Bankruptcy Local Rule 2002-4

FILING AND CONFIRMATION OF CHAPTER 12 PLAN

(a) **Objections**.

Objections to confirmation of a chapter 12 plan shall be in writing and filed with the clerk and served on the debtor, the trustee, and on any other party in interest, not less than seven (7) days prior to any scheduled confirmation hearing. An objection to confirmation must set forth with specificity the grounds for objection and is governed by Fed. R. Bankr. P. 9014.

(b) **Notice**.

The debtor or plan proponent shall provide notice according to LBR 2002-3(b). Unless a judge fixes a shorter period, notice of such hearing shall be given not less than twenty-eight (28) days before the hearing. A copy of the plan shall accompany the notice.

(c) **Retained power**.

Notwithstanding the entry of the order of confirmation, a judge may enter all orders necessary to administer the estate.

RELATED AUTHORITY

11 U.S.C. §§ 1221, 1224, 1225
Fed. R. Bankr. P. 2002, 3015

Advisory Committee Notes:

11 U.S.C. § 1221 and Fed. R. Bankr. P. 3015(a) provide that a chapter 12 debtor may file a plan with the petition. If a plan is not filed with the petition, it must be filed within ninety (90) days thereafter unless the court extends the time for filing the plan. After notice, as provided in this rule, a judge shall conduct and conclude a hearing within the time prescribed by 11 U.S.C. § 1224 and rule on confirmation of the plan. If no objection is timely filed, Fed. R. Bankr. P. 3015(f) allows the judge to determine that the plan has been proposed in good faith and not by any means forbidden by law without receiving evidence on those issues.