

# Memo

To: All attorneys that practice in the Lubbock Division  
From: Judge Robert L. Jones  
Date: July 12, 2021  
Subject: Hearings for Chapter 13 cases in the Lubbock Division

I have been asked to reconsider the requirement that chapter 13 debtors appear for confirmation and modification hearings on plans that propose to pay less than 70% to unsecured creditors. This requirement pre-dates my tenure on the bench and was imposed back when all debtors were expected to appear for their chapter 13 confirmation (and modification) hearings. Waiving the appearance for debtors with high percentage plans rewarded them for their efforts. As our procedures evolved over the years, this requirement applied to Lubbock cases only.

Our experience over the past year has led to further changes in how we handle hearings in all cases under all chapters. My memorandum of June 16, 2021 outlines the “new normal” going forward.

It is not fair to impose a requirement on chapter 13 debtors in Lubbock that is not applicable to debtors in other divisions. And if we have learned anything over the past year, it’s clear that working people bear a greater burden than others in a difficult time.

While I have routinely waived the appearance requirement for our debtors, I recognize that it can still be a hardship for some debtors to get-off work to attend an uncontested, routine hearing. I will, therefore, effective immediately, no longer expect our chapter 13 debtors to appear for uncontested confirmation and modification hearings. They are, however, certainly welcome and encouraged to attend any court proceeding in their cases and will obviously still need to attend in-person if the confirmation or modification of their chapter 13 plan is contested and their testimony is needed.