

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

**STANDING ORDER ADOPTING MANDATORY  
FORM CHAPTER 13 PLAN EFFECTIVE AUGUST 1, 2015**

**IT IS HEREBY ORDERED** that the attached forms “Exhibit A – Chapter 13 Plan Summary” and “Exhibit B – Mandatory Form Chapter 13 Plan” and the instructions below are adopted by the Judge of this Court for use by all Chapter 13 debtors for cases filed on or after August 1, 2015. No other form of Chapter 13 Plan or Plan Summary shall be allowed.

**IT IS FURTHER ORDERED** that this Standing Order abrogates all prior orders adopting a form plan in this division and it shall become effective August 1, 2015, and shall remain in effect until further order of the Court. Any standing order(s) contrary to the proposed plan are hereby vacated but only in the Shreveport Division.

Debtors must file both “Exhibit A – Chapter 13 Plan Summary” and “Exhibit B – Mandatory Form Chapter 13 Plan” in every Chapter 13 case within the time required by Bankruptcy Rules 3015(b). The Clerk of the Court may serve “Exhibit A – Chapter 13 Plan Summary” pursuant to Bankruptcy Rule 3015(d). It is prohibited to alter either the Chapter 13 Plan Summary or Mandatory Form Chapter 13 Plan.

Special provisions, if any, may be added only in the area of the Mandatory Form Plan specifically designated as “Non Standard Provisions.” Special provisions are restricted to those items applicable to the particular circumstances of the debtor. Special provisions shall not contain a restatement of provisions of the Bankruptcy Code, the Federal Rules of Bankruptcy Procedure, the Local Bankruptcy Rules, or the Mandatory Form Plan. Noncompliance may result in the reduction or disallowance of attorney fees and/or the suspension of the provisions of LBR 2016-1 or other appropriate sanctions.

Unless otherwise ordered by the Court, all vehicle payments, whether lease or loan, shall be made by the Trustee. The plan shall specify the month in which the Trustee’s regular monthly disbursement on the lease or loan shall begin.

Unless otherwise ordered by the Court, or agreed to by the Trustee, funding of a Chapter 13 plan shall be by payroll deduction. Payroll deduction shall be effected by order of the Court. The order may be tendered by the debtor with the filing of the plan. No motion for payroll deduction is necessary. Failure to enter into a wage order may be grounds for *sua sponte* dismissal.

An amended plan filed prior to confirmation shall clearly show any changes from the prior plan by reflecting the changes in bold, italics, strikethrough, or otherwise.

Modifications to Chapter 13 plans for cases filed on or after August 1, 2015 shall be in the mandatory form attached as "Exhibit C." A plan modification proposed after confirmation shall be made by motion and must be filed and served on the Chapter 13 Trustee, the United States Trustee, and all adversely affected parties, including, when appropriate, the debtor and the case attorney. Proposed plan modifications shall include:

- (1) A particular reference to the provisions of the confirmed plan that are being modified, including any proposed percentage to be paid to unsecured creditors and the approximate number of months required to complete the proposed modified plan;
- (2) The extent to which the proposed modification affects the rights of creditors or other parties in interest;
- (3) The date(s) of the confirmation order of the original plan and of any previous modified plan(s);
- (4) If a motion to modify the plan proposes to decrease the dividend to unsecured creditors or to extend the length of the plan, the reason for the modification, including any change in circumstances since confirmation; and
- (5) If the motion to modify proposes to change the amount of any periodic payment to the plan, amended schedules I and J.
- (6) Post-confirmation modifications shall be labeled as such. An amended plan will not be considered a post-confirmation modification.

Objections to modifications must be filed and served within twenty-one (21) days after the date of service of the motion to modify, or as otherwise noticed by the Trustee or ordered by the Court. Objections to motions to modify shall be in writing, filed and served on the debtor, the debtor's attorney, the Chapter 13 Trustee, and the United States Trustee. The objection shall conform to the requirements of an objection to a Chapter 13 plan and Bankruptcy Rule 9014.

Plans or plan modifications that appear to the Court to meet all statutory tests for confirmation and to which no objections to confirmation have been filed may be confirmed on the consent docket without actual presentation. Cases in which plans are confirmed or modified on the consent docket may be read into the record at the confirmation hearing, may be posted on the Court's or Trustee's website any time prior to the scheduled confirmation hearing date, or may be listed on the hearing docket. It is the duty of the debtor's attorney, the Trustee, or parties in interest to inform the Court of any existing bar to confirmation. Cases with pending objections will not be placed on a consent docket. Deficiencies in the plan noted by the Trustee at the § 341 meeting must be cured in a manner which is evident upon review of the case file or the plan will not be scheduled on a consent docket.

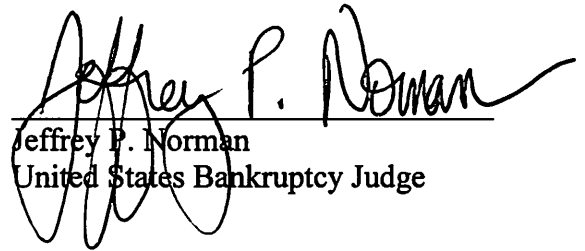
The debtor shall file all amendments, appraisals, stipulations, and other papers necessary to place the plan in a posture for confirmation or modification at least five (5) days prior to the confirmation or plan modification hearing. Cases not in a posture to be confirmed or modified may be dismissed with prejudice.

All required forms in fillable PDF format shall be available for download at the Western District of Louisiana Bankruptcy Court web site and future form revisions, if any, will be so noted.

This standing order shall only apply to Chapter 13 cases assigned to Judge Jeffrey P. Norman.

**IT IS SO ORDERED.**

Dated: 7/8/2015

  
\_\_\_\_\_  
Jeffrey P. Norman  
United States Bankruptcy Judge

Debtor(s): \_\_\_\_\_

Case No.: \_\_\_\_\_

Date: \_\_\_\_\_

Check if this is an amended plan

**CHAPTER 13 PLAN SUMMARY**

*Pursuant to Fed. Bank. Rule 3015(d) a summary of the plan shall be included with each notice of the hearing on confirmation. Your rights may be affected by the Chapter 13 Plan proposed by the debtor(s). You should obtain a copy of the Chapter 13 Plan and you should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one. If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation The Bankruptcy Court may confirm the Chapter 13 plan without further notice if no objection to confirmation is filed. In addition, you must file a proof of claim --or one must be filed on your behalf --in order for you to be paid under any plan that may be confirmed.*

**Disposable Income and Plan Payments**

Projected Schedule "I" Income \$ \_\_\_\_\_

Projected Schedule "J" Income \$ \_\_\_\_\_

Projected Disposable Income

Plan Payments:

Month #1 to Month # Payment \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Month # to Month # Payment \$ \_\_\_\_\_ Total \$ \_\_\_\_\_

Additional Payments to Trustee (describe below) Total \$ \_\_\_\_\_

Grand Total of All Plan Payments \$ \_\_\_\_\_

Less Posted Chapter 13 Trustee Fee \$ \_\_\_\_\_

Net Available \$ \_\_\_\_\_

**Projected Trustee Disbursements to Priority and Secured Creditors:  
Payments**

Name of Holder	Type of Claim	Collateral or None	Interest Rate or None	Minimum Monthly Payment (may be zero)	Total Payments

**SUMMARY OF PAYMENTS**

Net Available to Creditors	\$ _____
Less Estimated Attorney Fees	\$ _____
Less Total Priority Creditors	\$ _____
Less Total Secured Creditors	\$ _____
Net Available for Unsecured Creditors	\$ _____
Estimated General Unsecured Claims	\$ _____
Forecast % Dividend on General Unsecured Claims	_____

**BEST INTEREST TEST**

Value of total non-exempt property	\$ _____
Total distributions to all priority and general unsecured creditors	\$ _____

Debtor(s): \_\_\_\_\_

Case No.: \_\_\_\_\_

Date: \_\_\_\_\_

Check if this is an amended plan

**Chapter 13 Plan**

**Part 1: Notice to Interested Parties**

Check all that apply: These plan provisions will only be effective if the applicable boxes are checked.

- The plan sets out nonstandard provisions in Part 9b.*
- This Plan limits the amount of secured claims in 3.1(d) and/or 3.2 based on a valuation of the collateral for the claim.*
- This Plan avoids a security interest or lien in 3.1(c) and/or 3.4.*
- This Plan cures or maintains a loan secured by the Debtor's principal residence in 3.1(a).*
- This Plan provides for the treatment of a Domestic Support Obligation in 4.4 and/or 4.5.*
- This plan includes a claim that was either: (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s); or (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.*

**Important Notice: Your rights may be affected. Your claim may be reduced, modified, or eliminated.**

You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you must file a proof of claim –or one must be filed on your behalf –in order for you to be paid under any plan that may be confirmed.

**Part 2: Plan Payments and Length of Plan**

2.1 Debtor(s) will pay to the trustee \$ \_\_\_\_\_ per \_\_\_\_\_ for \_\_\_\_\_ months

**2.2 Payments to the trustee will be made from future earnings in the following manner:**

Debtor(s) will make payments pursuant to a payroll deduction order unless otherwise excused by the Chapter 13 Trustee or the Bankruptcy Court.

**2.3 Additional payments to the trustee will be made as follows:**

On or before April 20 of the year following the filing of this case and each year thereafter, Debtor(s) will submit to the trustee a copy of the federal tax return filed for the prior year as directed by the trustee.

Each Debtor may spend tax refunds up to \$1,000.00 per year received during the plan term. Debtor(s) may spend tax refunds above \$1000.00 per debtor with the permission of the Chapter 13 Trustee or Court. Refunds in excess of \$1,000.00 may be the basis for plan modifications filed by the Chapter 13 Trustee.

Other sources of funding, including the sale of property. Describe the source, amount, and date when available:

- 2.4 The applicable commitment period is:  36 months, the debtor is below median income.  
 60 months, the debtor is above median income.

Debtor shall make plan payments in the amount set forth in this Plan for no less than the applicable commitment period, but not to exceed 60 months. The dividend to be paid to unsecured creditors shall be no less than the dividend or sum set forth under 5.1.

**Part 3: Treatment of Secured Claims**

None [If "None" is checked, the rest of § 3.1 need not be completed or reproduced]

**3.1.a Maintenance of conduit payments and cure of any default - Real Property**

None [If "None" is checked, the rest of § 3.1.a need not be completed or reproduced]

The debtor(s) will maintain the contractual installment payments and cure any default in payments on the secured claims listed below. The allowed claim for any arrearage amount will be paid under the plan, with interest, if any, at the rate stated. Unless otherwise ordered by the court, (1) the amounts listed on the proof of claim control over any contrary amounts listed below as to the current installment payment and arrearage, and (2) if relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, all payments under this plan as to that collateral will cease and all claims as to that collateral will no longer be treated by the plan. Other secured claims regarding the collateral shall continue to be paid unless the plan is otherwise modified.

If conduit mortgage payments are required or proposed by Debtor, then regular monthly mortgage payments on the mortgage claims set forth in Part 3.1.a, above, shall be disbursed by the Trustee beginning with the first calendar month after the Petition Date. Upon the filing of a Notice of Mortgage Payment Change, the Plan shall be deemed modified to permit the Trustee to disburse the new payment amount. The terms of Standing Order for Chapter 13 Trustee Procedures for Administration of Home Mortgage Payments adopted by the Court on January 30, 2015 (and as may be amended) are incorporated by reference.

Name of Creditor	Collateral	Current Installment Payment (including escrow payment)	Estimated Amount of Arrearage	Average Monthly Plan Payments on Arrearage Pro Rata
_____	_____	\$ _____	\$ _____	
_____	_____	Disbursed by: Trustee		
_____	_____			

**3.1.b Direct Mortgage Payments - Real Property**

None [If "None" is checked, the rest of § 3.1.b need not be completed or reproduced]

Regular monthly payments on the following mortgage claims will be paid directly by Debtor, if direct payments are permitted.

Name of creditor	Property Address	Monthly Payment Amount
_____	_____	\$ _____

**3.1.c Liens and/or Mortgages to be Paid as Unsecured Claims - Lien Strip**

None [If "None" is checked, the rest of § 3.1.c need not be completed or reproduced]

The following claims secured by a lien and/or mortgage will be paid as unsecured claims concurrent with Part 5 nonpriority unsecured claims. Debtor shall file a separate motion or adversary (prior to confirmation) to determine: (i) whether the property listed below vests free and clear of the lien(s) and/or mortgage(s) pursuant to § 1327 or (ii) whether the lien(s) and/or mortgage(s) listed below may be avoided pursuant to other applicable provisions of the Bankruptcy Code. Confirmation of the Plan shall be dispositive of the value of the collateral and the secured status of the claims. Debtor has standing and authority to file the motion or adversary; to the extent that the Trustee has standing to bring such action, standing is hereby assigned to Debtor.

Name of creditor	Property Address
_____	_____

**3.1.d. Liens and/or Mortgages Which May Be Modified - Cram Down**

None [If "None" is checked, the rest of § 3.1.d need not be completed or reproduced]

The following claims secured by a lien and/or mortgage will be paid as unsecured claims concurrent with Part 5 non-priority unsecured claims. Debtor shall file a separate motion or adversary (prior to confirmation) to determine: (i) whether the property listed below vests free and clear of the lien(s) and/or mortgage(s) pursuant to § 1327 or (ii) whether the lien(s) and/or mortgage(s) listed below may be avoided pursuant to other applicable provisions of the Bankruptcy Code. Confirmation of the Plan shall be dispositive of the value of the collateral and the secured status of the claims. Debtor has standing and authority to file the motion or adversary; to the extent that the Trustee has standing to bring such action, standing is hereby assigned to Debtor.

Name of Creditor	Property Address	Interest Rate	Value of Collateral	Minimum Monthly Payment
		%	\$	\$

**3.2 Request for valuation of security and claim modification of personal property pursuant to 11 U.S.C. §506**

Unless otherwise ordered by the court, all vehicle payments in Part 3.2, 3.3 or 6.1 are to be disbursed by Trustee. If ongoing monthly lease or loan payments are to be maintained, disbursements shall begin with the first calendar month after the Petition Date.

None [If "None" is checked, the rest of § 3.2 need not be completed or reproduced]

The debtor(s) request that the court determine the value of the secured claims listed below except for the claims of governmental units. For each non-governmental secured claim as to which a proof of claim has been filed in accordance with Bankruptcy Rule 3002, the debtors state that the value of the secured claim should be as stated below in the column headed "Amount of secured claim." For secured claims of governmental units, unless otherwise ordered by the court, the amounts listed in proofs of claim filed in accordance with Bankruptcy Rule 3002 control over any contrary amounts listed below. For each listed secured claim, the controlling amount of the claim will be paid in full under the plan with interest at the rate stated below.

The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5 of this plan. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5 of this plan. Unless otherwise ordered by the court, the amount of the creditor's claim listed on the proof of claim controls over any contrary amounts listed under Part 5 as to the unsecured portion, if any, of the claim.

The holder of any claim listed below as having value in the column headed "Amount of secured claim" will retain the lien until the earlier of:

- (a) payment of the underlying debt determined under non-bankruptcy law, or
- (b) discharge under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor.

Name of Creditor	Estimated Amount of Creditor's Claim	Collateral	Value of Collateral	Amount of Secured Claim	Interest Rate	Monthly Payment to Creditor
	\$		\$	\$	%	\$

**3.3 Secured claims excluded from 11 U.S.C. § 506 - 910 Car Claim or 365 Personal Property**

None [If "None" is checked, the rest of § 3.3 need not be completed or reproduced]

The claims listed below were either:

- (1) incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or
- (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full under the plan with interest at the rate stated below. Unless otherwise ordered by the court, the claim amount listed on the proof of claim controls over any contrary amount of claim listed below.

Name of Creditor	Collateral	Amount of Claim	Interest Rate	Monthly Plan Payments
------------------	------------	-----------------	---------------	-----------------------



	\$	%	\$
			Disbursed by: Trustee
_____			
_____			
_____			

**3.4 Lien avoidance**

None [If "None" is checked, the rest of § 3.4 need not be completed or reproduced]

The judicial liens or non-possessory, non-purchase-money security interests securing the claims listed below impair exemptions to which the debtor(s) would have been entitled under 11 U.S.C. § 522(b). A judicial lien or security interest securing a claim listed below will be avoided pursuant to motion filed by the debtor pursuant to 11 U.S.C. § 522(f) prior to confirmation. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part 5. The amount, if any, of the judicial lien or security interest that is not avoided will be paid in full as a secured claim under the plan. See 11 U.S.C. § 522(f) and Bankruptcy Rule 4003(d).

Name of Creditor	Collateral	Amount of Secured Claim after Avoidance	Interest Rate (if applicable)	Monthly Plan Payment (if applicable)
		\$	%	\$
_____				
_____				
_____				

**3.5 Surrender of Collateral**

None [If "None" is checked, the rest of § 3.5 need not be completed or reproduced]

The debtor(s) elect to surrender to the creditors listed below the personal or real property that is collateral for the claim. The debtor(s) consent to termination of the stay under 11 U.S.C. § 362(a) and § 1301 with respect to the collateral upon confirmation of the plan. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 5 below.

Secured creditors whose collateral is surrendered shall have 240 days from plan confirmation to amend any filed secured claim or the claim will be disallowed, unless the Court orders otherwise.

Name of Creditor	Collateral
_____	
_____	
_____	

**3.6 Separately Classified Co-signed Secured Claims**

None [If "None" is checked, the rest of § 3.6 need not be completed or reproduced]

The following co-debtor claims will be paid in full by the Trustee to protect the co-debtor:

Name of Creditor	To be Paid in Full with Interest at Rate Specified Below	Minimum Monthly Payment, if Applicable
	%	\$
_____		

The following co-debtor claims will be paid in full by the Trustee to protect the co-debtor:

Name of Creditor	To be Paid by Co-Debtor Outside the Plan	To be Paid Same Dividend as Non-Priority Unsecured Claims
_____		
	<input type="checkbox"/>	<input type="checkbox"/>

**Part 4: Treatment of Trustee's Fees and Administrative and Other Priority Claims**

**4.1 General**

All allowed priority claims other than those treated in § 4.5 will be paid in full without interest, unless otherwise stated.

**4.2 Trustee fees shall be paid pursuant to 28 USC §586.**

**4.3 Attorney's fees**

Prepetition, the attorney for the debtor received: \$ \_\_\_\_\_

The balance of the fees owed to the attorney of the debtor(s) is: \$ \_\_\_\_\_

Attorney Fees shall be paid at a minimum payment of: \$ \_\_\_\_\_ per month.

Fees are limited to the appropriate "no look" fee amount of: \$ \_\_\_\_\_ subject to filing of a normal fee application.

**4.4 Other priority claims**

The name, address and phone number of the holder of any domestic support obligation must also be listed separately on Schedule E and must be clearly identified as such so that the Trustee may send a separate notice as required.

None [If "None" is checked, the rest of § 4.4 need not be completed or reproduced]

The following co-debtor claims will be paid in full by the Trustee to protect the co-debtor:

Name (For DSO Claims only, Name and Complete Address)	Basis for Priority Treatment	Estimated Amount of Claim to be Paid	Interest Rate (if applicable)	State/ Jurisdiction (if DSO)
_____	_____	\$ _____	_____ %	_____
_____	_____	<input type="checkbox"/> Paid by Trustee		
_____	_____	<input type="checkbox"/> Paid Wage Order		
_____	_____			

**4.5 Domestic support obligations assigned to a governmental unit and paid less than full amount**

None [If "None" is checked, the rest of § 4.5 need not be completed or reproduced]

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to a governmental unit and will be paid less than the full amount of the claim under 11 U.S.C. § 1322(a)(4).

Name of Creditor	Amount of Claim to be Paid by Trustee	Interest Rate (if applicable)
_____	\$ _____	_____ %

**Part 5: Treatment of Non-priority Unsecured Claims**

**5.1 Debtor(s) will pay to the trustee**

Allowed non-priority unsecured claims that are not separately classified will be paid, pro rata, up to the full amount of the claims, as follows:

Check Only One:

- Percentage Plan: \_\_\_\_\_ % of the total amount of these claims; unless a greater amount is required under § 2 of the plan;
- Pot Plan: The sum of \$ \_\_\_\_\_, with a minimum dividend of \$ \_\_\_\_\_, unless a greater amount is required under § 2 of the plan;

If the estate of the debtor(s) were liquidated under chapter 7 non-priority unsecured claims would be paid approximately \_\_\_\_\_%. Payments on allowed non-priority unsecured claims will not be less than this amount.

**5.2 Separately classified non-priority unsecured claims**

- None [If "None" is checked, the rest of § 5.2 need not be completed or reproduced]

The non-priority unsecured allowed claims listed below are separately classified and will be treated as follows:

Name of Creditor	Basis for Separate Classification and Treatment	Amount of Claim to be paid	Interest Rate (if applicable)
		\$	%
_____	_____	_____	_____
_____	_____	_____	_____

**5.3 Interest**

- Not be paid.
- This is a solvent estate; all general unsecured claims shall be paid in full with interest.

Interest rates in this plan based on Till shall be 2.0 points over the Wall Street Journal prime rate, as of the petition date.

**Part 6: Executory Contracts and Unexpired Leases**

6.1 All executory contracts and unexpired leases are rejected, except those listed below, which are assumed and will be treated as provided for below or under another specified provision of the plan.

- None [If "None" is checked, the rest of § 6.1 need not be completed or reproduced]

Name of Creditor	Property Description	Treatment	Current Installment Payment	Amount of arrearage to be paid	Payment Start Date/End Date: Month/Day/Year
			\$	\$	Starts:
_____	_____	_____	_____	_____	Starts: _____
			Disbursed by:		Ends: _____
			Trustee		

The following executory contracts shall be paid directly by the debtor.

Name of Creditor	Property Description	Monthly Installment Payment
		\$
_____	_____	_____
		Disbursed by:
		Trustee

**Part 7: Order of Distribution of Trustee Payments**

7.1 The trustee will make payments in the following order:

- a. Trustee's fees
- b. Pre-confirmation adequate protection payments.
- c. Conduit mortgage payments.
- d. Appraisal fees, other administrative expenses and debtor(s) pre and post confirmation attorney's fees in the monthly amounts set in § 4.3.
- e. Other secured creditors (non arrears) and executory contracts.
- f. Specially classified debts.
- g. Arrearage claims
- h. Priority debts.
- i. Unsecured debts and any other debt. The Trustee has the discretion to calculate the amount and timing of distributions as is administratively efficient.

**Part 8: Vesting of Property of the Estate**

**8.1 Property of the estate shall re-vest in the debtor(s) upon**

Check the applicable box:

- Plan confirmation
- Discharge, Dismissal or Conversion of the Case.

In a joint case, the estate will be consolidated for administrative purposes.

**Part 9: Other Plan Provisions**

**9.1 Adequate protection plan disbursements**

Debtor shall pay adequate protection payments and/or lease payments specified in 11 U.S.C. § 1326(a)(1)(B) and (C) and as scheduled in the Plan to the Trustee. If the case is dismissed, the Trustee shall disburse these adequate protection payments to the creditor for each 30 day period the case is pending.

The Trustee shall make these adequate protection disbursements with the first disbursement after confirmation. The creditor must file a proof of claim. Adequate protection payments shall be 1.25% of the value of the collateral.

Name of Creditor	Collateral	Value	Monthly Payment
		\$	\$

To the extent that this paragraph duplicates Part 3.1, 3.2, 3.3 or 6.1, monthly payments proposed for secured claims in Part 3.1, 3.2, 3.3 or 6.1 supplant these monthly adequate protection payments.

**9.2 Administrative Expense Claims**

Fees for independent appraisals of real estate and utility deposits will be paid as administrative expenses pursuant to §503 upon the timely filing of a proof of claim. The Trustee may pay in one lump sum any administrative claim that is less than \$500.00.

**9.3 Post-petition claims and/or additional creditors**

Post-petition claims which are allowed and upon which creditors file a proof of claim shall be paid the same percentage as pre-petition claims, upon discretion of the Trustee, which shall represent payment in full to the creditor, unless the Court orders otherwise. Debtor may file a motion to remove or add any creditor to the Plan.

**9.4 Changed circumstances, claims, windfalls**

Debtor shall fully and timely disclose to the Trustee any change in marital status, domestic support obligations, employment, address, or financial recovery to which Debtor becomes entitled, including without limitation claims for personal injury, employment, workers' compensation, unemployment compensation, inheritance, life insurance, lottery proceeds, or property settlements. Debtor must comply with all requirements for filing applications and motions for settlement with the Court as required by the Bankruptcy Code and Local Bankruptcy Rules. These funds shall be treated as additional Plan payments or as the Court so otherwise orders.

**9.5 Casualty loss and substitution of collateral**

All insurance proceeds must be turned over to the Trustee unless Debtor files a motion to retain proceeds. If a motor vehicle is substantially damaged while there is still an unpaid claim which is secured by the vehicle, Debtor, upon motion and order, shall have the option of using the insurance proceeds to either repair the vehicle, pay off the balance of the secured claims if the secured creditor is a named loss payee on the policy or substitute collateral by purchasing a replacement vehicle. Unless the Court orders otherwise, the Trustee will continue to pay the secured claim.

9.6 Post-petition debt

Debtor shall not incur any non-emergency consumer debt in excess of \$1,000 without Trustee and/or Court approval.

9.7 Disbursement following dismissal/conversion

If a case is converted to Chapter 7, then all undisbursed funds held by the Chapter 13 Trustee should be returned to the debtor pursuant to *Harris v. Viegeln*, 2015 WL 2340847. If a case is dismissed, then all undisbursed funds held by the Chapter 13 Trustee shall be returned to the debtor, except as ordered by the Court, for other cause, pursuant to standing order or 11 U.S.C. § 349(b)(3) and 11 U.S.C. § 1326(a)(2). Applications for compensation in a dismissed case must be filed within 14 days of the date of entry of the dismissal order.

**Part 9(b): Nonstandard Plan Provisions**

Under Bankruptcy Rule 3015(c), nonstandard provisions are required to be set forth below. These plan provisions will be effective only if the applicable box in Part 1 of this plan is checked.

**Part 10: Signatures**

The debtor's attorney (or debtor, if not represented by an attorney) certifies that all provisions of this plan are identical to the Mandatory Chapter 13 Form Plan, except for language contained in Part 9(b): Nonstandard Plan Provisions.

<b>Debtors</b>	<b>X</b>	_____	<b>Date</b>	_____
		Signature of Debtor		MM/DD/YYYY
	<b>X</b>	_____	<b>Date</b>	_____
		Signature of Debtor		MM/DD/YYYY
<b>Debtors' Attorney</b>	<b>X</b>	_____	<b>Date</b>	_____
		Signature of Debtor's Attorney		MM/DD/YYYY

Debtors' Attorney Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF LOUISIANA  
SHREVEPORT DIVISION

EXHIBIT C

Debtor(s): \_\_\_\_\_

Case No: \_\_\_\_\_

**DEBTOR(S)' MOTION TO MODIFY CONFIRMED PLAN Dated:** \_\_\_\_\_

A HEARING HAS BEEN SET ON THIS MOTION AT 9:30 A.M. ON \_\_\_\_\_.  
OBJECTIONS TO MODIFICATIONS MUST BE FILED AND SERVED WITHIN TWENTY-ONE (21) DAYS AFTER THE DATE OF SERVICE OF THE MOTION TO MODIFY, OR AS OTHERWISE NOTICED BY THE TRUSTEE OR ORDERED BY THE COURT. OBJECTIONS TO MODIFICATION OF A CONFIRMED PLAN SHALL BE IN WRITING, FILED AND SERVED ON THE DEBTOR, THE DEBTOR'S ATTORNEY, THE TRUSTEE AND THE UNITED STATES TRUSTEE. THE OBJECTION SHALL CONFORM TO THE REQUIREMENTS OF AN OBJECTION TO A CHAPTER 13 PLAN. PLANS THAT APPEAR TO THE COURT TO MEET ALL STATUTORY TESTS FOR CONFIRMATION AND TO WHICH NO OBJECTIONS TO CONFIRMATION HAVE BEEN FILED MAY BE CONFIRMED ON THE CONSENT DOCKET WITHOUT ACTUAL PRESENTATION AND A HEARING WILL NOT BE HELD.

The Debtor(s) file this Motion to Modify their confirmed plan.

1. HISTORY OF CASE.

This case was filed on : \_\_\_\_\_

The plan was confirmed on: \_\_\_\_\_

The plan has previously been modified by order(s) entered on the following dates:  
\_\_\_\_\_

2. REASON FOR MODIFICATION:

\_\_\_\_\_

3. PLAN PAYMENTS UNDER CONFIRMED PLAN. The current plan (as modified through this date) requires payments as follows:

Months: \_\_\_\_\_ Payments: \$ \_\_\_\_\_

4. PAYMENTS PREVIOUSLY MADE. As of the date this motion was filed, the Debtor(s) have made payments to the chapter 13 trustee totaling: \$ \_\_\_\_\_

5. FUTURE PROPOSED PLAN PAYMENTS (AS MODIFIED). The proposed modified plan requires future payments as follows:

Months: \_\_\_\_\_ Payments: \$ \_\_\_\_\_

6. CURRENT DEFAULTS. The Debtor(s) are currently in default on payments to the chapter 13 trustee as follows:

Dollar amount in default: \$ \_\_\_\_\_

Number of months in default: \_\_\_\_\_

Last payment made: \_\_\_\_\_

Amount of last payment: \$ \_\_\_\_\_

7. PROPOSED PLAN MODIFICATIONS:

All payment defaults set forth in paragraph 6 are cured by this modification.

8. UNSECURED DIVIDEND.

The previous unsecured dividend was: \$ \_\_\_\_\_

The proposed unsecured dividend in this modification is: \$ \_\_\_\_\_

9. PROPOSED PLAN SUMMARY. A proposed Plan Modification Summary is attached hereto and incorporated by reference.

10. INTERIM PAYMENTS. Payments due under this modification will commence on the first due date after this modification is filed, whether or not the modification has yet been approved by the court.

11. BUDGET. The Debtor's schedules "I" and "J" that the Debtor(s) request to be considered with this modification are contemporaneously filed with this Motion. Debtor has provided 60 days for pay stubs to the Chapter 13 for income verification.

12. ATTORNEYS' FEES (Check one):

Debtor(s)' counsel shall be paid \$500.00 as a fixed fee for this modification. This box may not be checked if the modification was proposed within 120 days of the date on which the plan was confirmed.

If Debtor(s)' counsel seeks compensation, a separate application will be filed. If no application is filed, no compensation will be paid.

Respectfully submitted.

\_\_\_\_\_  
Attorney Signature

Debtors' Attorney Name: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip: \_\_\_\_\_

Phone: \_\_\_\_\_

Date: \_\_\_\_\_

Debtor Signature \_\_\_\_\_

Date \_\_\_\_\_

Debtor Signature \_\_\_\_\_

Proposed Plan Modification Summary Dated: \_\_\_\_\_

Disposable Income and Plan Payments

(1) Total Pre-Modification Payments to Trustee						\$	<input type="text"/>
(A) Projected Schedule "I" Income (as shown on most recently filed Schedule I)	(B) Projected Schedule "J" Expenses (as shown on most recently filed Schedule J)	(C) Projected Disposable Income	(D) Modified Plan Payment Beginning Month #	(E) Modified Plan Payment Ending Month #	(F) Modified Plan Monthly Payment Amount	(I) Total Monthly Trustee Payment (#months x F)	
\$	\$	\$			\$	\$	

*Variable Payments, if needed*

2. Grand Total of All Payments	<i>(Sum #1 + All Column I)</i>	\$	_____
3. Less Posted Chapter 13 Trustee Fee	<i>(#2 x Trustee Fee)</i>	\$	_____
4. Net Available	<i>(#2 - #3)</i>	\$	_____

5. Projected Trustee Disbursements to Priority and Secured Creditors *(Repeat as Necessary)*

Name of Holder	Type of Claim (List Priority Claims, Followed by Claims Secured by Principal Residence, Followed by Other Secured Claims)	Description of Collateral (or None, if appropriate)	(J) Total Pre-Modification Payments by Trustee
			\$

Proposed Post-Modification Payments:

Amount Due	Interest Rate	Beginning Month	Ending Month	Minimum Payment Amount	(K) Total Payments



Amount Due	Interest Rate	Beginning Month	Ending Month	Minimum Payment Amount	(K) Total Payments
\$				\$	\$
6. Grand Total for this Creditor				(J + K)	\$ _____
7. Grand Total to All Secured and Priority Creditors				(sum of all #6)	\$ _____

**SUMMARY OF PAYMENTS**

**BEST INTEREST TEST**

Net Available to Creditors (Must Equal Net Available from #4 Above)	\$ _____
Less Estimated Attorney's Fees	\$ _____
Less Total to Priority Creditors	\$ _____
Less Total to Secured Creditors	\$ _____
Net Available for Unsecured Creditors	\$ _____
Estimated General Unsecured Claims	\$ _____
Forecast % Dividend on General Unsecured Claims	_____

Value of Total Non-Exempt Property	\$ _____
Total Distributions to All Priority and General Unsecured Creditors	\$ _____

Certificate of Service

Debtor(s) Motion to Modify has been served on the following parties by first class mail or electronically by ECF filing this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Name

Service List: