

# The New Motion Practice Now Utilized In The Eastern District of Oklahoma

These directions relate to paper filing. If filing electronically, go to the Online Training Manual under the Motion Practice section.

The following instructions will guide you through the process of filing of all Motions in the Eastern District of Oklahoma. For Adversary cases, attorneys should continue to follow practices outlined in the Local Rules.

**Step 1** Prepare your Motion.

**Step 2** Go to the Court's website: [www.okeb.uscourts.gov](http://www.okeb.uscourts.gov) If you do not have Internet access you may call the Clerk's Office during Court hours (8:30 to 4:30) to obtain a faxed Local Form. When calling please let the Clerk's Office know which form you need.

**Step 3** Print out the proper Local Form:

**Local Form 20A** Notice of Motion, Notice of Deadline to File Objection to Motion and Notice of Hearing If Objection is Filed

**Local Form 20B** Notice of Objection to Claim or Exemption, Notice of Deadline to File Response to Objection to Claim or Exemption and Notice of Hearing

**Local Form 20C** Notice of Motion, Notice of Deadline to File Objection to Motion and Notice of Hearing

**Local Form 20D** Notice of Hearing and Fixing Time for Filing Complaint Under 11 U.S.C. Sec. 523(c), Motion for Hardship Discharge in Chapter 13

**Step 4** Obtain the Objection Deadline Date and Hearing Date from the Court's Web Site. If you do not have Internet access you may call the Courtroom Deputy at 758-0126 ext 226 during Court hours (8:30 to 4:30) to obtain a Hearing date and the Deadline information.

**Step 5** Prepare one of the above Form 20 Notices. Make certain to sign the notice, then mail by U.S. Mail the Motion and the Notice to all interested parties required by the Bankruptcy Rules and include a Certificate of Mailing.

**Step 6** Mail the original Motion, Notice of Motion and Proposed Order for filing. Include one copy and a self addressed stamped envelope if you wish a filed stamped copy returned.

## **FYI**

**If no Objection is filed to a Motion where Form 20A is used, and the Proposed Order submitted is signed the Hearing will be taken off of the docket without further notice. If an Objection is submitted the Parties should be prepared to attend the hearing. No further notice of the hearing will be mailed.**

**Current Docket sheets and Court Calendars will be available 24 hours a day 7 days a week.**



# United States Bankruptcy Court Eastern District of Oklahoma

In Re:

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Case No.  
Chapter

[Set forth here all names including married  
maiden, and trade names used by debtor  
within last 6 years.]

Debtor(s).

## NOTICE OF MOTION NOTICE OF DEADLINE TO FILE OBJECTION TO MOTION AND NOTICE OF HEARING IF OBJECTION IS FILED

\_\_\_\_\_ has filed the following motion with the court:

**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 above-referenced motion, or if you want the court to consider your views on the motion and your objection, then on or before

\_\_\_\_\_ you or your attorney must:

File with the court a written objection explaining your position at:

**United States Bankruptcy Court  
POB 1347  
Okmulgee, OK 74447**

You must also mail a copy to: The name and address listed at the bottom of this Notice unless they are served by electronic notice

Attend the hearing scheduled to be held on \_\_\_\_\_ at \_\_\_\_\_ m. in the U.S. Bankruptcy Courtroom 215, 4<sup>th</sup> and Grand Streets, Okmulgee, Oklahoma, if you file an Objection.

**IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT WILL DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE MOTION and:**

- 1. WILL ENTER AN ORDER GRANTING THE RELIEF SOUGHT IN THE MOTION**
- 2. WILL STRIKE THE ABOVE-SCHEDULED HEARING WITHOUT FURTHER NOTICE**

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Attorney:  
OBA#  
Address  
E-Mail  
Phone/Fax







# The New Application for Compensation Practice In The Eastern District of Oklahoma

These directions relate to paper filing. If filing electronically, go to the Online Training Manual under the Application Practice section.

The following instructions will guide you through the process of filing an Application for Compensation in the Eastern District of Oklahoma. This process includes Applications for Compensation for Administrative Expenses.

**Step 1** Prepare your Application in compliance with Fed.R.Bankr.P., Rule 2016

**Step 2** Go to the Court's website: [www.okeb.uscourts.gov](http://www.okeb.uscourts.gov) If you do not have Internet access you may call the Clerk's Office during Court hours (8:30 to 4:30) to obtain a faxed Local Form. When calling please let the Clerk's Office know which form you need

**Step 3** Print out the proper Local Form listed below for a Notice of Application for Compensation:

**Local Form 20E** Notice of Application for Compensation and Notice of Deadline to File Objection to Application and Notice of Hearing If Objection is Filed.  
*(This form is used if the fee amount is less than \$1000.00)*

**Local Form 20F** Notice of Application for Compensation and Notice of Deadline to file Objection to Application and Notice of Hearing.  
*(This form is used if the fee amount is more than \$1000.00)*

**Step 4** Obtain the Objection Deadline Date and Hearing Date from the Court's Web Page. If you do not have Internet access you may call the Courtroom Deputy at (8:30 to 4:30) during Court hours (8:30 to 4:30) to obtain a Hearing date and to obtain the objection deadline date.

**Step 5** Prepare a Form 20 Notice. Make certain to sign the notice, then mail by U.S. Mail the Application and the Notice to all parties on the matrix include a Certificate of Mailing.

**Step 6** Mail the original Application, Notice, a Proposed Order and 4 copies for filing along with a self addressed stamped envelope to the Court.

**FYI**

**If no Objection is filed to an Application for Compensation where Form 20E is used when the amount is less than \$1000.00, and the Proposed Order submitted is signed the Hearing will be taken off of the docket without further notice. If an Objection is submitted the Parties should be prepared to attend the hearing. No further notice of the hearing will be mailed.**

A Hearing is required for Applications for Compensation requesting an amount more than \$1000.00.

**Current Docket sheets and Court Calendars will be available 24 hours a day 7 days a week.**

# United States Bankruptcy Court Eastern District of Oklahoma

In Re:

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Case No.  
Chapter

[Set forth here all names including married  
maiden, and trade names used by debtor  
within last 6 years.]

Debtor(s).

## NOTICE OF APPLICATION FOR COMPENSATION NOTICE OF DEADLINE TO FILE OBJECTION TO APPLICATION AND NOTICE OF HEARING IF OBJECTION IS FILED (THIS REQUEST IS FOR LESS THAN \$1000.00)

\_\_\_\_\_ has filed the following Application with the court:

**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 above-referenced application, or if you want the court to consider your views on the application and your objection, then on or before

\_\_\_\_\_ you or your attorney must:

File with the court a written objection explaining your position at:

**United States Bankruptcy Court  
POB 1347  
Okmulgee, OK 74447**

You must also mail a copy to: The name and address listed at the bottom of this Notice unless they are served by electronic notice

Attend the hearing scheduled to be held on \_\_\_\_\_ at \_\_\_\_\_ m. in the U.S. Bankruptcy Courtroom 215, 4<sup>th</sup> and Grand Streets, Okmulgee, Oklahoma, only if you file an Objection.

**IF YOU OR YOUR ATTORNEY DO NOT TAKE THESE STEPS, THE COURT WILL DECIDE THAT YOU DO NOT OPPOSE THE RELIEF SOUGHT IN THE APPLICATION and:**

- 2. WILL ENTER AN ORDER GRANTING THE RELIEF SOUGHT IN THE APPELLATION**
- 3. WILL STRIKE THE ABOVE-SCHEDULED HEARING WITHOUT FURTHER NOTICE**

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Attorney:  
OBA#  
Address  
E-Mail  
Phone/Fax





# United States Bankruptcy Court Eastern District Of Oklahoma

111 West 4<sup>th</sup> Street  
Post Office Box 1347  
Okmulgee, Oklahoma 74447



**Therese Buthod**  
Clerk of Court

**TEL:** 918.758.0126  
**FAX:** 918.756.9248

January 13, 2004

## NOTICE TO ALL ATTORNEYS

RE: Changes to Motion Procedure for the Eastern District of Oklahoma

Dear Attorneys:

As many of you know, we are in the process of converting to Case Management/Electronic Case Filing (CM/ECF) and plan to have this available in our Court beginning March 2004. There will be numerous changes to filing procedures at such time as we initiate CM/ECF. We will be posting the Administrative Procedures for CM/ECF on our website upon the completion of the procedure manual.

One of the changes our Court will be making concerns our motion practice. In order to ease attorneys into these changes, we are making the changes available February 1, 2004 and encouraging attorneys to begin utilizing the new motion practice now. We have begun this practice in an effort to make the procedures easier for the practicing attorneys to file Motions, especially as they relate to objection to deadline date and the scheduling of hearings.

Beginning March 1, this new motion practice will be the only practice utilized by the Court. You will be able to access the forms electronically, if you are utilizing CM/ECF. If you are not yet using CM/ECF, you may obtain the forms from our website or by calling our office. Our new procedure will allow you to go to our website at [www.okeb.uscourts.gov](http://www.okeb.uscourts.gov) on the day you are preparing and mailing your Motion. The website will tell you what day to list as the objection deadline date for the Motion and will also allow you to obtain your own hearing date from the date shown available for Hearings on the website. As many of you know, we often have to send Deficiency Notices as the objection deadline date listed does not correspond with our Local Rules. We are trying this new procedure in an effort to alleviate the need for returning pleadings to you as a result of mistakes in the deadline dates. We also hope that allowing you to know the hearing date, as soon as you file a Motion, will assist you in your planning ahead for Court proceedings.

January 13, 2004  
Attorneys  
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Under the new motion practice in the majority of motions, if there is not an objection filed, the hearing date will be stricken and the relief requested in the Motion will be granted. There are certain motions that require a hearing whether or not an objection is filed and those will continue to remain on the docket for the hearing.

Enclosed you will find the Motion Procedure explained in detail. In addition, there are sample forms that you may use. We have also enclosed the sample of what the web page will look like for Motions, Notices, Objections and Hearing Information for our District. Please note on the sample web page, that there are numerous examples of types of Motions and you must look for that type of Motion and determine from the date listed on the web page when your hearing will be scheduled.

In addition, since the web page will list the objection date, we are assuming that you are mailing the Motion and Notice on the day you consult the web page. If you do not mail the Motion and Notice out on the day you check the dates on the website your date will be incorrect.

Since there will be many changes taking effect when we implement CM/ECF, we wanted to give you the opportunity to begin utilizing the Motion practice as early as possible. If you have questions in regard to these matters, please feel free to contact the Clerk's Office at 918-758-0126.

Very truly yours,

Therese Buthod  
Clerk of Court

TB:bb

Enclosures