

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF LOUISIANA

BANKRUPTCY STANDING ORDER 2006-2

**Debtors Asserting an Exception to the Limitation of the Automatic Stay
Under 11 U.S.C. § 362(l) and Procedure for Receiving Rent Deposits**

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 added 11 U.S.C. § 362(l) to give a debtor certain rights and obligations to cure a monetary default that gave rise to a pre-petition judgment of possession regarding residential property in which the debtor resides as a tenant under a lease or rental agreement. Sections 362(l)(1)(B) and 362(l)(5)(D) of the Code provide that the debtors shall deposit, with the Clerk of Court, any rent that would become due during the 30-day period after the filing of the petition, and that the Clerk shall promptly transmit the rent to lessors. Accordingly,

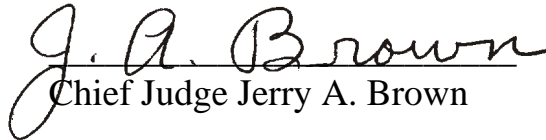
IT IS ORDERED that effective as to cases filed on or after the date of this order:

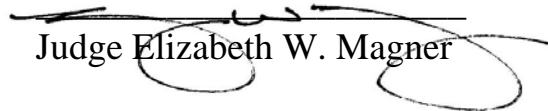
(1) any deposit of rent made by or on behalf of a debtor, pursuant to § 362(l)(1)(B) of the Code, must be in the form of a certified check or money order payable to the order of the lessor and delivered to the Clerk of Court upon filing of the petition (or within two business days if the petition is filed electronically) and the certification made under § 362(l)(1)(A) of the Code;

(2) the debtor must file a copy of the judgment of eviction together with the petition; and

(3) upon the Clerk's receipt of a certified check or money order payable to the order of the lessor, with a copy of the judgment of eviction, tendered by a debtor pursuant to § 362(1)(1), the Clerk is directed to transmit promptly the certified check or money order to the lessor by certified mail to the address listed in the petition and to record information from the check and notice of its transmittal to the lessor on the docket.

New Orleans, Louisiana, February 2, 2006.


Chief Judge Jerry A. Brown


Judge Elizabeth W. Magner