

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

FILED

2014 SEP 16 P 3: 13

In re:

Administrative order addressing exception
to Local Bankruptcy Rule 9010-1(a)(1)

U.S. BANKRUPTCY COURT
E.D. MICHIGAN-DETROIT

Administrative Order
No. 14-10

**ADMINISTRATIVE ORDER ADDRESSING
EXCEPTION TO LOCAL BANKRUPTCY RULE 9010-1(a)(1)**

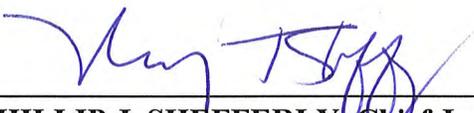
Local Bankruptcy Rule 9010-1(a)(1) provides that a corporation, partnership or other entity other than an individual may not appear in a case or adversary proceeding unless it is represented by an attorney duly admitted to and in good standing with the bar of the United States District Court for the Eastern District of Michigan. The rule sets forth the following six exceptions:

- (A) The signing or filing of a request for notice;
- (B) The signing or filing of a proof of claim or a ballot;
- (C) The attendance and participation at a meeting of creditors or of an official committee;
- (D) The signing or filing of a pleading or paper resolving an objection to a proof of claim;
- (E) The signing or filing of a stipulation adjourning a hearing or extending a deadline; or
- (F) The filing of an appearance under Local Rule 2002-5.

The Court is entering this administrative order to create another exception for a recurring circumstance in Chapter 13 cases that is not specifically addressed by this rule. The Court has observed in some Chapter 13 cases and adversary proceedings to strip liens from a debtor's real property that the entity that holds the mortgage that is being stripped expressly consents to the lien

strip by having an employee, officer or individual, other than an attorney admitted to practice in the District Court for the Eastern District of Michigan, sign a stipulation on behalf of the entity, indicating a representative capacity. The stipulation is then filed either in the Chapter 13 case or in the adversary proceeding. The issue is whether a stipulation signed in this manner must also be signed by an attorney admitted to practice in the District Court for the Eastern District of Michigan. The Court finds that the signing and filing of a stipulation consenting to a lien strip either in a Chapter 13 case or in an adversary proceeding does not constitute the practice of law, and is therefore excepted from the requirement of L.B.R. 9010-1(a)(1).

IT IS SO ORDERED.



PHILLIP J. SHEFFERLY, Chief Judge
United States Bankruptcy Court

Dated: September 16, 2014