

Rule 4003-2

LIEN AVOIDANCE

(a) ***Title and Contents of Motion.*** The title of the motion shall identify the creditor whose lien is sought to be avoided. The motion shall be verified or be accompanied with an affidavit and shall describe with specificity the nature of the lien, recording information, if applicable, and the property affected with legal description, as appropriate.

(b) ***Motion Directed to a Single Creditor.*** A separate motion is required for each creditor whose lien is sought to be avoided.

(c) ***Service.*** A motion to avoid a lien under 11 U.S.C. § 522(f) shall be served in accordance with Fed. R. Bankr. P. 7004 and 9014.

Notes of Advisory Committee

2015 Amendment

This amendment is stylistic and conforms the rule to current practice and is effective July 1, 2015.

2004 Amendment

This amendment corrects the Bankruptcy Rules citation to that of the currently used citation.

1997 Amendment

This amendment conforms the existing Local Rules to the uniform numbering system prescribed by the Judicial Conference of the United States and to the model system suggested and approved by the Advisory Committee on Bankruptcy Rules of the Judicial Conference's Committee on Rules of Practice and Procedure. In renumbering the Local Rules to conform to the uniform numbering system, no change in substance is intended. This amendment was effective on April 15, 1997.

This rule was formerly Local Rule 2.12. The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.

1995 Amendment

The amendment is stylistic. No substantive change is intended. These amendments were effective on February 15, 1995.