

## MEMORANDUM

Date: March 10, 2006

To: All counsel and parties appearing before Judge Arthur I. Harris

From: Judge Arthur I. Harris

Re: Changes in Chapter 13 motion dockets

In an effort to make the regular Chapter 13 dockets proceed more efficiently, I have decided to adopt a new procedure for confirmation. Debtors will be allowed two adjournments, but the third confirmation hearing will be a *final* hearing. At the final hearing, either (1) the plan will be confirmed, or (2) confirmation will be denied and the case will be dismissed or converted under 11 U.S.C. § 1307(b). The only exception will be if there is a factual dispute that needs to be scheduled for an evidentiary hearing or a legal dispute that needs to be taken under advisement by the Court.

This policy does not apply to cases that are not currently funded as of the confirmation hearing. If a case is at least one month delinquent in funding, the case will be dismissed for lack of funding, and no adjournment will be allowed.

Debtor's counsel may notify chambers by 4 P.M. the Tuesday before the Thursday dockets that the confirmation hearing needs to be adjourned; otherwise, counsel shall make their request at the hearing. Prior to calling chambers to request an adjournment, debtor's counsel shall contact the Chapter 13 office to confirm that there are no funding issues.

It is my intention to give debtors and their counsel sufficient time with the two adjournments to do whatever is needed to get their case in a position either to be confirmed or not confirmed. It is also my hope that this new procedure will reduce the number of cases called during our dockets, providing more time to address substantive issues.

Should a case be dismissed, for example, for lack of funding or for denial of confirmation and an extension of time to seek confirmation, debtors may generally move to reinstate their Chapter 13 case within thirty days.

This new procedure will apply to all cases with the initial confirmation hearing before me on or after March 30, 2006, and, to the extent just and practicable, to all cases with the initial confirmation hearing before me prior to March 30, 2006.