

[4001-2. Motions to Extend or Impose the Automatic Stay.](#)

**Revised:** Monday, March 14, 2016

**(a) Motion Required.**

seeking to extend the [automatic stay](#) pursuant to 11 U.S.C. § 362(c)(3)(B) or to impose it under Bankruptcy Rule 9014.

**(b) Contents.**

The moving party must state whether continuation or imposition of the automatic stay is sought with respect to the moving party must also set forth facts in support of the motion, established by declarations as appropriate, that will

**(c) Service.**

with Bankruptcy Rule 7004, except as to parties who have appeared in the case (in which event Bankruptcy Rule 7004, any [trustee](#) appointed in the case

Any [party in interest](#)

~~(d) Manner of Disposing of Motion~~ [contested matter](#)

and describing the circumstances that led to the dismissal of all prior case(s) concerning the [debtor](#)

Service must be on all creditors to be stayed, the [United States Trustee](#)

**(e) Opposition and Hearing.**

When a moving party proceeds under (d)(1) hereof, any opposition may be presented in writing, prior to the hearing hereof, any responsive pleadings, points and authorities, and declarations for any hearing must be filed with the court. The automatic stay must be completed no later than 30 days after the petition date. See, 11 U.S.C. § 362(c)(3)(B).

**(1)** A notice of motion must be filed with the court and served on the moving party at least 14 days before the hearing date.

**(2)** A motion to extend or impose the automatic stay must be filed with the court and served on the debtor and the United States Trustee at least 14 days before the hearing date.

**(3)** The court may, at its discretion, set for a hearing on any motion to extend or impose the automatic stay.

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