

INSTRUCTIONS FOR USING FORM LF009ECF

1. This form is designed for use only in Chapter 13 cases where the debtor seeks the return of property taken by repossession or garnishment immediately prior to the filing of a bankruptcy case. Requests for money judgment, specific performance or declaratory relief should not be made by way of this form, but should be made by way of summons and complaint.
2. The full name and address of the defendant must be provided. This information will be used to create the Notice of Expedited Hearing on Complaint for Turnover of Property to the Estate.
3. Service of the Complaint for Turnover of Property to the Estate and of the Notice of Expedited Hearing on Complaint for Turnover of Property to the Estate must be made as provided in FED. R. BANKR. P. 7004. That rule should be carefully consulted concerning the requirements of service for defendants who are not natural persons.
4. In addition, because hearings on these complaints are set on an expedited basis, the plaintiff or attorney for the plaintiff must give telephonic notice of the filing of the complaint and the date and time of the hearing to the defendant.
5. The plaintiff or attorney for the plaintiff should file a certificate of service indicating the date and manner of service well in advance of the scheduled hearing.