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(a) Unless otherwise ordered, a [debtor](#) who wishes to dismiss a pending [chapter 13](#) case which has not previously been converted shall serve a motion to dismiss on the chapter 13 Standing [Trustee](#), the [U.S. Trustee](#) and any [creditor](#) who has appeared. The motion to dismiss shall be supported by a declaration stating whether there are pending motions to convert the case to [chapter 7](#) or pending motions to dismiss with prejudice.

(b) When serving the motion to dismiss, the debtor should utilize the "Notice and Opportunity For Hearing" procedures of B.L.R. 9014-1(b)(3). For purposes of motions made under this rule, the 21 day notice provision of B.L.R. 9014-1(b)(3)(A)(i) (time to object and request a hearing) shall be 7 days. If an objection is filed or served, the 14 day notice provisions of B.L.R. 9014-1(b)(3)(A)(iv) (time for initiating party to give notice of a hearing) shall be 7 days; the notice of hearing should be served on the objecting party, the chapter 13 Standing Trustee and the U.S. Trustee. If no objection is filed or served within 7 days following service of the motion to dismiss, the debtor may file a declaration of no response and upload or lodge an order granting the motion.

(c) The court will not take testimony at the hearing, and may at that time rule on the objection if there is no genuine issue of material fact.

(d) The time periods provided in subsection (b) are subject to modification in accordance with applicable rules. Nothing contained in this rule shall be construed to preclude requests for relief of any nature by or against any party-in-interest during the period between the filing of the motion to dismiss and the court's disposition thereof.

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