

**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA**

**San Francisco and Santa Rosa  
Chapter 13 Calendar Procedures  
(Eff. Feb. 2026)**

**Commencement of the Case**

Very shortly after a Chapter 13 case is filed, the Clerk of Court will issue a “Notice of Chapter 13 Bankruptcy Case” (the “Notice”). Among other things, the Notice advises creditors and other interested parties of the pendency of the case and of the debtor’s name and address; provides debtor’s counsel’s name and contact information; sets forth the date and time of the meeting of creditors and explains how to join that meeting by video; and includes deadlines for filing a proof of claim,<sup>1</sup> for filing an objection to confirmation,<sup>2</sup> and for filing a motion objecting to discharge<sup>3</sup> and/or a complaint seeking a judgment declaring a debt nondischargeable.<sup>4</sup> The Notice will *not* include the date and time of the initial confirmation hearing.

The Clerk of Court will serve the Notice, as well as the plan (if filed), by first class mail on all creditors, the Office of the United States Trustee, and other interested parties. In order for the Clerk of Court to serve these materials, the debtor or debtor’s counsel must file with the petition for relief a list of creditors with complete, accurate mailing addresses. If the debtor has not filed a plan by the time the Clerk of Court serves the Notice, the debtor must serve the plan *and* a

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<sup>1</sup> Rule 3002 of the Federal Rules of Bankruptcy Procedure (the “FRBP”) sets forth the deadlines applicable to filing proofs of claims.

<sup>2</sup> Pursuant to the Notice, objections to confirmation of the original plan must be filed with the court on or before the original date of the meeting of creditors. Pursuant to B.L.R. 3015-1(b)(3), objections to amended plans must be filed and served within 14 days after service of the amended plan. Once timely filed, an objection is deemed to apply to all subsequent amended plans until the objection is withdrawn, ruled upon, or the objecting party fails to appear at a confirmation hearing.

<sup>3</sup> FRBP 4004 governs the filing of a motion objecting to discharge in a case filed under Chapter 13 of the Bankruptcy Code.

<sup>4</sup> FRBP 4007 governs the filing of a complaint to determine the dischargeability of debts in a Chapter 13 case.

notice of opportunity to object on all creditors that provides at least 21 days to file an objection to confirmation of the original plan.<sup>5</sup>

## **Preparing for and Attending the Meeting of Creditors**

At least 7 days prior to the meeting of creditors, the debtor must provide the Standing Chapter 13 Trustee (“Trustee”) with all of the following documents, along with any other documents or information the Trustee might request:

- Copy of the debtor’s most recent federal income tax return or tax transcript;<sup>6</sup>
- Payment advices or certification (See Amended General Order 32);<sup>7</sup> and
- Completed Business Questionnaire (if requested by the Trustee).

If the debtor does not timely provide these documents, the Trustee will continue the meeting of creditors and will file a motion to dismiss.

## **Plan Confirmation**

Once the Trustee concludes the meeting of creditors, and once the debtor has provided the Trustee with all requested documents, the Trustee will file and serve on all creditors a “Notice of Confirmation Hearing Date, Time and Location” (the “Confirmation Hearing Notice”). After the Trustee has filed and served the Confirmation Hearing Notice, the court will issue an Order Regarding Confirmation Hearing (the “Order”).

The Order will take the confirmation hearing off calendar, subject to the debtor confirming a plan by the date set forth in the Order (the “Confirmation Deadline”), which will ordinarily be 4 months after the date of the original confirmation hearing. If the debtor does not timely comply with the Confirmation Deadline, the Trustee will file a motion to dismiss, pursuant to 11 U.S.C.

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<sup>5</sup> FRBP 2002(a)(9).

<sup>6</sup> If the debtor does not timely provide the Trustee with their most recent federal tax return or tax transcript, the Trustee will docket a statement under penalty of perjury attesting to the debtor’s failure to comply with 11 U.S.C. § 521(e)(2)(A)(i). This will prompt the Clerk of Court to issue an order setting a 14-day deadline for compliance and warning that continued unexcused noncompliance might result in dismissal without further notice or hearing. If the debtor does not timely comply, the Trustee will docket a statement under penalty of perjury attesting to the debtor’s continued noncompliance. At that point, the court will dismiss the case.

<sup>7</sup> <https://www.canb.uscourts.gov/order/general-order-32-amended-payment-advice>

§ 1307(c)(1). The Order also explains how to request an extension of the Confirmation Deadline.

A sample Order is attached to these Procedures.

### Confirmation by Consent

If all objections to confirmation have been resolved and the case is otherwise in proper order, the Trustee will recommend plan confirmation prior to the expiration of the Plan Confirmation Deadline and will upload a confirmation order. The court will enter the confirmation order without further notice or hearing.

### Contested Confirmation

If the Trustee, a creditor, or another interested party files an objection to confirmation, the objecting party or the debtor shall contact the Trustee's office for assistance in resolving the objection. If the parties are unable to resolve the objection(s) after meeting and conferring in good faith, the objecting party or the debtor may notice the objection for hearing pursuant to FRBP 2002(b)(3) and B.L.R. 9014-1(c)(2).

If no action is taken to resolve objections and the case is not ready for plan confirmation within a reasonable time, the Trustee will file a motion to dismiss and will notice that motion pursuant to B.L.R. 9014-1(b)(3). The debtor must timely file a written response in order to avoid dismissal.

If no response is filed, the Trustee will file a declaration of default and upload a dismissal order, which the court will enter without further notice or hearing. If the debtor timely opposes dismissal, the Trustee will notice a hearing on the motion to dismiss.

The court expects debtors and debtors' counsel to move their cases expeditiously toward confirmation. Last-minute efforts to resolve motions to dismiss and/or objections to confirmation will not serve as cause for delay or continuance of hearings. In those cases where the debtor's attorney appears to be responsible for unreasonable delay in moving the case to plan confirmation, the Trustee may file and notice for hearing a motion for examination of attorney's fees.

## Chapter 13 Contested Matter Calendars

Judge Blumenstiel convenes her San Francisco Chapter 13 Contested Matter Calendar on the third Wednesday of each month at 1:00 p.m. Judge Blumenstiel conducts these hearings by Zoom. These dates are posted on the court's website.<sup>8</sup>

Judge Montali convenes his San Francisco Chapter 13 Contested Matter Calendar on the third Wednesday of each month at 10:00 a.m. Judge Montali conducts these hearings by Zoom. Judge Montali convenes his Santa Rosa Chapter 13 Contested Matter Calendar on the second Wednesday of each month at 10:00 a.m. Judge Montali conducts these hearings by Zoom. These dates are posted on the court's website.<sup>9</sup>

Generally, these Chapter 13 Contested Matter Calendars will include contested pre- and post-confirmation motions to dismiss filed by the Trustee or by a creditor or other interested party, unresolved objections to confirmation, objections to claims, contested motions to value liens under 11 U.S.C. § 506(a), contested motions to modify confirmed plans, and other contested matters ready for adjudication. Matters that require an evidentiary hearing will be scheduled for trial as the court's schedule permits.

Wherever possible (see B.L.R. 9014-1(b)(1)(A)-(E)), parties should follow B.L.R. 9014-1(b)(3) when providing notice of a motion, objection, etc. This does not apply to matters properly presented *ex parte* such as, for example, a request for extension of a Confirmation Deadline.

If the parties to a contested matter agree to a continuance of a hearing, they may file a Joint Notice of Continued Hearing or they may file a Stipulation to Continue Hearing. If the parties file a Stipulation, they should also upload a proposed order approving the Stipulation, which will bring the matter to chambers' attention. If one but not all parties to a contested matter would like a continuance, the party seeking the continuance should file an Ex Parte Application for Continuance supported by a declaration attesting to the reasons why they seek a continuance and the proposed continued date, must comply with B.L.R. 9006-1(c)(4), and must upload a proposed order.

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<sup>8</sup> Judge Blumenstiel's calendar dates are available here: <https://www.canb.uscourts.gov/procedure/san-francisco/blumenstiel-carlson-montali/open-calendar-procedure-san-francisco>

<sup>9</sup> Judge Montali's calendar dates are available here: <https://www.canb.uscourts.gov/procedure/san-francisco/blumenstiel-carlson-montali/open-calendar-procedure-san-francisco>

The court strongly encourages all lawyers and litigants without counsel to read and follow their presiding judge's Practices & Procedures.<sup>10</sup>

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