

Motion to Compel Abandonment—Bankruptcy

Docketing Event

- Bankruptcy > Motions/Applications/Objections > Motion to Compel (Abandonment/Turnover/Other)
-

Negative Notice: YES

Accompanying Orders: N/A

Code and Rule References:

[11 U.S.C. § 554\(a\), \(b\)](#)

[Fed. R. Bankr. P. 6007\(b\)](#)

Fee: \$199

Applicable Chapter: 7

Implemented: 10/26/17

Last Revision: 2/5/2024 2:19:39 PM

Description

Parties generally file motions to compel to request the Court to enter an order directing the opposing party or a third party to take some action. A party in interest may file and serve a motion requesting the trustee to abandon property of the estate. The trustee may sometimes abandon property that would otherwise belong to the estate, allowing it to revert to the debtor. This typically happens when an asset is burdensome or is of inconsequential value and benefit to the estate.

Filing Checklist

Review the motion to determine if:

- It is signed by the filing attorney (may be “scanned in signature” or “/s/” signature block);
- It includes attorney’s complete name and address, consistent with the filing attorney’s name and address in CM/ECF;
- It is properly served and includes a proper proof of service;
- It contains negative notice with the correct language located on the first page;
 - ❖ Note: Response period is 14 days for a Motion to Compel Abandonment (plus an additional three days if any party was served by U.S. Mail)
- The filing fee was paid.