

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

IN RE:

Entered April 27, 1995

GENERAL ORDER WITH RESPECT
TO 1994 AMENDMENTS TO 11 U.S.C.
§524

ORDER NO. 95- 6

GENERAL ORDER

On October 22, 1994, several amendments were made to the United States Bankruptcy Code, including several changes to §524. In an effort to articulate the agreement of the judges of the Southern District of Texas with respect to practice under §524, as amended,, and prior to the date of enactment of an amended Local Rule 4008 dealing with such issues, the court hereby issues the following standing order.

**Reaffirmation Hearings under §524 and Orders
Approving Reaffirmation Agreements**

No reaffirmation hearings will be conducted for reaffirmation agreements filed and accompanied by declaration or affidavit of the attorney that represented the debtor during the course of negotiating the agreement which states:

1. Such agreement represents a fully informed and voluntary agreement by the debtor;
2. Such agreement does not impose an undue hardship on the debtor or dependent of the debtor; and
3. That the attorney fully advised the debtor of the legal effect and consequences of a reaffirmation agreement and default under the agreement.

No orders will be signed approving reaffirmation agreements in the absence of a hearing held under 11 U.S.C. 524(d). It is the responsibility of counsel for the respective parties, whether debtor or creditor, to ensure the content of a reaffirmation agreement satisfies the statutory criteria set forth in §524 (c) (1) (6).

IT IS THE RESPONSIBILITY OF EACH PROSE DEBTOR (OR ANY OTHER INTERESTED PARTY OR COUNSEL) WHO WANTS THE COURT TO SIGN AN ORDER APPROVING A REAFFIRMATION AGREEMENT TO OBTAIN A TIMELY HEARING UNDER BR 4008 AND 11 U.S.C. §524(d).

The Clerk is directed to place this order in the General Order file maintained for the United States Bankruptcy Court, as well as to post a copy in a conspicuous place at Intake to advise counsel and prose debtors of this procedure.

Signed this 17th day of April, 1995.

/Signed/
MANUEL D. LEAL, CHIEF JUDGE
U. S. BANKRUPTCY COURT

/Signed/
NORMAN W. BLACK
CHIEF JUDGE
FOR THE U.S. DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS