

## Procedure to Schedule Hearings on Chapter 13 Dismissal Motions

Counsel for the Debtor is responsible for scheduling a hearing when filing Objections to Chapter 13 Trustee's Motions to Dismiss. **This notice only relates to objections to Chapter 13 Trustee's motions to dismiss.** If a creditor filed a motion to dismiss, the court will set a hearing on the motion if the debtor timely objects. Contact Chambers (414-290-2680) if you need to choose a hearing date other than the available dates listed on the court's schedule.

### Filing the Objection:

- 1) The hearing date can be found in CM/ECF
  - a. In CM/ECF go to Reports and look under Chambers Reports / Functions
    - Chambers Reports / Functions**
    - [CHAP Chamber Presets](#)
    - [Docket Activity](#)
  - i.
  - ii. Click on the CHAP Chamber Presets
    1. Choose Judge Halfenger from the drop down menu.
    2. The date and time present on the table is the date to use for scheduling the hearing.
      - a. Please be aware there are different times for each Trustee
        - i. Choose 1:00 p.m. for Rebecca Garcia cases
        - ii. Choose 2:30 p.m. for Scott Lieske cases
      - b. It is only necessary to check the Presets for the current hearing date once per day
- 2) Once you find the appropriate hearing date and time, add the hearing date and time to the notice (or include the language from the sample notice as part of the Objection document)
  - a. A sample notice form is available on Judge Halfenger's procedures website
    - i. BEWARE: This sample notice is a fillable form. Be sure to print and save the form to PDF before filing. If the form is not saved, it is **not** an acceptable filing and can be edited by any person at any time.
    - ii. SAMPLE Notice of Hearing on Motion to Dismiss (fillable .pdf), which can be found at <https://www.wieb.uscourts.gov/> by clicking on the "Judges" tab, choosing "Judge G. Michael

Halfenger” and clicking on the “Sample Notice of Hearing for Objections to Motions to Dismiss” link.

- 3) Once the notice and objection are ready to file, you can follow these instructions to docket the Objection, Notice of Hearing, and Certificate of Service
  - a. Go to Answer/Response, Reference an Existing Motion/Application and enter the case number
  - b. Make the following selection **(DO NOT SKIP THIS STEP!)**:

Are you including a Notice? Yes  No

Are you including a Certificate of Service? Yes  No

Next Clear

- c. Pick Objection in the selection menu
- d. Select the Party and Filing Attorney
- e. Attach the PDF of the Objection and add Attachments to Document

- i. **Attachments to Document:**  No  Yes
- ii. Attach the PDF of the Notice of Hearing and PDF of the Certificate of Service

1) Select the PDF document that contains the attachment.

Filename

Notice of Hearing on Motion to Dismiss-Conference Line Procedure (2).pdf

2) Fill in the fields below.

Category

and/or Description

1.

- f. Refer to Existing Event and use the drop down menu under Set/Reschedule Hearing Information

Refer to existing event(s)?

**Set/Reschedule Hearing Information**

In order to enter a hearing date/time/location, you must obtain prior approval from the presiding judge. Contact the Chambers of Judge Kelley.

Please select from the following hearings

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- 11/03/2015 - 09:45 AM - Objections to Ch. 13 Motions to Dismiss-Tr. Rebecca Garcia [Slots: 16]
- 11/03/2015 - 11:00 AM - Objections to Ch. 13 Motions to Dismiss-Tr. Mary Grossman [Slots: 12]

Objection due date:

- i.
  1. If needed, the Chamber Presets link opens the available preset dates also found under Reports
  - ii. Link to the event filed by the Trustee (Motion to Dismiss)

## **Troubleshooting:**

- 1) I can't find the presets!
  - a. Clear your cache. Instructional videos on how to clear your cache can be found on the Court's website under the "Attorney Resources" tab by clicking on the "Training" subtab.
  - b. Dates and times appear on the chart, but not for Judge Halfenger, Trustee or the specific matter type needed. This usually means a date has filled up. Please contact chambers (414-290-2680) and a new date will be provided. If you are filing after hours, you may leave a message. On the next business day, the dates will be updated. A Notice of Hearing can be filed separately from the Objection.