

**NANCY SPENCER GRIGSBY**

**CHAPTER 13 TRUSTEE**

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**POLICY CONCERNING 341 MEETING OF CREDITORS**  
**HEARINGS AND CONTINUANCES**

(Effective February 1, 2007)

Please be advised of the following policy standards concerning 341 meeting of creditors that will be effective on February 1, 2007. These standards apply only to the office of Nancy Spencer Grigsby, Chapter 13 Trustee:

- ❖ For cases where failure to appear by Debtor(s) Counsel or the Debtor(s) is without explanation or excuse prior to the scheduled meeting, the Trustee will file a Motion to Dismiss for failure to appear.
- ❖ For cases where Debtor(s) Counsel appears and puts his or her appearance on the record, but the Debtor(s) fails to appear, one (1) continuance will be given if there is a reasonable explanation justifying the debtor(s) failure to appear.
- ❖ For cases where Debtor(s) Counsel and/or Debtor(s) appears late after the time slot for that case to be called, the meeting may be conducted at a later time slot during that day, or one (1) continuance will be given if there is a reasonable explanation for tardiness. Hearing a case the same day when parties are late is strictly at the discretion of the Trustee, depending on the caseload.
- ❖ A case will not be continued prior to the scheduled 341 meeting unless a written request is received by the Trustee, and the Trustee has given written approval of the continuance. If a request for a continuance is received and no response in writing is returned to the Debtor(s) or Debtor(s) Counsel, the parties must appear at the 341 meeting or the Trustee may file a Motion to Dismiss. If a chapter 13 plan payment has come due, authorization of a continuance is contingent upon receipt of the payment(s). Proof of the mailing of the payment (cancelled check or signed receipt for the payment received) must be presented. The Trustee will not continue a 341 meeting if there is a delinquent plan payment(s).
- ❖ If the Debtor's Counsel has a scheduling conflict with another matter, the Trustee expects that a written request for a continuance be received as soon as the conflict arises. It is unacceptable for a continuance request to be received by the Trustee the day before a scheduled 341 meeting, when the parties were aware of the conflict prior to the request.
- ❖ A conflict with another 341 meeting in Baltimore is not grounds for a request for a continuance. Debtor's counsel should make arrangements for one or the other of the hearings to be covered by another attorney.