

CHAMBERS GUIDELINES

Consult the Court's [Local Rules](#) and applicable [Operating Orders and Local Forms](#). The Court's [CM/ECF Participant's Guides](#) provide guidance about select events available to a CM/ECF participant (*see* SC LBR 5005-4(b)) to assist with requests for relief.

After the case is opened by the filing of a petition, *pro se* individuals may request relief by motion or complaint (consult SC LBR 5005-4(d)).

Non-CM/ECF users must follow applicable filing procedures under SC LBR 5005-4(d) for all items, below.

HEARING CALENDAR

Parties must comply with SC LBR 9013-2, if applicable, prior to any scheduled hearing.

Telephonic/Videoconference Participation

CM/ECF users must request to participate by telephone or videoconference by filing the "Request to Appear Remotely" event in CM/ECF (except as permitted by SC LBR 5005-4(c)). Such requests should be made as soon as possible, but no later than two (2) business days before the date of the hearing. If a request is permitted and made via EDSS, it must include an explanation for the remote appearance request, the extent of the party or counsel's participation at the hearing, whether evidence or testimony will be presented, and should advise that all opposing counsel/parties consent. Counsel and parties should anticipate attending the hearing in person unless the Court approves the request for remote appearance. If the matter requires the presentation of evidence or testimony, requests for remote appearance will likely be denied.

Withdrawal

A proponent may withdraw a pleading before a response or objection is filed by using the "Withdrawal of Document" or the "Withdrawal from the Court Calendar" event in CM/ECF. If a response or objection is filed, withdrawal shall be made only with the consent of all responding parties, and the "Withdrawal from the Court Calendar" event in CM/ECF shall be used. The consensual withdrawal of a contested matter may be made by the proponent no later than 10:00 a.m. on the business day prior to the hearing.

Continuance

A consensual continuance request may be made using the "Request for Continuance" event in CM/ECF. The request must be made **as soon as possible** and no later than 10:00 a.m. on the business day prior to the hearing, propose a date and time for the continued hearing from the dates available on the published calendar, and state the specific reason for the request. Continuances are not effective until granted by Court order.

Absent the consent of all parties in interest, a written motion requesting a continuance must be filed and served. The motion must report the movant's good faith effort to consult with all

opposing counsel, the reason for the request, whether any of the parties consent to a continuance, a proposed date and time for the continued hearing, and the availability, if known, of opposing counsel.

Other Calendar Management Deadlines

Settlements and requests for entry of orders by default or consent should be received by the Court as soon as possible but no later than 10:00 a.m. on the business day prior to the scheduled hearing.

Nothing herein shall alter any deadline established in a hearing notice, applicable rule or authority, or prior order of the Court.

11 U.S.C. § 362 MOTIONS

The Court provides the following automated events to assist with the processing of § 362 Motions.

Default of Motion for Relief from Stay

If no response to a request for relief pursuant to § 362 is timely filed, the movant may file the CM/ECF event “Certification of No Response and Request for 362 Default Order.” For removal from the calendar, the Certification must be filed no later than 10:00 a.m. on the business day prior to the hearing. The filing of this event generates an automated proposed order. There is no need to file a calendar removal request, affidavit of default, or proposed order.

Default of § 362 Settlement Order

In the event of default under the terms of a settlement order, a party may file the CM/ECF event “Default of 362 Settlement Order” and state the details of the default, including with specificity the payments that have not been received since entry of the settlement order. The filing of this CM/ECF event generates an automated proposed order. There is no need to file an affidavit of default or proposed order.

ADDITIONAL INFORMATION REGARDING CHAPTER 13 CONFIRMATION HEARINGS

In advance of any confirmation hearing, the Chapter 13 trustee will post information or notify debtor’s counsel or the debtor regarding deficiencies in a debtor’s plan, schedules or statements, any other recommendations regarding confirmation of a Chapter 13 plan, and any other matters involving the trustee. The trustee assists the Court in identifying matters that are resolved and do not require a formal hearing, and with the scheduling and continuance of confirmation hearings. The trustee shall file any recommendation or request on the CM/ECF docket beginning at the time the applicable objection period for any matter has passed and continuing to the date of the hearing, including making recommendations on the hearing record. Settlements, trustee recommendations, and other agreed-upon dispositions shall be noted on the Court’s record and approved by the judge at the appropriate time. If the trustee is informed of a resolution of a matter and the trustee has agreed to such resolution, the trustee may excuse the attendance of other parties (whether the hearing is held telephonically or in-person) and report the resolution on the record.