

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION

**STANDING ORDER ADOPTING PROCEDURE FOR
OBTAINING CREDIT IN CHAPTER 13 CASES**

IT IS HEREBY ORDERED that, effective September 1, 2015, the following procedures and instructions adopted for use by all Chapter 13 debtors to obtain credit.

IT IS FURTHER ORDERED that a debtor may not incur non-emergency consumer debt in excess of one thousand dollars (\$1,000.00), including the refinancing of real property debt, without written approval of the Chapter 13 Trustee or a court order under the procedure set forth herein.

(A) *Application Directed to Trustee.* The debtor shall first request approval to incur debt by written application to the Chapter 13 Trustee. Such application shall include the items in section (C) below. Such application shall not be filed with the Court. If approved, the Chapter 13 Trustee shall file the application and the approval with the Court, and the debtor may incur the debt in accordance with the terms and conditions therein without Court order pursuant to 11 U.S.C. § 1305(c).

(B) *Motion Directed to Court.* If the Chapter 13 Trustee does not approve the debtor's application, the debtor may file a motion to incur such debt. The motion shall contain a copy of the trustee's denial of the application.

(C) *Contents of Application or Motion.* Any motion filed under Rule 4001(c), including any application or motion pursuant to sections (A) and (B) above, shall contain the following:

- (1) a statement in support of the feasibility of the request;
- (2) a description of the item to be purchased or the collateral affected by the credit to be obtained;
- (3) a description of the interest held by any other entity in any collateral affected by the credit;
- (4) the reasons the debtor needs the credit;
- (5) the terms of any financing involved, including the interest rate;
- (6) a description of any method or proposal by which an interest held by any other entity in the collateral affected by the credit may be protected; and
- (7) copies of all documents by which the interest of all entities in the collateral affected by the credit was created or perfected, or, if any of those documents are unavailable, the reason for the unavailability. The debtor shall make its best effort to obtain and file any documents which are unavailable as soon as possible after the motion is filed.

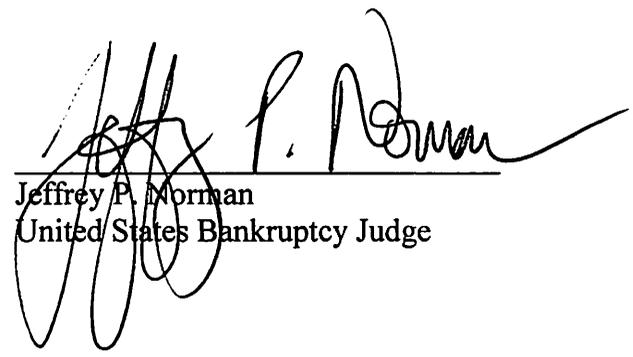
(D) Hearing. If the debtor asserts an immediate need for obtaining credit, the Court may schedule a hearing on the motion after notice has been provided to the Chapter 13 Trustee and any entity claiming an interest in the collateral affected by the credit to be obtained. Notice provided may be by telephone, facsimile (fax) or email, if time does not permit notification by mail. Objections shall be filed at least one day prior to the hearing date.

Applications or motions that appear to the Court to meet all statutory tests for approval, and to which no objections have been filed, may be granted without actual presentation.

This Standing Order shall only apply to those Chapter 13 cases assigned to Judge Jeffrey P. Norman.

IT IS SO ORDERED.

Dated: 8/25/2015.



Jeffrey P. Norman
United States Bankruptcy Judge