

[THIS IS PROVIDED AS A FORM OF MOTION THAT COMPLIES WITH THE COURT'S STANDING ORDER REGARDING EX PARTE MOTIONS OR APPLICATIONS; RESPONSE DEADLINES AND CERTIFICATES OF SERVICE. THIS IS FOR ILLUSTRATION PURPOSES ONLY.]

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT DIVISION**

IN RE: §
§
Debtor 1 § Case Number: 16-XXXXX
Debtor 2 §
Debtors § Chapter 7

**DEBTOR(S)' MOTION TO AVOID JUDICIAL LIEN PURSUANT TO
11 U.S.C. § 522(F), NOTICE OF HEARING AND RESPONSE DEADLINE**

A hearing has been set on [Date] at [Time] at the [United States Courthouse, Courtroom Four, 300 Fannin St. Shreveport, LA 71101] or [United States Courthouse, Bankruptcy Courtroom, 201 Jackson Street, Monroe, Louisiana 71201].

Debtor 1 and Debtor 2 have filed papers with the court to obtain an order avoiding a judicial lien against [describe property by address, city, parish, state, zip code] from [name of secured creditor]. Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you do not want the court to grant the relief sought in the motion/application/objection, then **on or before seven days from the hearing date set forth for the motion**, you must file with the court a written response explaining your position by mailing your response by regular U.S. Mail to Clerk United States Bankruptcy Court, 300 Fannin St. Shreveport, Louisiana 71101 OR your attorney must file a response using the court's ECF System.

The court must receive your response on or before the date set above.

You must also send a copy of your response either by 1) the court's ECF System or by 2) regular U.S. Mail to:

Attorney Name, Esq. 123 Main St. Shreveport, LA 71101 and

Trustee Name, Chapter 7 Trustee, address.

IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT MAY DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION/OBJECTION AND MAY ENTER AN ORDER GRANTING THAT RELIEF WITHOUT FURTHER HEARING OR NOTICE.

Now comes Debtor 1 and Debtor 2 (“Movant”), who files this Motion to Avoid Judicial Lien pursuant to 11 U.S.C. § 522(f).

1. Movant desires to avoid the judicial lien (judicial mortgage) held by [creditor name] on an interest of the debtor(s) in property to the extent that such lien impairs the debtor(s)’ exemptions. The property is fully described as [*Insert legal description--address, city, parish, state, zip code*].
2. The judicial lien (judicial mortgage) is more fully described as follows: [judgment lien of favor of creditor name, cause number, court description, date entered and recording information].
3. The interest of the debtor(s) in such property has both (a) been claimed as exempt on the debtor(s)’ Schedule C and (b) the deadline for filing objection to the debtor(s) exemptions has either has passed or will pass before the response deadline to this motion.
4. The debtor(s)’ claimed exemption in the property under RS 20:1 is [\$amount]. The debtor(s)’ equity in the subject property is [\$amount]. The fair market value of the debtor(s)’ interest in the property is scheduled as [\$amount] and a valid perfected secured claim of [secured creditor name] against the subject property, is held in the amount of [\$amount]. [If additional valid liens are present, describe them.]
5. Pursuant to 11 U.S.C. § 522(f), the debtor(s) may avoid the fixing of a lien on an interest of the debtor in property to the extent that such lien impairs an exemption to which the debtor is entitled, unless the lien is a domestic support obligation. The lien sought to be avoided is not a domestic support obligation.

Accordingly, the debtor(s) request the Court approve the motion, and avoid the fixing of the described lien against the described property.

Respectfully submitted,

Attorney Name, Esq.
123 Main St.
Shreveport, LA 71101
123-456-7890

CERTIFICATE OF SERVICE

I hereby certify that on (*month*), (*day*), (*year*), a copy of the foregoing (*specific name of filing*) was served on the following registered ECF participants, electronically through the court’s ECF System at the email address registered with the court:

Trustee Name, Chapter 7 Trustee

U.S. Trustee

and on the following by ordinary U.S. Mail addressed to:

(Secured Creditor Name)
(Mailing address)

(Secured Creditor Attorney Name)
(Mailing address)

/s/ Attorney Name, Esq.
Attorney Name, Esq.