Bankruptcy Local Rule 1017-1

DISMISSAL OR CONVERSION OF CASE

(a) **Conversion of chapter 7 to chapter 13.**

A debtor shall serve a motion under 11 U.S.C. § 706(a) to convert from chapter 7 to chapter 13 providing 21 days' notice to all parties pursuant to Fed. R. Bankr. P. 2002(a)(4).

(b) **Dismissal of chapter 13.**

A debtor shall serve a motion under 11 U.S.C. § 1307(b) to dismiss a chapter 13 case which has not been converted to chapter 13 pursuant to 11 U.S.C. §§ 706, 1112, or 1208 on the Chapter 13 Trustee, the United States Trustee, and any creditor who has appeared in the case. The motion shall state whether there are any pending motions to convert or dismiss the chapter 13 case.

(1) Objection. Any objection to the motion to dismiss must be filed within seven (7) days of service of the motion.

(A) Hearing. If an objection is filed, a hearing on the motion to dismiss and the objection shall be set, giving a minimum of seven (7) days' notice.

(2) No Objection. If no objection to debtor's motion is filed within seven (7) days, the debtor shall submit a proposed order dismissing the case.

RELATED AUTHORITY

11 U.S.C. §§ 706, 1307
Fed. R. Bankr. P. 1017, 9013
LBR 9010-1