

United States Bankruptcy Court, Southern District of Alabama
Quarterly Bankruptcy Section Meeting
August 10, 2021

1. Jeffery Hartley, Section Chair
2. Judges Callaway and Oldshue
 - Changes in procedure for chapter 13 motions to dismiss by trustee and debtors' motions to reinstate: No more negative notice with drop dead. All motions will be set. Wage orders are preferred and more effective. The judges expect attys to have talked with their clients before the hearing and will be resistant to continuances.
 - Agreed Orders: Certification that counsel drafting the order has indeed circulated the proposed to all necessary parties. There will be a new administrative order to this effect.
 - Next "*Last Thursday*" event will be September 23rd, barring new COVID restrictions. Location TBD and announced at a later date.
 - Return to the courthouse for in-person court: This is currently targeted for the week of October 11th but dependent upon COVID situation as that date gets closer.
3. Andrea Redmon, Clerk of Court
4. Mark Zimlich, Bankruptcy Administrator
5. Danny O'Brian, Chapter 13 Trustee
6. Consumer and business committees – chairs Stephen Klimjack and Danielle Mashburn-Myrick
7. Evan Parrott – Bankruptcy at the Beach, September 10-11, Henderson Beach Resort
8. Open the floor
9. Next meeting November 16th

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

IN RE:

_____,
Debtor(s).

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Case No. _____

ORDER GRANTING MOTION TO REINSTATE WITH CONDITIONS

This matter is before the court on the motion by debtor(s) to reinstate the chapter 13 case. The court grants the motion and reinstates the case on the conditions set out below. If the debtor(s) fails to comply with the conditions set out below, the court authorizes the trustee to submit an order dismissing the case without further notice or hearing.

[Chambers to incorporate appropriate paragraphs.]

Payment method. Within 14 days of this order, debtor(s) shall arrange for plan payments of \$ _____ per month to be made by:

- Wage withholding by debtor(s)' employer. Debtor(s) remains responsible for making plan payments until the wage order starts working.
- Automated payments from debtor(s)' bank account through TFS Billpay System (www.tfsbillpay.com), with the first payment made within 21 days of this order.
- Automated payments from debtor(s)' bank account through Automated Clearing House (ACH) with the first payment made within 21 days of this order.

Conversion to chapter 7. Debtor(s) shall file a notice converting this case to chapter 7 within 14 days of this order.

Dismissal upon future default. The debtor(s) shall resume making plan payments of \$ _____ per month. A payment must be received by the trustee within 21 days of this order. For the next twelve months, the debtor(s) must make all plan payments within the month due or the case will be dismissed.

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

IN RE:

_____,
Debtor(s).

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Case No. _____

ORDER DENYING TRUSTEE'S MOTION TO DISMISS WITH CONDITIONS

This matter is before the court on the chapter 13 trustee's motion to dismiss the case for failure to make chapter 13 plan payments. The court denies the trustee's motion to dismiss on the conditions set out below. If the debtor(s) fails to comply with the conditions set out below, the court authorizes the trustee to submit an order dismissing the case without further notice or hearing.

[Chambers to incorporate appropriate paragraphs.]

Payment method. Within 14 days of this order, debtor(s) shall arrange for plan payments of \$ _____ per month to be made by:

- Wage withholding by debtor(s)' employer. Debtor(s) remains responsible for making plan payments until the wage order starts working.
- Automated payments from debtor(s)' bank account through TFS Billpay System (www.tfsbillpay.com), with the first payment made within 21 days of this order.
- Automated payments from debtor(s)' bank account through Automated Clearing House (ACH), with the first payment made within 21 days of this order.

Conversion to chapter 7. Debtor(s) shall file a notice converting this case to chapter 7 within 14 days of this order.

Dismissal upon future default. The debtor(s) shall resume making plan payments of \$ _____ per month. A payment must be received by the trustee within 21 days of this order. For the next twelve months, the debtor(s) must make all plan payments within the month due or the case will be dismissed.