

PROCEDURES RE: MOTIONS FOR REDEMPTION

1. Contents of Motion - A written motion must be filed, and must include:
 - a. The secured creditor's name;
 - b. A description of the property to be redeemed;
 - c. The total balance due on the property;
 - d. The current replacement value of the property;
 - e. The amount to be paid to the secured creditor for redemption;
 - f. The date upon which the redemption payment will be made;
 - g. That the property is personal property intended primarily for personal, family, or household use and is secured by a dischargeable consumer debt;
 - h. That the property is exempted under 11 U.S.C. §522 or abandoned by the trustee under 11 U.S.C. §554; and
 - i. Any other relevant facts.
2. Notice of Motion - The moving party must completely fill out the Notice of Motion on the current version of [Local Form #717.20](#).
3. Service of Motion AND of Notice of Motion - The moving party must SIMULTANEOUSLY serve (e.g., mail) copies of BOTH the motion AND the appropriate Notice of Motion on the trustee and secured creditor.
4. Filing of Motion AND Notice of Motion with Clerk's Office - The debtor(s) must SIMULTANEOUSLY, AND WITHIN THREE (3) DAYS OF SERVING the copies thereof, file BOTH the original Motion AND original Notice of Motion with the Clerk of Court.
5. Response - If any party WISHES TO RESIST the motion, THEY MUST file with the Clerk of the Bankruptcy Court, WITHIN the time fixed in the Notice of Motion, BOTH:
 - a. A written Response; AND
 - b. A certificate showing service of a copy thereof on the debtor's attorney (or debtor(s), if no attorney).
6. Contents of Response - A response must: (a) state the specific grounds upon which the motion is resisted, AND (b) include the name and address of the respondent's attorney (or respondent, if no attorney).
7. Hearing - If a timely response is filed, the Court will decide whether a hearing will be required. If so, the hearing will be set and noticed by the Clerk.
8. Failure to Respond - If no timely response is filed, the Court may sign an ex parte order, submitted by the debtor(s), granting the motion.