

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA

NORFOLK AND NEWPORT NEWS DIVISIONS

PUBLIC NOTICE

NORFOLK AND NEWPORT NEWS STANDING ORDER NO. 21-1

MOTIONS PRACTICE IN THE NORFOLK AND NEWPORT NEWS DIVISIONS

As set forth in Norfolk Standing Order No. 21-1 and Newport News Standing Order No. 21-1, dated April 8, 2021, and applicable to the Norfolk and Newport News divisions of the Court, “[f]or motions filed. . . on or after May 1, 2021, counsel for the moving party shall be responsible for scheduling matters for hearing in accordance with the terms of this Standing Order and the instructions set forth on the Procedures for Hearings pages for each Undersigned Judge on the Court’s internet website, at www.vaeb.uscourts.gov.¹”

As set forth in the Standing Order, as to unrepresented individuals, such “individuals who file a motion may, but are not required to, schedule their motion for hearing. If an unrepresented individual files a motion but does not schedule the motion for hearing, the Clerk will assign a hearing date and send notice of the hearing.”

As further set forth in the Standing Order, “Nothing in this Standing Order is intended to modify Local Bankruptcy Rule 9013-1(K) and the Motions Practice and Guidelines as set forth in Exhibit 7 to the Local Bankruptcy Rules. Parties should additionally consult the Procedures for Hearings pages for each Undersigned Judge on the Court’s internet website.”

William C. Redden
Clerk of Court

Date: April 8, 2021

Attachment

¹ “The Procedures for Hearings pages for each undersigned Judge are located on the Norfolk and Newport News pages of the Court’s internet website.” See the below-embedded links:

Norfolk Division--

- [Procedures for Hearings before Hon. Frank J. Santoro, Chief Judge](#)
- [Procedures for Hearings before Hon. Stephen C. St. John](#)

Newport News Division--

- [Procedures for Hearings before Hon. Frank J. Santoro, Chief Judge](#)
- [Procedures for Hearings before Hon. Stephen C. St. John](#)

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION
NEWPORT NEWS DIVISION**

_____)	
In re:)	
)	NORFOLK STANDING ORDER 21-1
MOTIONS PRACTICE)	
IN THE NORFOLK AND)	
NEWPORT NEWS DIVISIONS.)	NEWPORT NEWS STANDING ORDER 21-1
)	
_____)	

For motions filed in the Norfolk and Newport News Divisions of the Court on or after May 1, 2021, counsel for the moving party shall be responsible for scheduling matters for hearing in accordance with the terms of this Standing Order and the instructions set forth on the Procedures for Hearings pages for each Undersigned Judge on the Court’s internet website, at www.vaeb.uscourts.gov.¹

A list of matters that counsel for the moving party must set for hearing will be provided on the aforementioned web pages, which pages shall also set forth available hearing dates. Counsel for the moving party must schedule hearings in the Division in which the case is pending based upon the Chapter of the case and before the assigned Judge for the proper date, time, and location as set forth on the Procedures for Hearings pages. Proper notice in accordance with the provisions of the United States Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, and the Local Bankruptcy Rules for this Court must be provided to all appropriate parties. Counsel must select a hearing date such that the response deadline under Local Bankruptcy Rule 9013-1(H)(3)(b) or (c) does not reduce the notice period required for the motion under the United States Bankruptcy Code, Federal Rules of Bankruptcy Procedure, or Local Bankruptcy Rules.

The notice of motion and notice of hearing may be combined and should be filed simultaneously with the motion.

For amended motions on which a hearing has been scheduled on the original motion, counsel for the moving party must select and provide notice of a new hearing date based upon the date of the filing of the amended motion. The hearing on the original motion will be terminated by the Court. The original hearing date may be used for an amended motion only if such date provides proper notice pursuant to the applicable Bankruptcy Code and rule provisions.

Counsel for the moving party may, but is not required to, schedule hearings for motions that may otherwise proceed on negative notice. If no responses or objections are filed to such motion before the expiration of the response period, counsel for the moving party may cancel the hearing.

¹ The Procedures for Hearings pages for each Undersigned Judge are located on the Norfolk and Newport News pages of the Court’s internet website.

If a response and/or objection is filed to a motion proceeding on negative notice, counsel for the moving party must schedule the motion for hearing in accordance with the applicable Bankruptcy Code and rule provisions, unless the parties are able to resolve the matter and present an order to the Court within fourteen (14) days after the later of (1) the expiration of the notice period; or (2) the filing of the response/objection.

If counsel for the moving party fails to file a notice of hearing with a motion that requires a hearing, the Clerk will advise counsel that the motion must be set for hearing. If a notice of hearing contains deficiencies (e.g., date, time, and/or location is omitted or incorrect or the selected hearing date does not comply with the applicable Bankruptcy Code and rule provisions), the Clerk will advise counsel that the notice of hearing is deficient, and the hearing will not appear on the Court docket. If the deficient notice of hearing relates to an amended motion for which a hearing has been scheduled on the original motion, neither the hearing on the original or the amended motion will appear on the Court docket. It is the responsibility of counsel for the moving party to timely correct any deficiency and verify that the matter is properly placed on the Court's docket.

Unrepresented individuals who file a motion may, but are not required to, schedule their motion for hearing. If an unrepresented individual files a motion but does not schedule the motion for hearing, the Clerk will assign a hearing date and send notice of the hearing.

A list of matters for which the Court will continue to assign hearing dates will be set forth on the Procedures for Hearings pages on the Court's internet website. The Court reserves the right to schedule a motion for hearing upon a determination that a hearing is necessary for a particular matter. If the Court determines that a motion should be rescheduled to a different hearing date and/or time, the Clerk will notify counsel for the moving party, who will be responsible for providing notice of the rescheduled hearing date and/or time and notifying all opposing parties of the rescheduled hearing.

Nothing in this Standing Order is intended to modify Local Bankruptcy Rule 9013-1(K) and the Motions Practice and Procedure Guidelines as set forth in Exhibit 7 to the Local Bankruptcy Rules. Parties should additionally consult the Procedures for Hearings pages for each Undersigned Judge on the Court's internet website.

Date: April 8, 2021

Frank J. Santoro
Chief United States Bankruptcy Judge

Stephen C. St. John
United States Bankruptcy Judge