

UNITED STATES BANKRUPTCY COURT - DISTRICT OF HAWAII

Calendar “Preset” Hearings

In January 2019, the bankruptcy court implemented the CHAP calendar system and the use of preapproved “preset” hearing dates and times. Initially, the court limited the availability of presets to specified matters. As electronic filers have become accustomed to this system, the court has expanded the types of motions that may be self-scheduled without contacting the courtroom deputy in advance.

The following is an update to clarify the types of matters that are available as presets. Typically, these are matters that require 28-day notice and generally will be available until 30 days before the hearing date. For those still not familiar with the preset system, an introductory guide is attached at the end of this update.

Currently, presets include the following types of matters.

Motions for Relief from Automatic Stay and Codebtor Stay

These include motions to confirm absence of the stay. Typically, these are set on Tuesdays or Wednesdays at 9:30 a.m.

Chapter 13 Motions and Amended Plans

Generally, any motion or application in a chapter 13 case may use the designated preset BUT note the following:

- A motion for relief from the automatic stay or codebtor stay must be set on the relief from stay calendar, even if the motion is filed in a chapter 13 case. This includes a motion to confirm absence of the stay.
- A motion to extend the automatic stay under § 362(c)(3)(B) must be heard within 30 days after the case is commenced - please contact the courtroom deputy for a hearing date that satisfies this condition.
- Pursuant to Fed. R. Bankr. P. 3007, an objection to claim requires at least 30-day notice of the hearing (as opposed to the standard 28-day notice for most motions). Please ensure that the filing and service of the objection and notice comply with the rule.

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Chapter 7 Motions

Generally, any routine motion in a chapter 7 case requiring 28-day notice may use the chapter 7 presets. Please note that cases in which the trustee is **Elizabeth Kane or Richard Yanagi** are set for **9:30 a.m.** Cases in which **Dane Field** is the trustee are set for **10:30 a.m.** Typically, these are set on Monday mornings.

Chapter 11 Motions

Generally, any routine motion in a chapter 11 case requiring 28-day notice may use the chapter 11 preset. Typically, these are set on Mondays at 2:00 p.m.

Adversary Proceeding Motions

Generally, a motion in an adversary proceeding may use the designated preset. Typically, these are set on Fridays at 10:00 a.m., twice a month. There may be **limited availability** for hearing substantive matters such as motions to dismiss or for summary judgment. Contact the courtroom deputy if no slots are available.

Adversary Proceeding Scheduling Conferences

Scheduling conference in adversary proceedings generally are scheduled on one Friday every month at 2:00 p.m.

Special Presets by Case

Occasionally the court may create an additional for a specific case, e.g., when multiple motions are to be filed in a chapter 11 case or multiple objections to claims will be filed by a trustee. Please contact the courtroom deputy regarding scheduling a special preset.

ECF users should consult the available presets shown in the Available Chamber Presets in under Reports in CM/ECF. If the type of matter is not listed or special attention is required for a particular situation, please contact the courtroom deputy at calendar@hib.uscourts.gov.

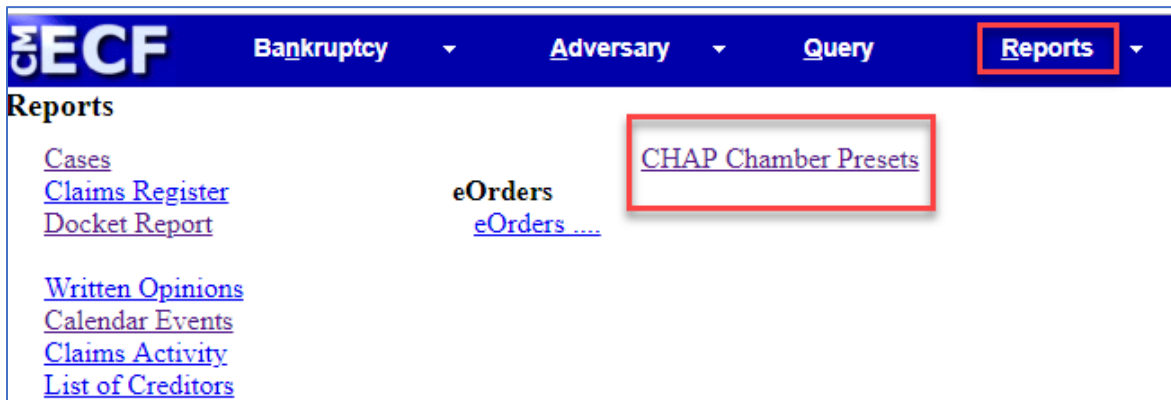
Note: Availability is restricted by number of slots as well as time period, so check availability immediately prior to preparing to file the notice of hearing. A hearing date that is available on one day may not be available a day later. Keep in mind that matters requiring 28-day notice generally will be cut off approximately 30 days prior to the hearing date. In addition, if an **amended** notice of hearing needs to be filed and the preset (or reserved) date is no longer in the drop-down list, please contact the courtroom deputy for instructions.

CHAP Chamber Presets

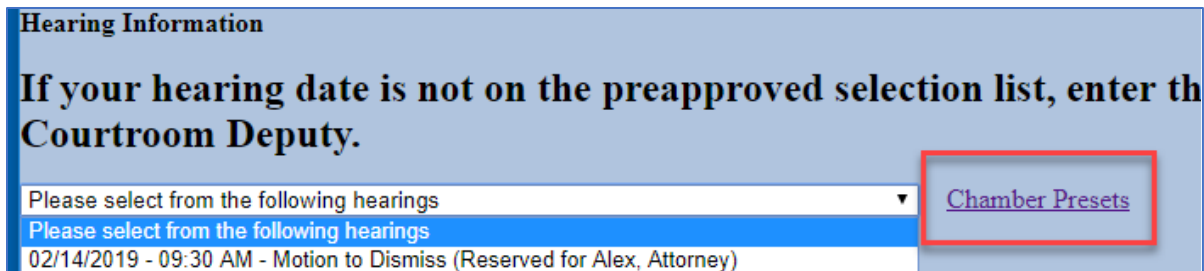
Using the CHAP court calendar system, the court can create a block of specific motion types with preapproved “**preset**” dates and times so that filers do not need to obtain a hearing date in advance from the courtroom deputy. Initially, the preset list was limited to a few types of motions but has been expanded to encompass most matters that require a hearing on 28-day notice.

Preset hearings are designated by types of matters. In addition, the number of slots on a particular date and time is limited, as well as the date range of availability (so that minimum notice requirements can be enforced). Generally, matters requiring 28-day notice are available until approximately 30 days before the hearing date.

The list of preset matters may be viewed in the Reports section of CM/ECF. Click on **CHAP Chamber Presets** in the **Reports** menu to view the availability table.



As shown below, there also is a link on the screen in CM/ECF that will appear while filing a notice of hearing. However, the availability table should be consulted in advance so the hearing information can be entered on the notice being filed.



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Clicking on [CHAP Chamber Presets](#) or [Chamber Presets](#) will generate the following report.

Available Chamber Presets				
Please Note: The slots, shown below, may not be available if you delay filing your notice of hearing. We recommend you docket your notice of hearing as soon as possible. Certain presets are restricted by case, chapter and or Trustees.				
Chambers of Judge Faris, Robert J.				
Preset Guidelines:				
Preset Date & Time	Available Slots	Time Allotted	Types of Hearings	Restrictions
Aug 12 2019, 9:30 am	11	5 mins	9:30 Ch 7 Motions (Trustees Kane & Yanagi)	Chapter 7 Only
Aug 12 2019, 10:30 am	9	5 mins	10:30 Ch 7 Motions (Trustee Field)	Chapter 7 Only
Aug 12 2019, 2:00 pm	12	5 mins	2:00 Ch 11 Motions	Chapter 11 Only
Aug 13 2019, 9:30 am	22	5 mins	Motions for Relief from Stay	N / A
Aug 19 2019, 9:30 am	12	5 mins	9:30 Ch 7 Motions (Trustees Kane & Yanagi)	Chapter 7 Only
Aug 19 2019, 10:30 am	12	5 mins	10:30 Ch 7 Motions (Trustee Field)	Chapter 7 Only
Aug 19 2019, 2:00 pm	12	5 mins	Ch 11 Motions	Chapter 11 Only
Aug 20 2019, 9:30 am	21	5 mins	Ch 13 Motions & Amended Plans	Chapter 13 Only
Aug 21 2019, 9:30 am	20	5 mins	Motions for Relief from Stay	N / A
Aug 23 2019, 10:00 am	8	5 mins	Adversary Proceeding Motions	N / A
Aug 26 2019, 9:30 am	14	5 mins	9:30 Trustee's Objections to Claims - Naturescape	Case 16-00982
Sept 13 2019, 2:00 pm	12	5 mins	Scheduling Conferences	N / A

DAYS After ▾

▾

Please Note: Today is not included in the calculation. Please refer to Fed. R. Bankr. P. 9006(a).

There is a date calculator at the report bottom to help calculate notice deadlines. The example below shows the 28-day deadline to file and serve a notice for a September 12 hearing. **NOTE!** This calculator does **not** adjust for holidays.

DAYS Before ▾

28 days before September 12, 2019 = Thursday, August 15, 2019

▾

Please Note: Today is not included in the calculation. Please refer to Fed. R. Bankr. P. 9006(a).

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Filing the Notice of Hearing

When filing the notice of hearing (or other court form that contains hearing information), a drop-down list will appear with the presets that are available. Select the pertinent hearing - this will fill in the date, time and location information in the fields below.

08/13/2019 - 09:30 AM - Motions for Relief from Stay [Slots: 22] Chamber Presets
Hearing Date: 08/13/2019 Hearing Time: 09:30 AM
Select **Courtroom** as Location: Courtroom, 1132 Bishop Street, Suite 250, Honolulu, HI 96813

NOTE! Do not attempt to enter any information in these fields, even if it is the same data. Typing in these fields will result in an error.

Non-Preset Matters

Some matters may require the courtroom deputy to reserve a hearing date and time manually in the system. For example, a matter for which the court has granted a motion to shorten time will need to be scheduled manually. Once the courtroom deputy makes the reservation in the CHAP calendar system, the reserved date and time will appear on the Hearing Information screen in CM/ECF. For example, if Alex Attorney requested a hearing for a motion to dismiss and was given a hearing for February 14, 2019 at 9:30 AM, the following would appear on the Hearing Information screen when filing the notice of hearing for that motion.

Hearing Information
If your hearing date is not on the preapproved selection list, enter the Courtroom Deputy.
Please select from the following hearings Chamber Presets
Please select from the following hearings
02/14/2019 - 09:30 AM - Motion to Dismiss (Reserved for Alex, Attorney)

Selecting the pertinent type of matter will fill in the date, time, and location on the screen. You will not be able to change that information. As noted above, typing in any information in the date, time and location fields will cause an error.