

Judge Bason’s Self-Calendar Procedures (Rev. 9/17/19)

STEP 1 – Check Eligibility: Self-calendaring is NOT available if the matter:

1. will exceed 15 minutes;
2. is an emergency, *ex parte*, or shortened time matter;
3. is an initial status conference in an adversary proceeding;
4. is a motion regarding the use of cash collateral or obtaining credit/financing;
5. is a motion for “reconsideration” (*i.e.*, a motion to vacate a prior order or judgment, or for a new trial, etc.);
6. is a motion to dismiss a complaint;
7. is a motion for summary judgment;
8. is a chapter 9, 11, 12 or 13 disclosure statement or confirmation hearing;
9. is a motion for approval of a reaffirmation agreement; or
10. arises in a chapter 15 case.

Any other motion or application in a chapter 7, 9, 11, 12 or 13 case or an adversary proceeding may be set for hearing using the following self-calendaring procedures.

STEP 2 – Review the Posted Calendar: Choose a date listed on the current posted calendar entitled “Judge Bason’s Hearing Dates” (which is frequently updated) that corresponds to your type of matter. Only hearing times without **red** boxes next to them are open for self-calendaring. The following table lists the types of matters for which self-calendaring is available, and their corresponding abbreviations:

<u>Abbreviation</u>	<u>Type of matter</u>
R/S	Both: (a) motions for relief from the automatic stay (all chapters) and (b) motions to extend or impose the automatic stay under 11 U.S.C. § 362(c)(3) or (4) are abbreviated “R/S”. Notes: (a) see Judge Bason’s Procedures re: automatically shortened time for some matters involving the automatic stay; (b) see Local Forms series 4001-1; (c) if you choose a date more than 30 days after you file your motion then you are deemed to have waived the time limits of 11 U.S.C. § 362(e).
AP	Matters related to adversary proceedings are abbreviated “AP”.
LM	Law and motion matters (<i>i.e.</i> , motions and miscellaneous applications).
Examples	“LM” and “AP” matters are always associated with the type of case, for example: (a) “7 LM & AP” means, in chapter 7 cases, the law and motion calendar in the case in chief or in an adversary proceeding calendar; (b) “11 LM & AP” means, in chapter 11 cases, the law and motion calendar in the case in chief or in an adversary proceeding calendar (<i>e.g.</i> , fee applications, motions for summary judgment, etc.); and (c) “13LM” means a law and motion calendar in chapter 13 cases (<i>e.g.</i> , Motions to Modify confirmed chapter 13 plans or “ <i>Lam</i> motions”).

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Information only: the following hearings or calendar entries are NOT available for self-calendaring, but they are listed on the Judge Bason’s Hearing Dates calendar for your information and planning purposes.	
<input type="checkbox"/> 7&11LM >15	Chapter 7 and 11 law and motion matters that will exceed 15 minutes and which therefore are not eligible for self-calendaring (must be set by calling the Judge’s courtroom deputy).
<input type="checkbox"/> 13Conf	Chapter 13 confirmation calendar (must be set via arrangement with the Chapter 13 Trustee).
<input type="checkbox"/> 13LM-T	The Chapter 13 Trustee’s own motions (<i>e.g.</i> , motion to dismiss a chapter 13 case), which the Trustee may self-calendar.
Blocked or Unavailable	Times at which the Judge expects to be unavailable.
Court Closed	Holidays and other times when the Court will be closed.

STEP 3 – File and Serve Your Papers: File and serve your notice and motion papers far enough in advance of the hearing, and on all persons entitled to notice, so as to comply with all applicable rules. **Notes:** (a) see Judge Bason’s Procedures for instructions on specific types of matters, notes regarding common errors, etc.; (b) pay special attention to Federal Rule of Bankruptcy Procedure 7004 and Local Bankruptcy Rule (“LBR”) 9013-1(d)(2) and (e) regarding service of the notice and motion and LBR 9013-1(c)(3)(A) regarding evidence supporting the motion; (c) if the date you have selected is unavailable (*e.g.*, if it is fully booked), the courtroom deputy will contact you to arrange an alternative date; (d) the Court reserves the right to reschedule any hearing (you will be notified promptly if your hearing has been re-set).

STEP 4 – Check for Tentative Rulings: See Judge Bason’s Procedures regarding when and how to check for tentative rulings, and what to do if you disagree with the tentative ruling.

STEP 5 – Submit Proposed Orders (after the hearing): The prevailing party should lodge a proposed order (unless otherwise instructed by the Court). Attorneys must prepare and lodge their orders in compliance with the Court’s Lodged Order Upload (“LOU”) procedures, including LBR 9020-1 and the Court Manual at sections 4-1 and following, except in those rare instances when attorneys are authorized to file papers non-electronically. Such attorneys, and unrepresented parties, may bring a paper original of the proposed order to the hearing, together with whatever copies and envelopes may be required, so that the judge can sign the order at the hearing if the motion is granted. Do not submit any proposed order prior to the hearing. (You may, however, serve the proposed order on other parties, if you wish to afford them an opportunity to review the form of the order before the hearing.)

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NOTE:

(1) **Pandemic.** During the COVID-19 crisis, check Judge Bason's posted procedures for remote hearing/trial procedures (telephonic or video). Sample orders setting procedures for telephonic/video trials are posted.

(2) **Government shutdowns.**

During any government shutdown you may continue self-calendaring matters as usual, but many matters will be continued pursuant to the Anti-Deficiency Act:

An officer or employee of the United States Government ... may not accept voluntary services [by government employees] except for emergencies involving the safety of human life or the protection of property. . . . As used in this section, the term "emergencies involving the safety of human life or the protection of property" does not include ongoing, regular functions of government the suspension of which would not **imminently threaten the safety of human life or the protection of property.** [31 U.S.C. 1342 (Anti-Deficiency Act)]

See the posted tentative ruling for your individual matter to see if it is to be continued.