

**IN THE UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION  
AT AKRON**

IN RE: ADMINISTRATION OF	)	ADMINISTRATIVE ORDER NO. 00 - 4
CHAPTER 13 CASES - <i>Duties</i>	)	
<i>of Debtor's Counsel in Relation</i>	)	CHAPTER13
<i>to Chapter 13 Trustee's Motions</i>	)	
<i>to Dismiss</i>	)	<b>JUDGE MARILYN SHEA-STONUM</b>



Upon the filing by the chapter 13 trustee of a motion to dismiss a pending case, the Court, pursuant to 11 U. S. C. § 13 07(c), schedules a hearing on the matter. In many instances, debtor's counsel does not contact the chapter 13 trustee's office prior to and also does not appear at the scheduled hearing. Such non-communication with the chapter 13 trustee and failure to appear at the scheduled hearing often times leaves the Court without sufficient information to rule on the motion to dismiss.

In an effort to promote the efficient administration of chapter 13 cases and to prevent a dismissal of a chapter 13 case due to debtor's counsel's failure to communicate with the debtor and/or the chapter 13 trustee, it is expected that all counsel representing chapter 13 debtors in this Court location will, upon receipt of the chapter 13 trustee's motion to dismiss a chapter 13 case, attempt to contact the debtor to discuss the merits of the motion to dismiss and debtor's options relative to that motion. It is further expected that, by not later than 2 working days prior to the scheduled hearing on the chapter 13 trustee's motion to dismiss a chapter 13 case, debtor's counsel will contact the chapter 13 trustee's office to report whether or not counsel was able to contact the debtor and/or whether or not the debtor has a valid basis to oppose the motion. Debtor's counsel may, but is not required to, file a statement with the Court regarding the information relayed to the chapter 13 trustee. If counsel has not so communicated with the chapter 13 trustee's office in the manner identified above or filed a statement with the Court by noon of the day prior to the scheduled hearing, debtor's counsel will be expected to appear at the hearing on the chapter 13 trustee's motion to dismiss.

**IT IS SO ORDERED.**

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MARILYN SHEA-STONUM  
Bankruptcy Judge