

Rule 5071-1

RESCHEDULING HEARINGS OR TRIALS

- (a) ***Court Order Required to Reschedule Hearing or Trial.*** Hearings or trials will not be rescheduled upon stipulation of counsel alone, but may be allowed by order of the Court for good cause shown.
- (b) ***Motions to Reschedule.*** Motions to reschedule must set forth the date and time of the hearing or trial to be rescheduled, the reason for the request, approximately when the matter is to be rescheduled and the reasons therefor, a statement that the movant has conferred with counsel for opposing parties concerning the request, and the position of other parties concerning the request.
- (c) ***Proposed Orders.*** Upon filing the motion, counsel must submit a proposed order containing a blank space for a rescheduled hearing date.
- (d) ***Hearings on Motions for Relief from Stay.*** A motion to reschedule a hearing on a motion for relief from the automatic stay will only be granted if the party seeking relief from the automatic stay waives the time limitations set forth in 11 U.S.C. § 362(e).
- (e) ***Hearings Continued Without Written Notice.*** Hearings may be continued from time to time by announcement made in open Court without further written notice. Electronic Filing Users will receive electronic notification of any docket entry continuing the hearing.
- (f) ***Creditors' Meetings.*** All requests to reschedule creditors' meetings pursuant to 11 U.S.C. § 341 shall be directed to the trustee assigned to the case.

Notes of Advisory Committee

2024 Amendment

The amendment renames the rule (formerly titled: Continuances) and amends it to clarify that it applies to rescheduling hearings and trials, and not just continuances. This amendment to the rule is effective August 15, 2024.

2015 Amendment

The revisions to this rule are primarily stylistic. This amendment to the rule is effective July 1, 2015.

2004 Amendment

This rule is amended to revise section (c), deleting the requirement to submit copies and self-addressed stamped envelopes since the Court can serve order via BNC.

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 to the rule was effective on April 15, 1997.

This rule was formerly Local Rule 2.08(a) through (h). The Advisory Committee Notes to the superseded rules may be helpful in interpreting and applying the current rules.