

**PROCEDURE FOR ADJOURNING HEARINGS
PRIOR TO SCHEDULED HEARING DATE**

EFFECTIVE FOR HEARINGS SCHEDULED OR AFTER FEBRUARY 1, 2015

**NOTE: This procedure applies only to cases assigned to
The Office of David Wm. Ruskin, Standing Chapter 13 Trustee**

A party may request an adjournment of a scheduled hearing in advance as follows:

1. The party requesting the adjournment must:
 - a. Prepare a proposed stipulation for adjournment and proposed Order Adjourning Hearing.
 - b. The Stipulation must:
 - i. Identify the matter(s) being adjourned;
 - ii. Be signed by the moving party and any party who has filed objections, and must have a blank signature block for use by the Trustee.
 - **Do not submit the proposed Stipulation to the Trustee until signed by the moving party and all objecting parties. Submitting a Stipulation without all required signatures will result in the Trustee rejecting the Stipulation.**
 - c. The proposed Order must:
 - i. Identify the matter(s) being adjourned;
 - ii. State the date and time to which the hearing is being adjourned
 - Counsel should review the Court's calendar to ensure that the date chosen is a date listed by the Court for hearings in Chapter 13 matters
 - iii. Include any conditions that have been agreed to by or between the parties.

A form Stipulation and Order can be found on the Trustee's web page, www.det13.com. Counsel is strongly encouraged to use this form to avoid delays in processing.

2. The fully executed Stipulation and proposed Order must be e-mailed *in PDF format* to the Chapter 13 Trustee for review:
 - a. The e-mail address to which these Stipulations and proposed Orders must be sent is Ruskin.Stips@det13.com.

- **The subject line of the e-mail must begin with the case number (either with or without the hyphen) – any subject line that does not begin with the case number will not be processed**
 - **Stipulations and proposed Orders sent to any other e-mail address may not be reviewed**
- b. For matters set before the Honorable Marci McIvor, the Trustee must receive the fully executed Stipulation and proposed Order **no later than 4:30 p.m. on the Friday preceding the hearing for which the adjournment is requested.**
- c. For matters set before the Honorable Phillip Shefferly, the Trustee must receive the fully executed Stipulation and proposed Order **no later than 4:30 p.m. on the Wednesday preceding the hearing for which the adjournment is requested.**
- These deadlines correspond with the deadline for filing the Debtor's Confirmation Hearing Certificate as required by the Court's Notice Regarding Procedures for Chapter 13 Confirmation Hearings Held On or After December 11, 2006, published on November 17, 2006.
 - Stipulations provided to the Chapter 13 Trustee's office by these deadlines will be reviewed and responded to. While the Trustee's staff will make every reasonable effort to review Stipulations received after these deadlines, the Trustee will not ensure that Stipulations received after the deadline will be considered or responded to.
- d. Upon receipt of the stipulation and proposed Order, the Trustee will review the request. If the Trustee agrees with the proposed adjournment, the Trustee will sign the stipulation and return the signed stipulation to counsel bearing the Trustee's original signature to for the party requesting the adjournment.
- e. Upon receipt of the signed stipulation, counsel requesting the adjournment will submit the stipulation and proposed Order to the Court for entry.
- f. Upon entry of the Order Adjourning Hearing, counsel requesting the adjournment shall serve a copy of the Order on all parties in interest.

3. The Trustee may approve or disapprove of the proposed adjournment in the Trustee's sole discretion.
 - a. If the Trustee declines to agree to the proposed adjournment, the Trustee will advise counsel requesting the adjournment as expeditiously as possible, and the hearing will proceed on the date and time previously scheduled.

It is the responsibility of counsel for the party requesting the adjournment to submit the stipulation and obtain the signed Order Adjourning Hearing.

The hearing will not be considered adjourned unless and until the Court enters the Order Adjourning Hearing.

Counsel should not assume that submission of the proposed Order to the Court amounts to the granting of that adjournment.