

Debtor(s): _____

Case Number: _____

United States Bankruptcy Court for the Western District of Louisiana: _____ Division

Chapter 13 Plan – Western District of Louisiana

<input type="checkbox"/> Check here if this is an amended plan. sections of the plan that have been changed. _____ _____ _____	Reason for Amendment/Modification. list below _____ _____ _____
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Part 1: Notices

To Debtors: This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial division. Plans that do not comply with local rules and judicial rulings may not be confirmable.

In the following notice to creditors, you must check each box that applies.

To Creditors: Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it 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 at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any plan.

The following matters may be of particular importance. **Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.**

1.1	This Plan sets out Nonstandard Provisions in Part 9.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.2	This Plan limits the amount of Secured Claims in 3.1 and/or 3.2 based on a Valuation of the Collateral for the claim.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.3	This Plan Avoids a Security Interest or Lien in 3.1 and/or 3.4.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.4	This Plan cures or maintains a loan secured by the Debtor's Principal Residence in 3.1.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.5	This Plan provides for the treatment of a Domestic Support Obligation in 4.3 and/or 4.4.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.6	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 in 3.3.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included

Debtor(s): _____

Case Number: _____

Part 2: Plan Payments and Length of Plan

2.1 Debtor(s) will make regular payments for a total of _____ months to the trustee as follows:

Original Plans. \$ _____ per _____ for _____ months, and
\$ _____ per _____ for _____ months.

Insert addition lines if needed

Amended and Modified Plans. \$ _____ has been paid in for the first _____ months; then
\$ _____ per _____ for _____ months, and
\$ _____ per _____ for _____ months.

Insert addition lines if needed

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.

Check one: The applicable commitment period is: 36 months (Below Median Income) _____.
60 months (Above Median Income) _____.

2.2 Regular payments to the trustee will be made from future income in the following manner:

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

Income tax refunds. During the pendency of this case debtor(s) shall file both Federal and State Income Tax Returns timely and provide copies of same to the Standing Chapter 13 Trustee immediately upon filing of each annual return.

Debtor(s) will pledge income tax refunds as follows:

2.3 Additional Payments. (In addition to 2.1 above)

Check one:

None. If "none" is checked, the rest of § 2.3 need not be completed or reproduced.

Debtor(s) Debtors pledge 50 percent (or until all allowed unsecured claims are paid in full) of the net recovery from all causes of action, liquidated or unliquidated, unless otherwise ordered by the Court after a notice and a hearing. In all cases in which the debtor has acquired/acquires a pre-petition or post-petition cause of action, the employment and compensation of special counsel, and the compromise of any claim, shall be approved by the Bankruptcy Court pursuant to 11 U.S.C. §§ 327-329, and the filing of such pleading shall be noticed on all parties.

Debtor(s) will make additional payment(s) to the trustee from other sources, including the sale of property, as specified below. Describe the source, amount, and date of each anticipated payment.

Debtor(s): _____

Case Number: _____

Part 3: Treatment of Secured Claims

3.1 A. Maintenance of payments and cure of default of Principal Residence under 1322(b)(3), including post-petition default payments, if any.

Check one.

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

The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the debtor, as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan.

Name of Creditor	Description of Collateral	Current Installment Payment (including escrow)	Pre-Petition Amount of Arrearage, if any	Current Monthly Payment Begins
_____	_____	\$ _____	\$ _____	_____
Disbursed by:				
<input type="checkbox"/> Trustee				
<input type="checkbox"/> Debtor(s)				
<input type="checkbox"/> Third party – Name & Relationship to Debtor(s)				

Name of Creditor	Description of Collateral	Current Installment Payment (including escrow)	Pre-Petition Amount of Arrearage, if any	Current Monthly Payment Begins
_____	_____	\$ _____	\$ _____	_____
Disbursed by:				
<input type="checkbox"/> Trustee				
<input type="checkbox"/> Debtor(s)				
<input type="checkbox"/> Third party – Name & Relationship to Debtor(s)				

The trustee shall pay post-petition default payments for mortgage payments in the following amounts and coming due during the months itemized.

Name of Creditor	Description of Collateral	Current Installment Payment (including escrow)	Specified Months for Default	Post Petition total Unpaid
_____	_____	\$ _____	_____	_____

Insert additional claims as needed

B. Maintenance of payments and cure of default other than Principal Residence under 1322(b)(3), including post-petition default payments, if any.

Check one.

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

The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the debtor, as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule

Debtor(s): _____

Case Number: _____

3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan.

Name of Creditor	Description of Collateral	Current Installment Payment (including escrow)	Pre-Petition Amount of Arrearage, if any	Current Monthly Payment Begins
_____	_____	\$ _____	\$ _____	_____
Disbursed by:				
<input type="checkbox"/> Trustee				
<input type="checkbox"/> Debtor(s)				
<input type="checkbox"/> Third party – Name & Relationship to Debtor(s)				

Name of Creditor	Description of Collateral	Current Installment Payment (including escrow)	Pre-Petition Amount of Arrearage, if any	Current Monthly Payment Begins
_____	_____	\$ _____	\$ _____	_____
Disbursed by:				
<input type="checkbox"/> Trustee				
<input type="checkbox"/> Debtor(s)				
<input type="checkbox"/> Third party – Name & Relationship to Debtor(s)				

The trustee shall pay post-petition default payments for mortgage payments in the following amounts and coming due during the months itemized.

Name of Creditor	Description of Collateral	Current Installment Payment (including escrow)	Specified Months for Default	Post Petition total Unpaid
_____	_____	\$ _____	_____	_____

Insert additional claims as needed

3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims.

Check one.

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

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.

The debtor(s) request that the court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the debtor(s) state that the value of the secured claim should be as set out in the column headed *Amount of secured claim*. For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, the value of the secured claim will be paid in full with interest at the rate stated below. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan.

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 total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below as having value in the column headed *Amount of secured claim* will retain the lien on the property interest of the debtor(s) or the estate(s) until the earlier of:

Debtor(s): _____

Case Number: _____

(a) payment of the underlying debt determined under nonbankruptcy law, or (b) discharge of the underlying debt under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor. See Bankruptcy Rule 3015.

Name of Creditor	Estimated Amount of Creditor's total Claim	Collateral Description	Value of Collateral	Amount of Secured Claim	Interest Rate	Estimated avg. monthly payment to creditor
_____	\$ _____	_____	\$ _____	\$ _____	_____%	\$ _____

Insert additional claims as needed

3.3 Secured claims excluded from 11 U.S.C. § 506. (11 U.S.C. §1325(a) - 910 day Car Claim or 365 day Personal Property)

Check one.

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

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked. (1.6)

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. These payments will be disbursed by the trustee. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan.

Name of Creditor	Collateral Description	Amount of Claim	Interest Rate	Estimated avg. monthly plan payment
_____	_____	\$ _____	_____%	\$ _____

Name of Creditor	Collateral Description	Amount of Claim	Interest Rate	Estimated avg. monthly plan payment
_____	_____	\$ _____	_____%	\$ _____

Insert additional claims as needed

3.4 Lien Avoidance.

Check one.

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

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked. (1.3)

The judicial liens or nonpossessory, nonpurchase 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). Said lien or security interest will be avoided only pursuant to any supplemental Motion filed by the debtor(s) herein. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part 5 to the extent allowed. *If more than one lien is to be avoided, provide the information separately for each lien.*

Name of Creditor	Description of Collateral	Amount of Claim to be Avoided by Motion
_____	_____	_____
_____	_____	_____

Insert addition claims as needed.

Debtor(s): _____

Case Number: _____

3.5 Surrender of collateral.

Check one.

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

The debtor(s) elect to surrender to each creditor listed below the collateral that secures the creditor's claim. The debtor(s) request that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under § 1301 be terminated in all respects. Any allowed unsecured claim resulting from the surrender of the collateral will be treated in Part 5 below.

Name of Creditor	Collateral	Value
_____	_____	_____
_____	_____	_____

Insert additional claims as needed.

Part 4: Treatment of Fees and Priority Claims

4.1 General

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.4, will be paid in full without post-petition interest.

4.2 Administrative fees

Counsel elects the standing order "no look" fee. Yes No

Trustee's fees are governed by statute and may change during the course of the case but are estimated to be ten percent of plan payments.

The debtor(s) attorney is awarded a fee in the amount of \$ _____ of which \$ _____ is due and payable from the bankruptcy estate. Included in this amount is a fee in the amount of \$ _____ for the modification. Fees are limited to the appropriate "No Look" fee amount or the allowed amount subject to a formal fee application.

4.3 Priority claims other than attorney's fees and those treated in § 4.4.

Check one.

None. If "None" is checked, the rest of § 4.3 need not be completed or reproduced.

The debtor estimates the total amount of other priority claims to be as follows:

Domestic Support Obligations other than those provided for in 4.4 below:

Claimant	Nature of Claim	Amount
_____	_____	\$ _____
_____	_____	\$ _____

All other unsecured priority claims including tax claims:

Claimant	Nature of Claim	Amount
_____	_____	\$ _____
_____	_____	\$ _____

Insert additional claims as needed

Debtor(s): _____

Case Number: _____

4.4 Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount.

Check one.

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

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim under 11 U.S.C. § 1322(a)(4). This plan provision requires that payments in § 2.1 be for a term of 60 months; see 11 U.S.C. § 1322(a)(4).

Name of Creditor	Amount of Claim to be Paid
_____	\$ _____
_____	\$ _____

Disbursed by:

- Trustee
- Debtor(s)
- Third party – Name & Relationship to Debtor(s)

Insert addition claims as needed.

Part 5: Treatment of Nonpriority Unsecured Claims

5.1 Nonpriority unsecured claims not separately classified.

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. Unscheduled nonpriority unsecured debts to which a timely proof of claim is filed will be allowed, unless objected to. All non-priority debts on schedule E/F, and unsecured and undersecured debts on schedule D, are incorporated herein by reference.

Based upon the scheduled unsecured and undersecured claims in the amount of \$ _____, it is anticipated unsecured creditors will be paid approximately \$ _____, which is approximately _____ percent of their respective claims. However, the amount paid on any claim may vary depending on the actual filed and allowed claims.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid no less than \$ _____. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

5.2 Other separately classified nonpriority unsecured claims. Check one.

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

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

Name of Creditor	Basis for Separate Classification and Treatment	Amount to be Paid on the Claim	Interest Rate (if applicable)	Estimated Total Amount of Payment
_____	_____	\$ _____	_____ %	\$ _____
_____	_____	\$ _____	_____ %	\$ _____

Insert additional claims as needed

Part 6: Executory Contracts, Unexpired Leases, and Unmodified Secured Debts paid per contract

6.1 The executory contracts, unexpired leases, and Unmodified Secured Debts paid per contract listed here are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. *Check one.*

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

Assumed items or Direct Pay Unmodified Secured Debts. Current installment payments will be disbursed either by the trustee or directly by the debtor, as specified below, subject to any contrary court order or rule. Arrearage payments will be disbursed by the trustee.

Name of Creditor	Property Description	Current Installment Payment	Amount of Arrearages to be paid, if any	Number of Installments Remaining
_____	_____	\$ _____	\$ _____	_____

Disbursed by:

- Trustee
- Debtor(s)
- Third party – Name & Relationship to Debtor(s)

_____	_____	\$ _____	\$ _____	_____
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Disbursed by:

- Trustee
- Debtor(s)
- Third party – Name & Relationship to Debtor(s)

Insert additional contracts or leases as needed

Part 7: Vesting of Property of the Estate

7.1 Property of the estate will vest in the debtor(s) upon entry of discharge or dismissal.

Part 8: Other Plan Provisions

8.1 Adequate Protection Payments:

Debtor(s) shall pay adequate protections payments and/or lease payments as scheduled below to the trustee. If the case is dismissed pre-confirmation the trustee shall disburse these adequate protection payments to the creditor, one for each plan payment received while the case was pending.

Creditor	Adequate Protection Payment
_____	_____
_____	_____

8.2 Changed Circumstances.

Debtor(s) shall fully and timely disclose to the trustee any change in income, marital status, domestic support obligation, employment, address, or financial recovery to which debtor(s) become entitled, including without limitation, claims for personal injury, employment, worker’s compensation, unemployment compensation, inheritance, life insurance, lottery proceeds, or property settlements. These funds shall be treated as additional plan payments or as the Court so otherwise orders.

Debtor(s): _____

Case Number: _____

Part 9: Nonstandard Plan Provisions

"none" is checked, the rest of Part 9 need not be completed or reproduced.

Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Official Chapter 13 Plan Form for the Western District of Louisiana or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.

The following plan provisions will be effective only if there is a check in the box "Included" in § 1.1.

Part 10: Signatures

Signature of Attorney for Debtor(s)

Date: _____

Debtor

Date: _____

Joint Debtor

Date: _____

Signature(s) of Debtor(s) (required if not represented by an attorney; otherwise optional)

By filing this document, the Attorney for Debtor(s) or Debtor(s) themselves, if not represented by an attorney, also certify(ies) that the wording and order of the provisions in this Chapter 13 Plan are identical to those contained in Official Chapter 13 Plan Form for the Western District of Louisiana, other than any nonstandard provisions included in Part 9.