

Motion to Administratively Reopen Closed Chapter 11 Individual Case

Docketing Event

Bankruptcy > Motions/Applications/Objections > Motion to Administratively Reopen Individual Chapter 11 Case

Negative Notice: Yes.

Accompanying Orders: When a debtor files the motion for any reason other than to obtain a discharge and final decree, debtor may upload a proposed order separately at the same time as the motion.

Code and Rule References: N/A

Fee: N/A

Applicable Chapters: 11

Implemented: 2/9/2016

Last Revision: 12/7/2017 1:23:43 PM

Description

In an individual Chapter 11 case, the debtor is not eligible for discharge until all payments under the plan are completed or the Court grants an earlier discharge. Chapter 11 individual cases could remain open for an extended period of time. This would cause the debtor to have to pay the U.S. Trustee quarterly fees and to continue to file quarterly reports.

To reduce these obligations, the Court allows an individual Chapter 11 case to be administratively closed upon the filing of a Motion to Administratively Close Individual Chapter 11 Case. The case can be reopened for entry of a discharge upon filing of a Motion to Administratively Reopen Individual Chapter 11 Case (after completion of all plan payments). Should a party wish to file a pleading during the time the case is administratively closed, a Motion to Reopen is required. No filing fee is assessed for filing the Motion to Reopen.

This procedure addresses the Motion to Administratively Reopen Individual Chapter 11 Case only. Separate procedures for processing Motions to Administratively Close Individual Chapter 11 Cases are available.

Filing Checklist

Review the motion to determine if it:

- Is signed;
- Has the attorney's name and address complete and consistent with the filing attorney's name and address in CM/ECF
- Is properly served and includes a proper certificate of service.
- If the motion is filed by a creditor, make sure it is filed with negative notice that contains correct language.
 - ❖ Response period is 21 days (plus an additional three days for service if any party was served by U.S. Mail).
- If the motion is filed by a debtor to obtain a discharge and final decree, make sure it is filed with negative notice that contains the correct language.

- ❖ Response period is 21 days (plus an additional three days for service if any party was served by U.S. Mail).

Forms

[Motion to Administratively Reopen Individual Chapter 11 Case to Obtain Discharge and Final Decree](#)

[Order Granting Motion to Administratively Reopen Individual Chapter 11 Case and Directing Response to Request for Entry of Discharge and Final Decree](#)

- ❖ **Note:** Use of the sample motion is encouraged. Use of the sample order is required.