

From: dfwch13@googlegroups.com on behalf of Alice Whitten
To: dfwch13@googlegroups.com; Debtor Bar; Creditor Bar; Legal Assistants
Cc: Tim Truman; Jason Miller; Angela Allen; Amy Harvison; Dona Kitchen; Kelly Middleton
Subject: [DFW Ch 13] RE: Changes to Court Docket Call Procedures *** Also effective in Judge Nelms Court ***

Date: Tuesday, June 29, 2010 2:50:02 PM

Good Afternoon –

Please be aware that the procedures announced a couple of weeks ago as to Judge Lynn's courtroom are now also in effect in Judge Nelms' courtroom with no modifications.

Did you receive this email with [DFW Ch13] at the beginning of the subject line? If so, then you have effectively signed up for the Google Group – if not, you are not signed up. I will be sending out a detailed email shortly which walks you through the steps of joining the Google Group... I promise it's painless. Very shortly, we will stop using the internal distribution lists that we are each maintaining and will exclusively send emails through the Google Group list... please be sure to join to ensure you stay apprised of communications from this office.

Thanks Alice & Tim

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Have you joined the DFW Ch13 Google Group?
To ensure that you stay in touch with communications from the area Ch 13 offices - you should!
Visit <http://groups.google.com/group/dfwch13> and ask to join.

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From: Alice Whitten
To: **Debtor Bar; Creditor Bar; Legal Asst**
Cc: Tim Truman; Jason Miller; Angela Allen; Amy Harvison; Dona Kitchen; Kelly Middleton
Subject: Changes to Court Docket Call Procedures *** Effective tomorrow ***
Date: Wednesday, June 16, 2010 3:58:00 PM

Counselors –

At the Ch 13 Contested Docket held before Judge Lynn on May 20th, Judge Lynn requested that some changes be made to process for setting matters on the docket and specifically how pass requests are to be handled. These changes will be implemented with the docket scheduled for this week and are as follows:

1. Evidentiary hearings are required on the following matters – and no pass requests will be sent back to chambers:
 - a. A case has been pending for five (5) months or longer and has not been confirmed.
 - b. A case is more than two (2) full payments delinquent and has not been confirmed.
 - c. A confirmed case is four (4) or more full payments delinquent and a plan modification or dismissal action is pending.

*** The Staff Attorney or Trustee will advise if a pass request cannot be granted for one of these reasons.
The matter will be set under the appropriate category on the docket depending on who is present (i.e., Creditor Present, No Debtor or Creditor Present).

2. If the Trustee or any other party **opposes** the pass request, the item will be set on the Court's docket as a Pass Request – Opposed and will not be sent back to chambers for early determination. Opposed Pass Requests will be the second group of matters called before the Judge, following any Pass Requests – Unopposed (which were sent back to chambers but not initially approved by the Judge).
3. All other pass requests may be granted, at the Trustee's discretion, or sent back to chambers for the Judge's approval – as has been the process in the past.

We are working with Judge Nelms to confirm that he will follow these same procedures and will advise if there are any further changes prior to his next docket in early July.

If you have any questions about these changes, please contact Tim and I both so we can all be aware of any issues.

Thanks Alice and Tim

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