

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

FILED

SEP 17 1993

In re:)
)
Delegation of Duties to the Clerk of) Special Order 93-1
the Bankruptcy Court and his Deputies.)
_____)

Clerk, United States Bankruptcy Court
Eastern District of California

IT IS ORDERED that Special Order 81-1, dated March 3, 1981, and Special Order 87-1, dated June 17, 1987, are hereby abrogated.

IT IS FURTHER ORDERED that Richard G. Heltzel, the duly appointed Clerk of the U.S. Bankruptcy Court for the Eastern District of California, and his deputies shall have the same rights and powers, shall perform the same functions and duties and shall be subject to the same provisions of Title 28, United States Code, as a clerk and other employees appointed under 28 U.S.C. §751. Pursuant to the provisions of 28 U.S.C. §956 and 11 U.S.C. §105, in connection with cases and proceedings commenced under the Bankruptcy Code, and the provisions of the Federal Rules of Bankruptcy Procedure in connection with cases pending or reopened under the Bankruptcy Act, the clerk and such deputies as he may designate are authorized to sign and enter without further direction the following orders which are deemed to be of a ministerial, nondiscretionary, nonjudicial and/or administrative nature:

1. Orders compelling attendance of an entity for examination pursuant to Federal Rule of Bankruptcy Procedure 2004 on 30 days notice to the witness and held at a place within 100 miles of the residence or place of business of the witness, provided the motion does not include a request for the production of documentary evidence;
2. Orders fixing the last dates for the filing of objections to discharge, objections to confirmation of plans, acceptance or rejection of plans, complaints to determine the dischargeability of debts, proofs of claim, and amendments thereto;
3. Orders permitting the filing fee to be paid in installments as provided by the Federal Rules of Bankruptcy Procedure;
4. Orders granting discharge of debtors in chapter 7, 12 and 13 cases in which no objection to discharge is pending, and where the debtor has not executed a waiver of discharge or been otherwise denied a discharge;
5. Orders reopening cases pursuant to 11 U.S.C. §350(b) to administer assets, to permit the debtor's filing of a motion to avoid lien, or to file an adversary proceeding as provided in Federal Rule of Bankruptcy Procedure 4007(b);
6. After court approval of all amounts awarded therein, orders awarding compensation and expense reimbursements to trustees and other professionals in chapter 7 cases;

7. Final decrees, and orders closing cases and discharging trustees after notice affording opportunity to be heard and no request for hearing or objection having been filed;

8. Orders dismissing cases (i) pursuant to 11 U.S.C. §§1208(b) and 1307(b) without notice, (ii) under chapter 7, 11, and 12 on the court's own motion after notice to the master mailing list where no objections are pending (iii) under chapter 13 on the court's own or the Standing Chapter 13 Trustee's motion after notice to the debtor, debtor's attorney and trustee where no objections are pending and (iv) under any chapter after a hearing at which the court has so ordered;

9. Orders converting cases (i) pursuant to a debtor's request under 11 U.S.C. §706(a), 11 U.S.C. §1112(a), 11 U.S.C. §1208(a) and 11 U.S.C. §1307(a) without notice, (ii) pursuant to the court's own motion after notice to the master mailing list where no objections are pending and (iii) under any chapter after a hearing at which the court has so ordered;

10. Except with respect to priority claims, orders substituting the transferee for the original claimant on a proof of claim pursuant to the Federal Rules of Bankruptcy Procedure;

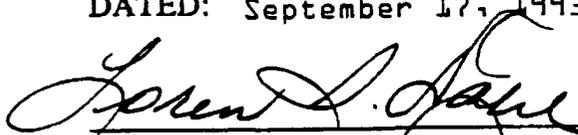
11. Orders presented by the Chapter 13 Standing Trustee ordering or releasing the debtor or any entity from whom the debtor receives income to pay all or part of such income to the trustee;

12. Orders confirming or modifying a chapter 13 plan where the approval of no attorneys' fees is sought, no objections to confirmation are pending and the trustee has approved the plan as satisfying the requirements of 11 U.S.C. §1325(a); and

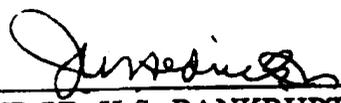
13. Orders dismissing adversary proceedings for lack of prosecution after notice to the parties affording opportunity to be heard and no request for a hearing having been filed.

IT IS FURTHER ORDERED that, in the interest of justice, a judge may suspend or withdraw the Clerk's and deputy clerks' authority to sign the foregoing orders at any time, on the judge's own motion, and regulate practice in accordance with the judge's direction.

DATED: September 17, 1993



CHIEF JUDGE, U.S. BANKRUPTCY COURT



JUDGE, U.S. BANKRUPTCY COURT



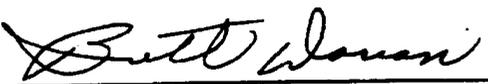
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