (revised effective 5/1/17)

PROCEDURE FOR MOTIONS TO AVOID JUDICIAL LIENS

Local General Order 15 is amended to add paragraph (v) as follows:

Pursuant to 11 U.S.C. § 522(f)(1), a judicial lien on an individual debtor's exempt property (other than one securing a domestic support obligation) may be avoided. This section does not apply to statutory liens, e.g., liens held by the Internal Revenue Service. A motion to avoid a judicial lien shall:

- (i) Clearly identify the party that holds the lien sought to be avoided in both the title and the body of the motion;
- (ii) Describe when and where the lien is recorded in the official records, i.e., book and page or instrument numbers;
- (iii) Certify proper service in accordance with Bankruptcy Rule 7004 (including, if applicable, the requirement of Bankruptcy Rule 7004(h) that depository institutions be served by certified mail); and
- (iv) Be docketed in CM/ECF using the "Motion to Avoid Judicial Lien" docket event.
- (v) Have attached a copy of the lien sought to be avoided.

This order is effective May 1, 2017.

Dated:

  
HENRY A. CALLAWAY  
CHIEF U.S. BANKRUPTCY JUDGE

  
JERRY C. OLDSHUE  
U.S. BANKRUPTCY JUDGE