

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA**
www.flsb.uscourts.gov

GUIDELINES FOR SELF-CALENDARING CERTAIN CHAPTER 13 MATTERS

The court permits the standing chapter 13 trustees and attorneys appearing on behalf of parties in chapter 13 cases to utilize a self-scheduling procedure for chapter 13 non-emergency matters. This procedure will allow attorneys to select available dates and times from the assigned judge's chapter 13 motion/confirmation calendar and serve notice. The judges' chapter 13 motion/confirmation hearing dates have been programmed into the CM/ECF system and will display as selectable date and time options when electronically filing the motion or other document for which the relief is requested. Additionally, the list of each judge's motion/confirmation hearing dates and times are posted on the court's website at www.flsb.uscourts.gov and at the chapter 13 trustee's websites: www.ch13herkert.com and www.ch13weiner.com.

In order to utilize this procedure, trustee or attorney must follow the self-scheduling guidelines set forth below.

1. **Selecting a hearing date:** The CM/ECF system has been programmed with the available chapter 13 calendar dates and times for each judge utilizing our automated Self Scheduling Utility (SCU). Selectable dates which comply with applicable noticing requirements set forth in the federal and local bankruptcy rules will display when the motion or other document is electronically filed. A date and appropriate time must be selected from this list. The motion must be filed with the court at least 14 days prior to the hearing and allow for at least 10 days notice to all interested parties.
2. **Emergency Motions:** The self-scheduling procedure may not be used to set emergency motions. Emergency motions require judicial review and will be set for hearing by the judge's courtroom deputy.
3. **Motions for Relief from Stay:** If a motion for relief from stay is set by a party in accordance with the self-scheduling procedure and the next available hearing date is more than 30 days after the date the motion is filed, the movant will be deemed to have consented to voluntarily waiving the 30-day limitation established by U.S.C. §362(e) (See Local Rule 9073-1(C)).
4. **Motions Requiring Service Pursuant to BR 7004:** Any motion requiring service pursuant to BR 7004, must be served in accordance with that rule.
5. **Notice of Hearing:** The CM/ECF system will automatically generate a Notice of Hearing form with the appropriate date, time and location for the scheduled matter at the completion of the electronic filing of the motion or other document. A link to this form is available at the conclusion of the electronic filing event so that it may be printed locally and served to (non-electronic) interested parties via U.S. Mail.

6. **Certificate of Service:** A certificate of service substantially conforming to the local form certificate of service required under Local Rule 2002-1(F), must be filed in accordance with Local Rule 9073-1(B).
7. **Continuances:** Once a matter is set using the self-calendaring procedure and notice served on interested parties, continuances may only be granted by court order. The parties must appear at the hearing unless an order has been entered (at least two business days prior to the hearing) continuing the hearing or the motion is withdrawn (at least two business days before the hearing). Notwithstanding this requirement, any matter continued at the hearing may be continued by notice or court order pursuant to the court's instructions.
8. If a matter is not properly calendared with the correct date or time, the trustee or the clerk may docket an entry which will cancel the hearing and the matter will be removed from the incorrect chapter 13 calendar. It is the sole responsibility of the filer to timely file a new motion to obtain a correct hearing date and time from the Self Calendaring Utility (SCU) and generate a notice of hearing.