

Updated procedures for Chapter 13 confirmation hearings assigned to Judge Catherine Peek McEwen.

All initial confirmation hearings will be scheduled for 1:30 p.m. and all continued confirmation hearings will be scheduled for 1:35 p.m. The hearings will begin promptly at 1:30 p.m. All attempts to discuss and resolve cases with the Trustee and/or his attorneys must be made prior to 1:30 p.m. on the day of the hearing as the commencement of the hearings will no longer be delayed for such discussions. For instance, if counsel arrives at 1:35 p.m. he or she should not expect to be able to speak to the Trustee or his attorneys to discuss a case before it is called before the Judge.

All initial confirmation hearings will automatically be continued, they will NOT be called for the Judge and no "Trustee's Confirmation Prep Sheet" will be provided to Debtor's counsel in advance of this hearing unless: 1) a motion to dismiss is pending before the court and set for hearing on the same day and time as the initial confirmation hearing; 2) Debtor's counsel e-mails the Trustee's office at the confirmation email address at least 14 days prior to the scheduled initial confirmation hearing and advises the Trustee's office that the case is in fact ready for confirmation and therefore needs to be prepared to be confirmed at the initial hearing. In the event Debtor's counsel makes a request to have a case prepared for the initial confirmation hearing to go forward, but such case is not in fact ready to be confirmed, the order continuing the initial confirmation hearing will be a FINAL continuance order. Therefore, Debtor's counsel should carefully review the case, the docket, the Trustee's recommendation filed with the Court and all claims in advance of making such a request to insure that the case is in fact ready for confirmation.

The Trustee's confirmation prep sheet is provided as a courtesy; counsel can and should prepare cases ahead of time and not wait on the prep sheet by referring to the docket, recommendation, objections, claims register, requests for information and previous prep sheets. A plan is much more likely to be confirmed if counsel does not wait for a prep sheet to begin preparing for the hearing. It is recommended that counsel contact the Trustee or his assigned attorney via phone or facsimile the week of and prior to the hearing to resolve all matters related to confirmation. The Trustee's office finds it helpful when Debtor's counsel faxes back the Trustee's prep sheet with appropriate notations as to the issues and if it is not a FINAL confirmation hearing advises if the case needs to be continued to a final hearing. If counsel wants to discuss the hearing, and has not yet received a prep sheet, a message may be left for the attorney who handled the previous confirmation hearing. The Trustee's office attempts to keep files assigned to the same attorney whenever possible.