

March 3, 2009 [www.orb.uscourts.gov](http://www.orb.uscourts.gov)

### **Recent Opinions**

*In re Grimes*, No. 08-34275

February 5, 2009

11 USC §1322(b)(2), homestead exemption, modification of creditor rights, residence

The court overruled a secured creditor's objection to confirmation of a chapter 13 plan that modified its rights. The triplex on which creditor held a security interest was the debtor's principal residence, but it was also rental property. Thus under §1322(b)(2) the plan could modify the creditor's rights.

Click on [Opinions](#) (the last item in the column headed **Information for Attorneys**), for two search options. Clicking on [To view a list of all current opinions](#) takes you to a list of opinions organized by date, most recent to oldest. Entering a search term in the box on the Opinions page produces a list of results. Search logic for opinion searches appears on the [Opinions](#) page.

The [Opinions](#) page now has an improved display of search results, showing case name and number, opinion date and file size. Click on the portion of the opinion shown to see the full opinion in searchable pdf format.

The Clerk's office continues to work on the Opinions search feature. If you have specific suggestions for improvement, please let me know.

### **NEW ITEM:**

#### **Chapter 7/13 Relief from Stay Hearings**

Schedules for these hearings now appear on the [Judges' Calendars](#) page, which can be found either under **Calendars** or **Information for Attorneys** on the main page.

### **PREVIOUSLY PUBLISHED ITEMS:**

The following is a summary of items added in the past several weeks.

#### **Local Bankruptcy Forms**

Several LBFs have been updated recently. On the home page, click on **Rules & Forms**, then **Local Bankruptcy Forms**, to access all local forms.

LBF 335 and LBF 335.5 were updated January 1, 2009.

LBFs 100 and 115 (mileage fee) were updated February 1, 2009.

LBF #541.1 was updated February 13, 2009.

Updated forms required by March 1, 2009: ADV, 541, 717.15, 721, 721.3, 1124, 1191.3, 1351L (Long), 1351P (Lynch), 1351R (Ridgway), and 1366.3 (Lynch only).

#### **Unclaimed Funds**

The Petition for Unclaimed Funds was updated December 1, 2008. The Unclaimed Funds Reports (4/1/08 through 12/31/08 and Full Report Through 12/31/08) were updated on January 20, 2009.

#### **General Order #09-1**

GO #09-1 was posted to the site on January 27. It orders numerous changes to Local Bankruptcy Rules. Many of the changes are aimed at providing clarity or correcting errors. Click on "1/27/09 - General Order (G.O. #09-1)" under Court News & Announcements on the home page.

#### **Local Bankruptcy Rules**

The following local rules were updated on January 27, 2009, in accordance with GO #09-1: 1002-1(b), 1080-1, 2002-1(j) and 7026-1(f)

**ECF Training**

Lawyers get 4 CLE credits for ECF training. Sessions run from 8:30 am to 12:30 pm. The currently scheduled training dates for **Eugene and Portland** are March 11 and April 23.

**Message from Clerks Office**

Please **do not modify** the fixed text in a local bankruptcy form (LBRs 1001.1.F. and G.)! If adequate room does not exist in any area, attachment pages may be added to the end of the form for inclusion of essential text.

**Debtor-Creditor Section Website**

An archive of these court updates is maintained on the Debtor-Creditor Section website at <http://www.osb-dc.org/orb.htm>.