

IN THE UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION
AT AKRON

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U.S. BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
AKRON

IN RE: ADMINISTRATION OF) ADMINISTRATIVE ORDER NO. 02-03
CHAPTER 13 CASES - *Requirements*)
Prior to an Evidentiary Hearing Being) CHAPTER 13
Held)
) JUDGE MARILYN SHEA-STONUM



In an effort to facilitate the management of certain issues that have arisen during the Court's regularly scheduled chapter 13 docket and to minimize the amount of time that counsel, their clients and Court personnel spend in preparing for matters requiring an evidentiary hearing, the Court is issuing this Administrative Order No. 02-03.

In all matters where a hearing has been scheduled and where parties wish to present evidence in support of their respective position(s), the initial hearing shall be treated as a scheduling conference *unless* the Evidentiary Hearing Requirements (as defined below) have been met. When the first hearing date is treated as a scheduling conference, the date ultimately scheduled for the evidentiary hearing is subject to availability on the Court's calendar. Parties who are represented by counsel are not required to be present at an initial hearing if it will be treated by the Court as a scheduling conference; counsel shall be present.

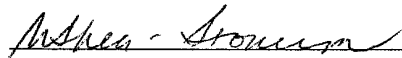
Parties who plan to present evidence in support of their position(s) in chapter 13 cases *shall* meet the following requirements (collectively, the "Evidentiary Hearing Requirements") before an evidentiary hearing will be conducted by the Court:

1. By not later than two (2) working days prior to the scheduled hearing date, parties shall have *jointly* filed with the Court a list of all documents and facts which are not in dispute and can be stipulated to in the matter.
2. By not later than two (2) working days prior to the scheduled hearing date, each party shall have filed with the Court (and actually furnished to each other party) the names and addresses of all witnesses they intend to call at the evidentiary hearing.

3. By not later than two (2) working days prior to the scheduled hearing date, each party shall have filed with the Court (and actually furnished to each other party) copies of all documents, which they intend to introduce into evidence. Documents shall be clearly marked and identified as those of "Movant," "Debtor," "Objector" or whatever other title best describes the party's role in the proceeding. Documents to which the parties have stipulated are to be marked "Joint Exhibits."
4. For the actual evidentiary hearing, each party shall, in addition to the actual copies or originals of documents to be introduced into evidence, have copies of tabbed and clearly marked exhibits for use and review by the judge, the judge's law clerk and the testifying witness.
5. By not later than two (2) working days prior to the scheduled hearing date, each party shall have filed with the Court (and actually furnished to each other party) proposed findings of fact and conclusions of law. Such conclusions of law must include, at a minimum, citations to Supreme Court and Sixth Circuit case law, if any, that may be binding upon this Court. Further, as to any non-bankruptcy issues that may be addressed, the conclusions of law must also include citations to law from the applicable jurisdiction.
6. Any objections to evidence made during the evidentiary hearing must identify the appropriate Federal Rule of Evidence on which such objection is based.

If a party fails to comply with any of the Evidentiary Hearing Requirements, then the Court, at its discretion and without further notice other than that announced during the scheduled hearing, may adjourn the hearing and/or preclude the non-complying party from introducing evidence and/or calling witnesses.

IT IS SO ORDERED.



MARILYN SHEA-STONUM
Bankruptcy Judge