

Rule 1017-4

Dividing of Joint Cases

(a) Motion and Notice

A debtor in a joint case desiring that the case be divided shall file a motion, with ~~ten (10)~~ *fourteen (14)* days notice and hearing to a non-joining debtor, attorney for the debtor and the trustee.

(b) Supporting Documentation

The motion shall be accompanied by the requisite fee and affidavit or unsworn statement under penalty of perjury supporting the motion and describing the effect on the administration of either of the cases or estates that the granting of the motion would likely have.

(c) Chapter 12 & 13 Cases

If the case to be divided is a Chapter 12 or 13 case, the motion to divide shall also include a motion that one of the divided cases, specifically identified by individual debtor, be converted upon entry of the order dividing the cases.

Related Provisions:

FRBP 1017(f)	Procedure for Dismissal, Conversion or Suspension
FRBP 1019	Conversion of a Chapter 11, 12 or 13 Case
LBR 1015-1	Joint Administration/Consolidation
LBR 1017-1	Conversion or Dismissal of Joint Cases
LBR 1017-2	Conversion of Chapter 11 Case to Chapter 12 or Chapter 13 Case
LBR 1017-3	Conversion or Dismissal of Chapter 11 Cases
11 USC 302	Joint Cases
11 USC 541	Property of the Estate
11 USC 1208	Conversion or Dismissal
11 USC 1307	Conversion or Dismissal