

LBR 3022-1

Final Decree in Chapter 11 Reorganization Case

(a) Final Decree and Closing of Cases

(1) Final Account Filed

Twenty (20) days following the filing of the final account, the final decree may will be entered and case shall be closed unless a motion is filed requesting that the final decree not be so entered.

(2) Final Account Not Filed

If a final account has not been filed within one hundred eighty (180) days following the confirmation of the plan, a final decree may be entered and the case closed unless a party in interest has filed a written objection. The notice of the confirmation of the plan shall include notice that the final decree will be entered and the case closed without a final account unless an objection is filed within one hundred eighty (180) days following confirmation.

(3) Exception Where Debtor is an Individual

Notwithstanding paragraph (1) and (2) above, cases where the debtor is an individual shall not be closed until a discharge has been granted, denied, or waived to or by the debtor.

Note: It is proposed to change the mandatory “will” to the discretionary “may” is more reflective of the actual policy. There are times when, even though no one has objected to the entry of the final decree, the case in fact is not fully administered, such as open motions concerning case related items, such as fee requests or claims issues, or the granting of a discharge in a case where the debtor is an individual.

Related Provisions

FRBP 3022 Final Decree in Chapter 11 Reorganization Case

11 USC 1141 Effect of Confirmation

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