

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF VIRGINIA

AMENDED CM/ECF PRACTICES ADVISORY NO. 07-1

February 21, 2007, Decision of United States Supreme Court on  
*Marrama v. Citizens Bank of Massachusetts, et al*, No. 05-996  
(549 U.S. \_\_\_\_ 2007)

**Time for Filing Responses to Motions to Convert from  
Bankruptcy Code Chapter 7 to Chapter 13, Chapter 7 to Chapter 11  
or Chapter 7 to Chapter 12**

The March 12, 2007, CM/ECF Practices Advisory No. 07-1<sup>1</sup> is amended, as follows:

As made applicable to a motion to convert, Local Bankruptcy Rule 9013-1(H)(3)(a) provides that the proper response time is 10 days ‘unless the motion relates to a matter for which a twenty-day notice is required under Federal Rule of Bankruptcy Procedure 2002(a), in which event a response may be filed within twenty days.’ Federal Rule of Bankruptcy Procedure 2002(a)(4), as it relates to the hearing on the conversion of a chapter 7, chapter 11, or chapter 12 case to another chapter, prescribes a twenty-day notice period. Accordingly, the time for a creditor, trustee or United States trustee to file a response to a debtor’s motion to convert a case from Bankruptcy Code chapter 7 to 13, from chapter 7 to chapter 11 or from chapter 7 to chapter 12, is **twenty (20)** days pursuant to EDVA Local Bankruptcy Rule 9013-1(H)(3)(a).

William C. Redden  
Clerk of Court

Date: June 20, 2007

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<sup>1</sup> The text to the March 12, 2007, CM/ECF Practices Advisory No. 07-1 reads:

In light of the United States Supreme Court’s majority holding, decided on February 21, 2007, in *Marrama v. Citizens Bank of Massachusetts, et al.*, No. 05-996 (549 U.S. \_\_\_\_ (2007)), all requests for conversion from Bankruptcy Code chapter 7 to chapter 13 by a debtor(s) must be by motion pursuant to EDVA Local Bankruptcy Rule 9013-1. The notice of such a motion shall be in substantial compliance with Official Form 20A and served on the trustee, United States trustee, and all creditors. The time for filing a response is 10 days pursuant to EDVA Local Bankruptcy Rule 9013-1(H)(3). If no response is timely filed, the Clerk will be directed by the court to enter an Order of Conversion from Chapter 7 to Chapter 13. The same procedure would be applicable in any instance in which a motion is filed by a debtor(s) to convert a Bankruptcy Code case from chapter 7 to chapter 11 or to convert a case from chapter 7 to chapter 12.