

**Local Rule of Bankruptcy Procedure 9007. GENERAL AUTHORITY TO
REGULATE NOTICES.**

(a) 21-Day Negative Notice Language

If relief may be granted “after notice and hearing” as defined in 11 U.S.C. § 102, *and unless otherwise specifically provided in these rules*, the pleading must contain the following 21-day negative notice language:

NO HEARING WILL BE CONDUCTED ON THIS MOTION/OBJECTION/ APPLICATION UNLESS A WRITTEN OBJECTION IS FILED WITH THE CLERK OF THE UNITED STATES BANKRUPTCY COURT AND SERVED UPON THE PARTY FILING THIS PLEADING WITHIN TWENTY-ONE (21) DAYS FROM DATE OF SERVICE UNLESS THE COURT SHORTENS OR EXTENDS THE TIME FOR FILING SUCH OBJECTION. IF NO OBJECTION IS TIMELY SERVED AND FILED, THIS PLEADING SHALL BE DEEMED TO BE UNOPPOSED, AND THE COURT MAY ENTER AN ORDER GRANTING THE RELIEF SOUGHT. IF AN OBJECTION IS FILED AND SERVED IN A TIMELY MANNER, THE COURT WILL THEREAFTER SET A HEARING. IF YOU FAIL TO APPEAR AT THE HEARING, YOUR OBJECTION MAY BE STRICKEN. THE COURT RESERVES THE RIGHT TO SET A HEARING ON ANY MATTER.

The negative notice language must be in boldface and large font; and it must be located in the motion text — preferably in the first paragraph.

Proposed orders for motions with 21-day language should substantially comply with *TXEB Local Form 9007-a*.

The following motions will require proper certificates of service, but will not require any suspense language, and will be presented to the Court for immediate consideration:

- Request for Emergency Hearing;
- Request for Expedited Hearing;
- Request for Conditional Approval of Disclosure Statement for Small Business Debtor;
- Motion for Continuance of Hearing;
- Motion/Application to Shorten or to Extend Notice Period;
- Initial Motion for Extension of Time to File Schedules;
- Motion for Extension of Bar Date for Filing Claims;
- Motion by Debtor to Convert Chapter 11 Case to Chapter 7;
- Motion by Debtor to Convert Chapter 12 Case to Chapter 7

- (or Notice of Conversion);
- Motion by Debtor to Convert Chapter 13 Case to Chapter 7 (or Notice of Conversion);
- Motion by Debtor to Dismiss Chapter 12 Case;
- Motion by Debtor to Dismiss Chapter 13 Case;
- Motion for Approval of Reaffirmation Agreement;
- Motion to Quash;
- Motion for Protective Order;
- Motion to Reopen Estate;
- Motion to Defer Payment of Filing Fee;
- Application/Motion for Admission *Pro Hac Vice*;
- Motion to Deposit Funds in Court Registry (or for Disposition of Funds);
- Motion to Waive Debtor's Appearance at Section 341 Meeting (or similar).

(b) Request for Emergency Hearing

1. If a motion requires an emergency hearing, a separate request for emergency hearing must be filed.
2. An "emergency" is a matter which requires a hearing in less than seven (7) days, and which involves an irreparable injury which outweighs procedural due process concerns. A request for an emergency hearing is given the highest priority by the Court. Abuse of the emergency process may subject parties and/or attorneys to sanctions, contempt, or other disciplinary powers of the Court.
3. A request for emergency hearing must contain the following:
 - (A) sufficient factual information for the Court to find just cause for the scheduling of an emergency hearing;
 - (B) a certificate of conference reflecting inability to agree or inability to confer;
 - (C) a certificate of service reflecting service by e-mail or facsimile, if possible, and by first class mail;
 - (D) an affidavit or an unsworn declaration under penalty of perjury as provided in 28 U.S.C. §1746 by the party or the attorney attesting to the emergency facts;
 - (E) a form order substantially conforming to *TXEB Local Form 9007-b*.

(c) **Request for Expedited Hearing**

If a motion requires a hearing on shortened notice but does not require an emergency hearing, an application to shorten notice and/or to schedule an expedited hearing must be filed in accordance with Fed. R. Bankr. P. 9006(c). The request for expedited hearing must be accompanied by a proposed order substantially conforming to *TXEB Local Form 9007-c*.

(d) **Complex Chapter 11 Cases**

Procedures set forth in these Local Rules may be superseded in complex Chapter 11 cases by the procedures set forth in *TXEB Appendix 9007*.