



**U. S. Department of Justice**

Office of the United States Trustee

Region 18: Alaska, Idaho, Montana,  
Oregon and Washington

1200 Sixth Avenue  
Park Place Building  
Suite 600  
Seattle, Washington 98101

Phone: 206-553-2000  
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October 6, 2003

**UNITED STATES TRUSTEE'S POLICY REGARDING  
RESCHEDULING MEETINGS OF CREDITORS**

- I. GENERAL RULE.** Meetings of creditors scheduled pursuant to 11 U.S.C. §341(a) and Federal Rule Bankruptcy Procedure 2003 will not be reset due to the unavailability of either the debtor or debtor's attorney except as set forth below.
- II. CIRCUMSTANCES THAT MAY JUSTIFY RESCHEDULING THE MEETING OF CREDITORS.** A meeting of creditors will be rescheduled only if the trustee consents and cause exists based on the following:
- A. The debtor or debtor's attorney has a medical or family emergency or unavoidable medical treatment regarding a critical immediate health threat that prevents attendance at the meeting; or
  - B. Other compelling circumstances exist.
- III. CIRCUMSTANCES THAT WILL NOT JUSTIFY RESCHEDULING A MEETING OF CREDITORS.** A meeting of creditors generally will not be rescheduled if the request is based on the following circumstances:
- A. The work schedule of the debtor or the debtor's attorney including conflicting meetings, hearings, and trials in other courts or tribunals;
  - B. Business or personal travel by the debtor or the debtor's attorney;
  - C. A routine medical appointment for the debtor or the debtor's attorney;
  - D. The debtor's change of residence or work location;

- E. The failure of the debtor or the debtor's attorney to properly calendar the meeting of creditors; or
- F. Alleged failure to receive the meeting of creditors notice.

**IV. PROCEDURES FOR REQUESTING A RESCHEDULED MEETING OF CREDITORS.** Unless provided otherwise by local court rule, the following procedures apply:

- A. Form of request.** The debtor/debtor's attorney must make a written request to reschedule a meeting of creditors to the trustee with a copy to the UST if there is sufficient time before the meeting. The request may be in the form of a letter. An oral request may be made at or before the meeting *only* if there is insufficient time to make a written request.
- B. Timing of request.** The debtor/debtor's attorney must make the request at the earliest possible time.
- C. Content of request.** The request must state:
  - 1. The debtor's name and case number;
  - 2. The date and time of the meeting of creditors; and
  - 3. The reason for the request for a rescheduled meeting of creditors.
- D. Approval.** The trustee will advise the requesting party if the request is approved and the date and time of the new meeting of creditors.
- E. Notice of new date.**
  - 1. If the request to reschedule is approved ten or more days before the originally scheduled meeting of creditors, the debtor/debtor's attorney must immediately serve notice of the rescheduled meeting date and time on all creditors and interested parties using the form of notice specified by the UST and the trustee will announce the new date and time at the originally scheduled meeting.
  - 2. If the request to reschedule is approved less than ten days before the originally scheduled meeting, the debtor/debtor's attorney must immediately notify, by phone, e-mail, or facsimile, those creditors and interested parties who are likely to attend the meeting of the new meeting date and time and the trustee will announce the new date and time at the originally scheduled meeting.
  - 3. If the request to reschedule is approved at the initial meeting of creditors because the circumstances giving rise to the request were unknown to the debtor or debtor's attorney in sufficient time to provide the notice specified in

1. or 2. above, the trustee, at the initial meeting, will announce the date and time of the rescheduled meeting.



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