



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MARYLAND
OFFICE OF THE CLERK**

MARK A. NEAL
Clerk of Court

THOMAS C. KEARNS
Chief Deputy Clerk

www.mdb.uscourts.gov

August 1, 2017

**NOTICE OF PROPOSED AMENDMENTS
TO LOCAL BANKRUPTCY RULES AND FORMS**

The United States Bankruptcy Court for the District of Maryland has approved for publication and public comment amendments to the following local rules and forms:

- **Local Rule 3012-1** is amended to provide that this rule applies in instances where a Chapter 13 debtor seeks to avoid a lien on real property that is the debtor's principal residence by motion. If a debtor elects instead to seek to avoid a lien on such real property by a provision in the debtor's plan, Local Rule 3015-1 shall apply.
- **Local Rule 3012-2** is amended to provide that this rule applies in instances where a Chapter 13 debtor seeks to value collateral or avoid a lien in personal property or on real property that is not the debtor's principal residence by motion. If a debtor elects instead to seek to value such collateral or avoid such a lien by a provision in the debtor's plan, Local Rule 3015-1 shall apply.
- **Local Rule 3015-1** is amended to add new procedural requirements for Chapter 13 plans that contain provisions seeking to value or avoid liens.
- **Local Rule 3015-2** is amended to add new procedural requirements for confirmation of Chapter 13 plans that contain provisions seeking to value or avoid liens.
- **Local Rule 3015-4** is new and provides streamlined procedures for modifying a plan after confirmation using the court hearing scheduler (CHS) program.
- **Local Rule 4001-3** is amended to provide new deadlines for filing proofs of claim for real and personal property unsecured deficiency claims.
- **Local Rule 4003-2** is amended to provide that this rule applies in instances where a Chapter 13 debtor seeks to avoid a lien in whole or in part pursuant to 11 U.S.C. § 522(b) by filing a motion. If the debtor elects instead to seek to avoid a lien by a provision in the debtor's plan, Local Rule 3015-1 shall apply.
- **Appendix F to the Local Rules** is amended to delete language regarding the payment order of certain administrative claims.

- **Local Form H** is amended to delete language regarding the temporary allowance of certain secured claims.
- **Local Form L** is amended to delete language regarding the temporary allowance of certain secured claims.
- **Local Form M (Chapter 13 Plan)** is amended to comply with the requirements of Federal Bankruptcy Rule 3015.1, scheduled to take effect December 1, 2017.
- **Local Form M-1** is a new Certificate of Service for the Chapter 13 Plan.
- **Local Form M-2** is new and implements the streamlined process for motions to modify a Chapter 13 plan as set forth in new Local Rule 3015-4

Redline copies of the proposed local rule amendments are attached and are also available on the Court's website at: www.mdb.uscourts.gov. The pending December 1, 2017 amendments to the Federal Bankruptcy Rules are available at: <http://www.uscourts.gov/rules-policies/pending-rules-and-forms-amendments>. This summary was prepared by the Clerk's Office as an overview of the proposed changes and is neither intended to serve as legal advice nor as a commentary on the proposed changes to the Local Rules, and nothing herein should be cited as legal authority. This summary does not include any minor stylistic changes that may be incorporated into the Local Rules as part of this amendment process.

Comments on the proposed amended local rules must be submitted on or before September 15, 2017, to Mark A. Neal, Clerk of Court, 101 West Lombard Street, Suite 8525, Baltimore, MD 21201 or emailed to LocalRules@mdb.uscourts.gov. If adopted, the amended forms and rules will take effect on December 1, 2017.

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**RULE 3012-1 AVOIDANCE OF LIEN ON PRINCIPAL RESIDENCE UNDER 11
U.S.C. § 506 BY MOTION - CHAPTER 13 ONLY**

(a) This Rule shall apply if a Chapter 13 debtor seeks to avoid a lien on real property which is the debtor's principal residence by filing a motion. If a debtor proceeds under this Rule, the debtor shall so indicate in the Plan. If a debtor elects instead to seek to avoid a lien on such real property by a provision in the debtor's plan, Local Rule 3015-1 shall apply.

(b) Form. A motion to avoid a lien on a Chapter 13 debtor's principal residence under 11 U.S.C. § 506 may seek only to avoid a single ~~secured-claim~~lien. The name, address and nature of ownership (e.g., tenancy in common, tenancy by the entirety) of any non-debtor owner of property must also be included.

~~(b)~~ (c) Required Material. The debtor must submit with the motion:

- (1) Evidence of the value of the residence, and
- (2) If no proof of claim has been filed by the holders of claims secured by senior interests in the principal residence, evidence of the amount of the claims so secured.

~~(c)~~ (d) Service of Motion and Notice of Hearing.

(1) The Clerk will maintain a list of dates available for hearings on motions to avoid lien for each judge of the court. The list will be posted on the court's website.

(2) Movant must select a hearing date from the list for the judge to whom the case is assigned that is more than forty-nine (49) days after the date of service.

(3) Movant must serve a copy of the motion to avoid lien on the respondent and any non-debtor owner in the manner required by Federal Bankruptcy Rules 9014 and 7004(b) and Local Bankruptcy Rule 3007-1~~(a)~~ (that requires service upon the claimant at the name and address where notices should be sent as ~~listed~~shown on the proof of claim),

together with a hearing notice conforming to Local Bankruptcy Form G. The requirement of service on the claimant at the name and address where notices should be sent as ~~listed~~ shown on the proof of claim shall not be applicable if the motion to avoid lien is filed prior to the filing of the proof of claim, provided that otherwise valid service ~~was~~ is made on the respondent.

(~~d~~e) Filing of Proof of Service. Movant must file with the motion a certificate of service of the motion to avoid lien and the notice of hearing. The certificate must comply with Local Bankruptcy Rule 9013-4.

(~~e~~f) Response to Motion to Avoid Lien. If no response to the motion to avoid lien is filed within twenty-eight (28) days after the date of the service (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)), the court may rule on the motion as unopposed. The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due.

(~~f~~g) Proposed Order. Movant shall file with the motion a proposed order conforming to Local Bankruptcy Form H. If granted, avoidance of the lien shall occur at such time as the debtor completes performance of the debtor's confirmed Chapter 13 Plan.

RULE 3012-2 VALUATION OF COLLATERAL AND AVOIDANCE OF NONRESIDENTIAL LIENS BY MOTION - CHAPTER 13 ONLY

(a) This Rule shall apply if a Chapter 13 debtor seeks to value collateral or to avoid a lien on personal property or on real property that is not a debtor's principal residence by filing a motion. If a debtor proceeds under this Rule, the debtor shall so indicate in the Plan. If a debtor elects instead to seek to avoid such a lien or value collateral by a provision in the debtor's plan, Local Rule 3015-1 shall apply.

(b) Form. A motion under 11 U.S.C. § 506 in a Chapter 13 case to value collateral or to avoid a ~~security interest~~lien on ~~in~~-personal property or ~~in~~-on real property that is not a debtor's principal residence may seek only to value the collateral for or avoid a single ~~secured claim~~lien. The name, address and nature of ownership (e.g., tenancy in common, tenancy by the entirety) of any non-debtor owner of property must also be included.

~~(b)~~ (c) Required Material. The debtor must submit with the motion;

- (1) Evidence of the value of the property, and
- (2) If no proof of claim has been filed by the holders of claims secured by senior interests in the property, evidence of the amount of the claims so secured.

~~(d)~~ (e) Service of Motion and Notice of Hearing.

(1) The Clerk will maintain a list of dates available for hearings on motions under subsection ~~(a)~~(b) for each judge of the court. The list will be posted on the court's website.

(2) Movant must select a hearing date from the list for the judge to whom the case is assigned that is more than forty-nine (49) days after the date of service.

(3) Movant must serve a copy of the motion to avoid lien on the respondent and any non-debtor owner in the manner required by Federal Bankruptcy Rules 9014 and

7004(b) and Local Bankruptcy Rule 3007-1(a) (that requires service upon the claimant at the name and address where notices should be sent as ~~listed~~ shown on the proof of claim), together with a hearing notice conforming to Local Bankruptcy Form K. The requirement of service on the claimant at the name and address where notices should be sent as ~~listed~~ shown on the proof of claim shall not be applicable if the motion to value collateral or avoid a security interest is filed prior to the filing of the proof of claim, provided that otherwise valid service ~~was~~ is made on the respondent.

(~~e~~) Filing of Proof of Service. Movant must file with the motion a certificate of service of the motion to avoid lien and the notice of hearing. The certificate must comply with Local Bankruptcy Rule 9013-4.

(~~e~~) Responses to Motion to Avoid Lien. If no response to the motion to avoid lien is filed within twenty-eight (28) days after the date of the service (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)), the court may rule on the motion as unopposed. The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due.

(~~f~~) Proposed Order. Movant shall file with the motion a proposed order conforming to Local Bankruptcy Form L. If granted, avoidance of the security interest shall occur at such time as the debtor completes performance of the debtor's confirmed Chapter 13 Plan.

RULE 3015-1 CHAPTER 13 PLANS - FORM AND SERVICE

(a) A Chapter 13 plan must conform to Local Bankruptcy Form M, ~~unless compelling circumstances require a deviation.~~

~~(1) All deviations in a plan from Local Bankruptcy Form M must be highlighted.~~

~~(2) The debtor must file all motions and objections that may impact the debtor's plan on or before the first date scheduled for the meeting of creditors under 11 U.S.C. § 341.~~

(b) Service. Along with the original plan and any amended or modified plan, the debtor shall file a Certificate of Service using Local Bankruptcy Form M-1.

(1) The Clerk shall mail the original plan to all creditors and parties in interest as listed on the debtor's mailing matrix if the plan is filed with the original petition.

(2) If, after filing the original petition, the debtor files an original plan, or an amended plan that does anything other than increase the amount payable under the plan, debtor must ~~serve-mail~~ a copy of the plan ~~upon-to~~ each creditor and the Chapter 13 Trustee (unless such creditor or trustee is served by CM/ECF). ~~, and file a certificate of service.~~

(3) In addition to the mailing required under (1) and (2), if the debtor seeks through a provision in the plan (and not by separate motion) to avoid any lien or value any collateral, the debtor shall serve the plan on the holder of the lien or secured claim sought to be valued or avoided, and on any non-debtor owner of the collateral, in the manner required by Federal Bankruptcy Rule

7004 and Local Bankruptcy Rule 3007-1 (that requires additional service upon the claimant at the name and address where notices should be sent as shown on the proof of claim). The requirement of service on the claimant at the name and address where notices should be sent as shown on the proof of claim shall not be applicable if the plan is filed prior to the filing of the proof of claim, provided that otherwise valid service is made on the subject creditor.

(c) All Chapter 13 Plans must be signed by the debtor and are subject to Local Bankruptcy Rule 9011-2(b).

(d) In the event the debtor seeks to value collateral or avoid liens pursuant to a provision in the plan, the debtor must file with the plan evidence of the collateral's value; the existence of any superior lien; any exemption claimed; and the name, address, and nature of ownership of any non-debtor owner of the property. If the lienholder has not filed a proof of claim, the debtor must also separately file evidence of the amount of the debt secured by the collateral. If no proof of claim has been filed by the holders of claims secured by senior interests in the property, the debtor must file evidence of the amount of the claims so secured. Such evidence shall be filed as a supplement to the plan as a separate docket entry, but need not be mailed to all creditors pursuant to sections (b)(1) or (2) of this Local Rule. However, it shall be served pursuant to section (b)(3) of this Local Rule.

RULE 3015-2 CHAPTER 13 - CONFIRMATION

(a) Debtors and their counsel must attend all scheduled confirmation hearings, unless excused by the Chapter 13 Trustee or the court.

(b) Confirmation hearings shall be set not less than 35 days after filing of a plan. Objections to the plan must be filed and copies served on the Chapter 13 Trustee, the debtor, and the debtor's attorney no later than seven (7) days before the date set for hearing on confirmation of the plan.

(c) Within seven (7) days prior to the date of the initial confirmation hearing, the debtor must file a Pre-Confirmation Certificate. If a confirmation hearing is continued, an updated Pre-Confirmation Certificate must be filed within seven (7) days prior to such hearing.

(d) In the event a creditor objects to a provision in the Plan seeking to avoid any lien or value any collateral through the plan and not by separate motion, counsel for the debtor and affected creditor shall meet and confer in person or telephonically in an attempt to resolve the dispute and identify and narrow any factual or legal issues, and counsel for the debtor shall file at least twenty-four (24) hours prior to the confirmation hearing a certificate of compliance with this provision. If the objection involves a disputed issue of valuation of collateral for which testimony is required, the initially scheduled confirmation hearing shall be a preliminary hearing at which testimony will not be taken, and at which the Court shall set a date and time for the valuation hearing, either specially or on a regularly-scheduled valuation hearing date set pursuant to Local Rule 3012-1(d)(1). Alternatively, the parties may agree to set the valuation dispute for hearing on a valuation hearing date not less than 14 nor more than ninety (90) days after they meet and confer, in which event the debtor (or counsel for the Creditor if the debtor is not

represented by counsel) shall file a notice of such hearing and serve the parties involved and the Chapter 13 Trustee.

RULE 3015-4 **CHAPTER 13 - MODIFICATION OF PLAN AFTER CONFIRMATION**

(a) Form. A motion under 11 U.S.C. § 1329 in a Chapter 13 case to modify a plan after confirmation may be made at any time after confirmation but before the completion of payments under the plan.

(b) Required Material. The motion must comply with Federal Bankruptcy Rule 3015(g), explain with specificity the proposed modification, and be accompanied by the proposed plan modification.

(c) Service of Motion and Notice of Hearing.

(1) The Clerk will maintain a list of dates available for hearings on motions under subsection (a) for each judge of the court. The list will be posted on the court's website.

(2) Movant must select a hearing date from the list for the judge to whom the case is assigned that is more than thirty-three (33) but less than sixty (60) days after the date of service.

(3) Movant must serve a copy of the motion to modify chapter 13 plan after confirmation and proposed modified chapter 13 plan on the debtor, Trustee, and all creditors who have filed claims in the manner required by Federal Bankruptcy Rules 2002(a)(5) and 3015(g) and Local Bankruptcy Rule 2002-1(a), together with a hearing notice conforming to Local Bankruptcy Form M-1.

(d) Filing of Proof of Service. Movant must file with the motion a certificate of service of the motion to modify plan after confirmation and the notice of hearing. The certificate must comply with Local Bankruptcy Rule 7005-2.

(e) Responses to Motion to Modify Chapter 13 Plan After Confirmation. If no response to the motion to modify plan after confirmation is filed within twenty-eight (28) days after the date of the service (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)), the court may rule on the motion as unopposed. The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due.

(f) Proposed Order. Movant shall file with the motion a proposed order.

RULE 4001-3 **ACTION FOLLOWING FORECLOSURE OR REPOSSESSION OF COLLATERAL**

(a) A party obtaining relief from the automatic stay and thereafter consummating a foreclosure sale on real property in Maryland must:

(1) Provide a copy of the Report of Sale and all Auditor's Reports to the bankruptcy trustee; and

(2) When filing the Report of Sale in a case under Chapter 7 or Chapter 13, notify the Auditor of the name and address of the bankruptcy trustee.

If the real property is located in another jurisdiction, similar notices shall be provided consistent with the foreclosure procedures of that jurisdiction.

(b) Unless otherwise ordered or provided in a confirmed plan, (1) an amended proof of claim asserting an unsecured deficiency claim for real property shall be filed within one hundred eighty (180) days after entry of the order granting relief from the automatic stay; and (2) an amended proof of claim asserting an unsecured deficiency claim for personal property shall be filed within sixty (60) days after entry of the order granting relief from the automatic stay. In either event, a proof of claim shall also be timely if filed by the original claims bar date. ~~an amendment to a timely filed proof of secured claim asserting an unsecured deficiency must be filed within ninety (90) days after entry of an order ratifying the Auditor's Report, or by the original claims bar date, whichever is later, or~~ Absent compliance with this Rule, such amended claim shall be deemed disallowed.

RULE 4003-2 LIEN AVOIDANCE UNDER 11 U.S.C. § 522(f)

 (a) This Rule shall apply if a Chapter 13 debtor seeks to avoid a lien in whole or in part pursuant to 11 U.S.C. § 522(f) by filing a motion. If a debtor proceeds under this Rule, the debtor shall so indicate in the Plan. If a debtor elects instead to seek to avoid such a lien by a provision in the debtor’s plan, Local Rule 3015-1 shall apply.

(b) Form. A motion to avoid a lien under 11 U.S.C. § 522(f) may seek only to avoid a single lien. The name, address and nature of ownership (e.g. tenancy in common, tenancy by the entirety) of any non-debtor owner of property must also be included.

(~~b~~c) Service of Motion and Notice of Hearing.

(1) The Clerk will maintain a list of dates available for hearings on motions to avoid lien for each judge of the court. The list will be posted in the public area of each division and on the court’s website.

(2) Movant must select a hearing date from the list for the judge to whom the case is assigned that is more than forty-nine (49) days after the date of service.

(3) Movant must serve a copy of the motion to avoid lien on the respondent and any non-debtor owner in the manner required by Federal Bankruptcy Rules 9014 and 7004(b) and Local Bankruptcy Rule 3007-1(~~a~~) (that requires service upon the claimant at the name and address where notices should be sent as ~~listed~~-shown on the proof of claim) together with a hearing notice conforming to Local Bankruptcy Form C. The requirement of service on the respondent at the name and address where notices should be sent as ~~listed~~-shown on the proof of claim shall not be applicable if the motion to avoid lien is filed prior to the filing of the proof of claim, provided that otherwise valid

service ~~was~~is made on the respondent.

(~~e~~d) Filing of Proof of Service. Movant must file with the motion a certificate of service of the motion to avoid lien and the notice of hearing. The certificate must comply with Local Bankruptcy Rule 9013-4.

(~~e~~d) Responses to Motions to Avoid Lien. The notice must include a statement of deadline for the filing of any opposition. The deadline date shall be no less than twenty-eight (28) days after service of the motion (plus any additional time required by Federal Bankruptcy Rules 9006(a) and (f)). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due. If no response to the motion to avoid lien is filed within twenty-eight (28) days after the date of the service (plus any additional time provided by Federal Bankruptcy Rules 9006(a) and (f)), the court may rule on the motion as unopposed.

Appendix F

Amended

**CHAPTER 13 DEBTOR'S COUNSEL
RESPONSIBILITIES AND FEES**

1. A copy of paragraphs 2 and 3 of this document, Chapter 13 Debtor's Counsel Responsibilities and Fees, must be delivered to the debtor(s) by counsel at the time counsel is employed, in addition to the retainer agreement by and between the debtor(s) and debtor's counsel.
2. With the exception of adversary proceedings, appeals, and United States Trustee audits, for which separate arrangements may be made, counsel must represent their client in all matters in the bankruptcy case as long as counsel is counsel of record. This includes defending motions, including motions for relief from stay, and bringing objections to claims and prosecuting motions on behalf of the debtor. After the initial engagement, counsel may not demand payments from the debtor as a precondition to doing the work. Notwithstanding the foregoing, the court may, upon prior application, allow counsel to enter a limited appearance, including, but not limited to, representation on a pro bono or reduced fee basis.
3. Counsel must remain as counsel of record until the entry of a court order allowing the withdrawal of appearance, or until the case is dismissed or closed. The failure to receive payment for services rendered or to be rendered may serve as the basis for counsel filing a motion to withdraw.
4. The following fee arrangements are presumed reasonable under 11 U.S.C. § 329 and allowable under 11 U.S.C. § 330 and require no application or approval, except as stated below. This presumption is rebuttable and the fee can be the subject of an order to justify the fee.

If no objection or order to justify fee is filed or entered, the presumptively reasonable fee is deemed allowed under 11 U.S.C. § 330 without the entry of an Order. However, if an objection or order to justify fee is filed or entered, the burden shall be upon debtor's counsel to prove that the fee should be allowed under 11 U.S.C. § 330 under the facts and circumstances of the case for which the fee is sought. The foregoing notwithstanding, any objection filed by a trustee or other party in interest shall describe the asserted factual basis for rebutting the presumption.

A. A flat fee, not to exceed \$3,600.00 for representation of the debtor for all matters in the main case. However, counsel may by application request approval of additional fees for work done upon matters that were both not reasonably expected and that are extraordinary, or for work done after 90 days following the entry of the order confirming plan until representation ends. Such application may be made on Local Form E with notice (Local Form E-1).

B. A flat fee, not to exceed \$4,625.00 for representation for all matters in the main case. Except as stated in the following sentence, counsel waives all opportunity to apply for additional fees in the main case. Counsel may by application request approval of additional fees for work done upon matters that were not reasonable expected and that are extraordinary. Such application may be made on Local Form E with notice (Local Form E-1).

C. A flat fee, not to exceed \$2,050.00 for representation of the debtor on all matters relating to plan confirmation. Counsel may by application request approval of additional fees for prosecuting or defending motions not relating to the plan confirmation, including, without limitation, motions for relief from stay, or for claims objections. Such application may be made on Local Form E with notice (Local Form E-1). The requirement for representation in all matters in the bankruptcy case, stated in paragraph 2

above, applies without regard to the more limited coverage of the \$2,000.00 fee arrangements set forth in this subparagraph.

~~D. In any fee arrangement described in subparagraphs A, B and C above, the plan may provide that the trustee will disburse any unpaid fees to counsel and other claimants whose claims are described in 11 U.S.C. § 507(a)(2), before any disbursement by the trustee to other creditors except claimants whose claims are described in 11 U.S.C. § 507(a)(1). Unless otherwise provided by the confirmed plan, if, after payment to claimants whose claims are described in 11 U.S.C. § 507(a)(1), the remaining unpaid balance of the attorney's fee, the trustee's commission and other claims described in 11 U.S.C. § 507(a)(2) cannot be disbursed in full from the plan payments due during the first 12 months of the plan term, then the remaining unpaid balance of such fee shall be disbursed on a pro rata basis with any other priority and/or secured claims.⁺~~

~~ED.~~ On April 1, 2016, and at each 3-year interval ending on April 1 thereafter, each dollar amount in effect in paragraphs 4A, B and C of this Appendix immediately before such April 1 shall be adjusted –

(1) to reflect the change in the Consumer Price Index for All Urban Consumers, published by the Department of Labor, for the most recent 3-year period ending immediately before January 1 preceding such April 1, and

(2) to round to the nearest \$25 the dollar number that represents such change.

Adjustments made in accordance with this paragraph shall not apply to cases commenced before such adjustments.

5. All fees are subject to subsequent disgorgement upon an order of the court. No plan or confirmation order shall bar by res judicata or otherwise the subsequent review and potential disgorgement of the fee, upon objection or order to justify fee and notice thereof.

6. Full compliance with Federal Bankruptcy Rule 2016(b) is required, including the filing of a Supplemental Disclosure on Local Form E-2 of additional funds received from any person, other than distributions from the trustee under a confirmed plan. Counsel shall state in the Disclosure of Compensation filed pursuant to Federal Bankruptcy Rule 2016(b) whether the fee arrangement is one of the flat fees described in subparagraphs A, B or C of paragraph 4 above, and, if so, which such fee arrangement applies.

7. Nothing in this Appendix F shall preclude, restrict, or prohibit counsel from entering into fee arrangements different from those arrangements described in paragraph 4 above. Counsel must file an application for compensation in accordance with the Bankruptcy Code, Bankruptcy Rules, and the Rules of this Court for any fee arrangement that is different from the fee arrangements described in paragraph 4 above.

~~⁺ Nothing in subparagraph 4 D is intended to alter or amend any obligation counsel may have under nonbankruptcy law concerning escrowing, administering, or accounting for any funds disbursed to counsel pursuant to these procedures.~~

Local Form H

Amended

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

at _____

IN RE:

Debtor

*

Case No. _____
Chapter 13

*

*

Movant

*

vs.

*

Respondent

*

**ORDER GRANTING MOTION TO AVOID LIEN
ON DEBTOR'S PRINCIPAL RESIDENCE**

Having considered debtor's Motion to Avoid Lien, and any response filed thereto, and it appearing that proper notice has been given, pursuant to 11 U.S.C. § 506 and for the reasons set forth in the cases of Johnson vs. Asset Management Group, LLC, 226 B.R. 364 (D. Md. 1998), and in First Mariner Bank v. Johnson, 411 B.R. 221 (D.Md.2009) it is by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the claim of Respondent be and is hereby deemed wholly unsecured; and it is further,

ORDERED, that at such time as a discharge Order is entered pursuant to 11 U.S.C. § 1328~~(a)~~ or the Debtor completes performance of the Debtor's confirmed Chapter 13 plan in this case, the lien held in favor of Respondent on the Debtor's real property described as: _____, is avoided, and it is further,

ORDERED, that if the Respondent has filed or timely files a proof of claim, the claim of the Respondent be and hereby is allowed as a general unsecured claim for purposes of distributions under the Debtor's plan; and it is further,

~~ORDERED, that if the Respondent has not filed a proof of claim, the claim of the Respondent be and hereby is allowed as a general unsecured claim for purpose of distributions under the Debtor's plan if a proof of claim is filed on or before the later of (i) the claims bar date previously fixed by this court, or (ii) twenty eight (28) days after entry of this order; and it is further,~~

ORDERED, that allowance of the claim of the Respondent as an unsecured claim pursuant to this order is without prejudice to objection to such claim on other grounds.

cc: Trustee
Debtor Name and Address
Debtor's Attorney Name and Address
Respondent Name and Address
U.S. Trustee

End of Order

**INSTRUCTIONS FOR COMPLETION OF
LOCAL BANKRUPTCY FORM H**

(These instructions should not be filed when the form Order is uploaded.)

NOTE: Local Bankruptcy Rule 3012-1 requires a motion to avoid a lien on a Chapter 13 debtor's principal residence to be filed with a proposed order conforming to this Local Bankruptcy Form H. The movant may revise the form to make the grammar appropriate for joint cases.

Proposed orders must be prepared in compliance with Local Bankruptcy Rule 9013-3.

Local Form L

Amended

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

at _____

*	Debtor	*	Case No. Chapter 13
		*	
	Movant	*	
v.		*	
	Respondent	*	

**ORDER GRANTING MOTION TO VALUE COLLATERAL
AND TO AVOID SECURITY INTEREST**

Having considered Debtor's motion, and any response filed thereto, and it appearing that proper notice has been given, pursuant to 11 U.S.C. § 506, it is by the United States Bankruptcy Court for the District of Maryland,

ORDERED, that the value of the collateral securing Respondent's claim is \$ _____; and it is further,

ORDERED, that at such time as a discharge Order is entered pursuant to 11 U.S.C. § 1328(a) or the Debtor completes performance of the Debtor's confirmed Chapter 13 plan in this case, the lien held in favor of Respondent on the Debtor's interest in the property described as: _____, is avoided to the extent of the Respondent's unsecured claim; and it is further,

ORDERED, that if the Respondent has filed or timely files a proof of claim, the claim of the Respondent be and hereby is allowed for purposes of distributions under the Debtor's plan as a secured claim in an amount not to exceed the value of the Respondent's collateral and as a general unsecured claim for the balance; and it is further,

~~ORDERED, that if the Respondent has not filed a proof of claim, the claim of the Respondent be and hereby is allowed for purposes of distributions under the Debtor's plan as a secured claim in an amount not to exceed the value of the Respondent's collateral and as a general unsecured claim for the balance if a proof of claim is filed on or before the later of (i) the claims bar date previously fixed by this court, or (ii) twenty-eight (28) days after entry of this order and it is further,~~

Local Bankruptcy Form L

ORDERED, that allowance of the claim of the Respondent pursuant to this order is without prejudice to objection to such claim on other grounds.

cc: Trustee
Debtor Name and Address
Debtor's Attorney
Respondent Name and Address
U.S. Trustee

End of Order

NOTE: Local Bankruptcy Rule 3012-2 requires a motion in a Chapter 13 case to value collateral or avoid security interest in personal property or in real property that is not a debtor's principal residence to be filed with a proposed order conforming to this Local Bankruptcy Form L. The movant may revise the form to make the grammar appropriate for joint cases.

**Local Bankruptcy Form L
Page Two**

Local Form M

Amended

The proposed draft form that follows is not in redline format because the proposed changes are too numerous and significant for redlining

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND
at _____**

In re:	:	
	:	
	:	Case No. _____
Debtor.	:	Chapter 13
	:	

CHAPTER 13 PLAN

Original Plan
 Amended Plan
 Modified Plan

1. GENERAL PLAN PROVISIONS.

The Debtor proposes the following Chapter 13 Plan and makes the following declarations (mark one of the following boxes that apply for each of A. B. and C. below). *If a box is marked as “does not . . .” or if more than one box is marked, the provision will be ineffective if set out later in the plan.* This Plan:

- A. does not contain nonstandard provisions. OR
 does contain nonstandard provisions set out in Section 9 below.

- B. does not limit the amount of a secured claim. OR
 does limit the amount of a secured claim based on the value of the collateral securing the claim as set out in Section 5.A or 5.C below. OR
 does limit the amount of a secured claim based on the value of the collateral securing the claim set by Bankruptcy Court order in a contested matter or adversary proceeding as set out in Section 5.B or 5.D below.

- C. does not avoid a security interest or lien. OR
 does avoid a security interest or lien as set out in Section 5.A or 5.C below. OR
 does avoid a security interest or lien set by Bankruptcy Court order in a contested matter or adversary proceeding as set out in Section 5.B or 5.D below.

2. NOTICES.

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.

A. Notices to Creditors.

Your rights may be affected by this Plan. Your claim may be reduced, modified, or eliminated. *The declarations set out in Section 1 above may be of particular importance.*

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 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 the Plan.

B. Notices to Debtors.

This form lists options that may be appropriate in some cases, but not all cases. Just because an option is listed on the form does not mean that it is appropriate for you. Plans contrary to the local rules and Court rulings may not be confirmed.

3. PLAN TERMS.

The Debtor's future earnings are submitted to the supervision and control of the Chapter 13 Trustee (Trustee), and the Debtor will pay as follows (mark and complete one of A, B, or C and/or D below; and, optionally, E as applicable):

A. \$ _____ per month for a term of _____ months. OR

B. \$ _____ per month for _____ month(s),
\$ _____ per month for _____ month(s),
\$ _____ per month for _____ month(s), for a total term of _____ months. OR

C. \$ _____ per month prior to confirmation of this plan, and \$ _____ per month after confirmation of this plan, for a total term of _____ months. AND/OR

D. In addition to monthly plan payments under 3.A, B, or C, above, the Debtor will make the payments listed below:

<u>Amount</u>	<u>Date</u>	<u>Source of Payment</u>
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E. The Debtor will provide the Trustee with copies of state and federal tax returns for the years listed below within 15 days of filing the returns (and must timely file the returns on or before April 15 of each year). Not later than June 1 of each year, the Debtor will pay into the Plan the amount of refunds exceeding \$ _____ (the amount already pro rated on Schedule I, if any) for each of the listed years unless otherwise ordered by the Court. The tax refund payments are in addition to, and not a credit against, the other payments required to be paid under the Plan. The

Debtor will not make any change to the number of any federal and state tax withholding allowances claimed as of the petition date without 30 days prior notice to the Trustee.

This commitment covers tax years (list): _____

4. TREATMENT OF CLAIMS.

From the payments made, the Trustee will receive the allowed **Trustee Commission** under 11 U.S.C. § 1326(b)(2) and will make distributions in the order listed below:

A. Except as provided in Section 4.B below, **Administrative Claims** under 11 U.S.C. § 507(a)(2), including Debtor’s Counsel fee balance of \$ _____ due and payable pursuant to a fee arrangement made under Subparagraphs 4.A, B, or C of Appendix F to the Local Bankruptcy Rules.

B. At the same time and pro rata, allowed unsecured claims for: (i) **Domestic Support Obligations** under 11 U.S.C. § 507(a)(1); and (ii) any Debtor’s Counsel fee allowed under 11 U.S.C. § 507(a)(2) by Bankruptcy Court order following an application pursuant to a fee arrangement under Section 7 of Appendix F to the Local Bankruptcy Rules. Debtor’s Counsel fee balance to be paid through the Plan is expected to be in the amount of \$ _____.

C. Claims payable to the **Former Chapter 7 Trustee** under 11 U.S.C. § 1326(b)(3). List the monthly payment: \$ _____.

D. Other **Priority Claims** defined by 11 U.S.C. § 507(a)(3) - (10). List the expected claims below:

<u>Priority Creditor</u>	<u>Expected Claim Amount</u>
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E. At the same time and pro rata with payments on priority claims under Section 4.D above, the Trustee will pay **Secured Creditors** as follows. The holder of an allowed secured claim retains its lien under 11 U.S.C. § 1325(a)(5)(B)(i). Any allowed secured claim listed in the Plan to be paid by the Trustee will be deemed provided for under the Plan. Any allowed secured claim not listed in the Plan to be paid by the Trustee, or not stated to be paid outside of or otherwise addressed in the Plan, will be deemed not provided for under the Plan and will not be discharged.

I. Beginning not later than 30 days after the petition date and until the Plan is confirmed, the Debtor will directly pay **Adequate Protection Payments for Claims Secured by or Subject to a Lease of Personal Property** for: *None* or the *Claims Listed Below* (mark one box only). After confirmation of the Plan, the claims will be paid under Section 4.E.III. Make sure to list the amount of the monthly payment the Debtor will pay before confirmation, and list the last 4 digits only of the account number, if any, the lienholder uses to identify the claim:

<u>Lessor/ Lienholder</u>	<u>Property/ Collateral</u>	<u>Acct. No (last 4 numbers).</u>	<u>Monthly Payment</u>
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II. Pre-petition Arrears on Secured Claims will be paid through the Plan in equal monthly amounts while the Debtor directly pays post-petition payments beginning with the first payment due after filing the petition for: *None* or the *Claims Listed Below* (mark one box only). The claims listed below include: *Claims Secured by the Debtor's Principal Residence* and/or *Other Property* . List expected arrears only if the lienholder has not filed a proof of claim, or if the proof of claim is disputed.

<u>Lienholder</u>	<u>Collateral</u>	<u>Arrears</u>	<u>Monthly Payment</u>	<u>No. of Months.</u>
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III. Secured Claims Paid in Full through the Plan will be paid in equal monthly amounts for: *None* or the *Claims Listed Below* (mark one box only). Make sure to list the interest rates to be paid:

<u>Lienholder</u>	<u>Collateral</u>	<u>Amount</u>	<u>%Rate</u>	<u>Monthly Payment</u>	<u>No. of Months.</u>
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IV. The Debtor will **Surrender Collateral to the Lienholder** for: *None* or the *Claims Listed Below* (mark one box only). Describe the collateral securing the claim. Any allowed claim for an unsecured deficiency will be paid pro rata with general unsecured creditors. Unless the Court orders otherwise, a claimant may amend a timely filed proof of claim for an unsecured deficiency after entry of the confirmation order as follows: (a) the amended proof of claim asserting an unsecured deficiency claim for real property shall be filed within _____ days (no less than 180 days after entry of the confirmation order); (b) the amended proof of claim asserting an unsecured deficiency claim for personal property shall be filed within _____ days (no less than 60 days after entry of the confirmation order). Upon plan confirmation, the automatic stay of 11 U.S.C. §§ 362 and 1301 terminates, if not terminated earlier, as to the collateral listed:

<u>Lienholder</u>	<u>Collateral to be Surrendered</u>
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V. The Debtor will directly pay the **Secured Claims Outside of the Plan** for: *None* or the *Claims Listed Below* (mark one box only). Such claims are deemed provided for under the Plan. The Debtor will also directly pay outside of the Plan the unsecured portion of a claim that is only partially secured, and any such unsecured claim is deemed provided for under the Plan:

<u>Lienholder</u>	<u>Collateral to Be Paid for Outside of the Plan</u>
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VI. The Debtor will directly pay any allowed **Secured Claim Not Listed in the Plan** outside of the Plan. Any such claim will not be discharged.

VII. If the Trustee is holding more funds than those needed to make the payments under the Plan for any month, the Trustee may pay amounts larger than those listed in Sections 4.E.II and 4.E.III pro rata.

F. After payment of priority and secured claims, the remaining funds will be paid on allowed general **Unsecured Claims** as follows (mark one box only):

Pro Rata 100% 100% Plus ____% Interest.

If there is more than one class of unsecured claims, list each class and how it is to be treated:

<u>Class of Unsecured Creditors</u>	<u>Treatment</u>
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5. THE AMOUNT AND VALUATION OF CLAIMS.

Secured creditors holding claims treated under Section 5 retain their liens until the earlier of: the payment of the underlying debt determined under nonbankruptcy law; or discharge under 11 U.S.C. § 1328; or, if the Debtor cannot receive a discharge as provided in 11 U.S.C. § 1328(f), the notice of Plan completion. If the case is dismissed or converted without completion of the Plan, liens shall also be retained by the holders to the extent recognized under applicable nonbankruptcy law.

A. The Debtor seeks to **Value a Claim or Avoid a Lien Under 11 U.S.C. § 506 Through the Plan** for: *None* or the *Claims Listed Below* (mark one box only). The claims listed below include: *Claims Secured by the Debtor's Principal Residence* and/or *Other Property* . Make sure to list the value of the collateral proposed to be paid through the Plan plus any interest. Separately file: evidence of the collateral's value; the existence of any superior lien; the exemption claimed; and the name, address, and nature of ownership of any non-debtor owner of the property. If the lienholder has not filed a proof of claim, also separately file evidence of the amount of the debt secured by the collateral. The amount and interest rate of the claim is set as listed below or by superseding Court order. A proof of claim must be filed before the Trustee makes payments. Any undersecured portion of such claim shall be treated as unsecured.

<u>Lienholder</u>	<u>Collateral</u>	<u>Value</u>	<u>%Rate</u>	<u>Monthly Payment</u>	<u>No. of Months.</u>
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B. The Debtor seeks to **Value a Claim or Avoid a Lien Under 11 U.S.C. § 506 by Separate Motion or an Adversary Proceeding** for: *None* or the *Claims Listed Below* (mark one box only). Make sure to list the value of the collateral proposed to be paid through the Plan plus any interest. The amount and interest rate of the claim will be set by Court order. A proof of claim must be filed before the Trustee makes payments. Any undersecured portion of such claim shall be treated as unsecured.

<u>Lienholder</u>	<u>Collateral</u>	<u>Value</u>	<u>%Rate</u>	<u>Monthly Payment</u>	<u>No. of Months.</u>
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C. The Debtor seeks to **Value a Claim or Avoid a Lien Under 11 U.S.C. § 522(f)* Through the Plan** for: *None* or the *Claims Listed Below* (mark one box only). Make sure to list the value of the collateral proposed to be paid through the Plan plus any interest. Separately file: evidence of the collateral's value; the existence of any superior lien; the exemption claimed; and the name, address, and nature of ownership of any non-debtor owner of the property. If the lienholder has not filed a proof of claim, also separately file evidence of the amount of the debt secured by the collateral. The amount and interest rate of the claim is set as listed below or by superseding Court order. A proof of claim must be filed before the Trustee makes payments. Any undersecured portion of such claim shall be treated as unsecured.

<u>Lienholder</u>	<u>Collateral</u>	<u>Value</u>	<u>%Rate</u>	<u>Monthly Payment</u>	<u>No. of Months.</u>
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**Under 11 U.S.C. § 522(f) the Debtor may avoid a lien to the extent it impairs an exemption if the lien is a judicial lien or a nonpossessory, non-purchase money security interest in certain property.*

D. The Debtor seeks to **Value a Claim or Avoid a Lien Under 11 U.S.C. § 522(f)* by Separate Motion or an Adversary Proceeding** for: *None* or the *Claims Listed Below* (mark one box only). Make sure to list the value of the collateral proposed to be paid through the Plan plus any interest. The amount and interest rate of the claim will be set by Court order. A proof of claim must be filed before the Trustee makes payments. Any undersecured portion of such claim shall be treated as unsecured.

<u>Lienholder</u>	<u>Collateral</u>	<u>Value</u>	<u>%Rate</u>	<u>Monthly Payment</u>	<u>No. of Months.</u>
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**Under 11 U.S.C. § 522(f) the Debtor may avoid a lien to the extent it impairs an exemption if the lien is a judicial lien or a nonpossessory, non-purchase money security interest in certain property.*

E. The Debtor will pay the following **Claims Excluded from 11 U.S.C. § 506**** in full plus any interest for: *None* or the *Claims Listed Below* (mark one box only). The amount of each claim to be paid will be established by the lienholder's proof of claim or Court order. The interest rate of the claim is set as listed below or by superseding Court order. A proof of claim must be filed before the Trustee makes payments.

<u>Lienholder</u>	<u>Collateral</u>	<u>Value</u>	<u>%Rate</u>	<u>Monthly Payment</u>	<u>No. of Months.</u>
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***Claims excluded from 11 U.S.C. § 506 include claims where the lienholder has a purchase money security interest securing a debt incurred within the 910-day period preceding the petition date, and the collateral consists of a motor vehicle acquired for the personal use of the Debtor, or the collateral consists of any other thing of value if the debt was incurred during the 1-year period preceding the petition date.*

6. APPLICATION OF PAYMENTS ON ACCOUNT OF SECURED CLAIMS.

Payments made by the Trustee on account of arrearages on pre-petition secured claims may be applied only to the portion of the claim pertaining to pre-petition arrears, so that upon completion of all payments under the Plan, the loan will be deemed current through the petition date.

7. EXECUTORY CONTRACTS AND UNEXPIRED LEASES.

Any unexpired lease with respect to personal property that has not previously been assumed during the case, and is not assumed in the Plan, is deemed rejected and the stay of 11 U.S.C §§ 362 and 1301 is automatically terminated with respect to such property. The following executory contracts and/or unexpired leases are assumed or rejected for: *None* or the *Claims Listed Below* (mark one box only). Any claim for rejection damages must be filed within 60 days from entry of the order confirming this Plan.

Lessor or <u>Contract Holder</u>	Subject of <u>Lease or Contract</u>	<u>Assumed</u>	<u>Rejected.</u>
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8. REVESTING PROPERTY OF THE ESTATE.

Title to the Debtor’s property shall revert in the Debtor when: the Debtor is granted a discharge pursuant to 11 U.S.C. § 1328; or, if the Debtor cannot receive a discharge as provided in 11 U.S.C. § 1328(f), upon the notice of Plan completion; or upon dismissal of the case.

9. NON-STANDARD PROVISIONS.

Any non-standard provision placed elsewhere in the Plan is void. Any and all non-standard provisions are: *None* or *Listed Below* (mark one box only).

Non-Standard Plan Provisions

10. SIGNATURES.

The Debtor’s signature below certifies that the Plan provisions above are all the terms proposed by the Debtor, and the Debtor has read all the terms and understands them. The signature below of the Debtor and Debtor’s Counsel, if any, also certifies that the Plan contains no non-standard provision other than those set out in Section 9 above.

Date: _____

Debtor

Attorney for Debtor

Joint Debtor

Local Form M-1

New

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

at _____

In re: _____ :
_____ :
_____ : Case No. _____
Debtor. _____ : Chapter 13
_____ :

CERTIFICATE OF SERVICE OF CHAPTER 13 PLAN

Select Section 1, A,B, or C, and complete Sections 2 and 3 if applicable, even if Section 1(A) is selected.

1. (Select A, B, or C):

___ A. This is an original plan, filed concurrently with the Petition, which will be mailed by the Clerk to all creditors on the Matrix. *[THIS OPTION MAY ONLY BE USED WHEN THE PLAN IS FILED WITH THE PETITION]*

___ B. **AMENDED PLANS ONLY INCREASING PAYMENTS:** The Amended Chapter 13 Plan ___ filed herewith / ___ filed on _____, 20___, makes no changes from the last previously-filed plan other than to increase the amount payable under the plan. In such event, no service is required.

___ C. **ALL OTHER PLANS:** This is to certify that on _____, 20___, I caused the Chapter 13 Plan ___ filed herewith / ___ filed on _____, 20___, to be mailed by first class mail, postage prepaid, to all addresses on the attached matrix or list. (If any parties on the matrix were served by CM/ECF instead of by mail, so indicate on the matrix with the email address served as indicated on the CM/ECF Notice of Electronic Filing).

AND

2. *Check and complete this Section and Section 3 if liens are proposed to be valued or avoided through the Plan.*

___ I caused the Chapter 13 Plan ___ filed herewith / ___ filed on _____, 20___, to be served pursuant to Bankruptcy Rule 7004 on the following creditor whose lien is proposed to be impacted by the Plan (and not by separate motion) under Plan Paragraph 5(A) or 5(C). State address served and method of service. See Bankruptcy Rule 7004(h) if the party served is an insured depository institution. Attach separate sheets or repeat this paragraph for each such creditor served.

Name of Creditor

Name served

Capacity (Resident Agent, Officer, etc.)

Address

City, State, ZIP

Method of Service: _____

Date Served: _____

AND Select A or B:

A. ____ A proof of claim has been filed with respect to the lien or claim at issue prior to service of the Plan. I also mailed a copy of the Plan and supporting documents under Section 3 below to the claimant at the name and address where notices should be sent as shown on the proof of claim.

B. ____ No proof of claim has been filed for the lien or claim at issue.

3. ____ Along with each copy of the Plan served under Section 2, I included copies of documentation supporting Debtor's entitlement to the relief sought in Plan Paragraph 5(A) or 5(C) with respect to that creditor (for example, documents establishing the value of the property and the amount of any prior liens and the lien at issue), which I have also filed with the Court as a supplement to the Plan. ***This supplemental material need not be served with the plan on all creditors, only on affected secured creditors.***

____ This is an amended Plan and the documentation supporting Debtor's entitlement to the relief sought in Plan Paragraph 5(A) or 5(C) has been previously served and filed as ECF docket entry ____.

I hereby certify that the foregoing is true and correct.

Dated: _____

Debtor, Counsel for Debtor, or other
Person effecting service

Local Form M-2

New

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MARYLAND**

at _____

In re: _____ * Case No.
* Chapter 13
Debtor _____ *

* * * * *

NOTICE OF MOTION TO MODIFY CHAPTER 13 PLAN AFTER CONFIRMATION

A motion was filed on behalf of the debtor to modify the Chapter 13 Plan that has been confirmed in this case. Your rights may be affected. You should read these papers carefully and discuss them with your lawyer. If you do not have a lawyer, you may wish to consult one. A copy of the motion and proposed modified plan is attached.

If you do not want the court to grant the motion to modify the Chapter 13 Plan, or if you want the court to consider your views on the motion, then by _____ *(parties served by mail may add three (3) additional days to the response deadline) you or your lawyer must file with the Clerk of the Bankruptcy Court a response to the motion explaining your position and mail a copy of the response to the debtor, debtor's counsel (if applicable), trustee and other related parties in accordance with Federal Bankruptcy Rule 3015(g).

If you file a timely response to the motion, the hearing on the motion will take place on _____, at _____, ** in Courtroom _____, United States Bankruptcy Court, _____.

If you or your lawyer do not file and serve a timely response to the motion, the court may find that you do not oppose the relief sought in the motion and may grant or otherwise rule on the motion without a hearing.

DATE: _____ ***

Signature (Attorney or Movant if without counsel)

Address _____

Telephone No. _____

CERTIFICATE OF SERVICE

I hereby certify that on the _____ day of _____, 20____, I reviewed the Court’s CM/ECF system and it reports that an electronic copy of the Notice of Motion to Modify the Chapter 13 Plan After Confirmation will be served electronically by the Court’s CM/ECF system on the following:

Name of Trustee, Chapter 13

Name of Attorney

Name of Attorney

I hereby further certify that on the _____ day of _____, 20____, a copy of the Notice of Motion to Modify the Chapter 13 Plan After Confirmation was also mailed first class mail, postage prepaid to:

Name of Party
Address of Party
City, State Zip

Name of Party
Address of Party
City, State Zip

Name of Party
Address of Party
City, State Zip

Signature _____
[Type or print your name]

**INSTRUCTIONS FOR COMPLETION OF
NOTICE OF MOTION TO MODIFY CHAPTER 13 PLAN AFTER
CONFIRMATION**

(These instructions should not be filed when the form is uploaded.)

NOTE: Remove asterisks from the form after the completion of the Notice.

- [*] Insert date that is at least 28 days after the date this notice is mailed (service), plus any additional time provided by Federal Bankruptcy Rule 9006(a). The Court Hearing Scheduler (CHS) Program on the court's website and CM/ECF filing screen for this type of motion will compute the date that an objection is due. Use the date computed.
- [**] Insert a date and time from the list of dates available for the judge assigned to the case that is at least 33 days but less than 60 days after the date of this notice.
- [***] Insert the date notice was served.

ADDITIONAL NOTE: Service must be made pursuant to Federal Bankruptcy Rule 7004 and Local Bankruptcy Rule 3012-1. The Certificate of Service must comply with Local Bankruptcy Rule 7005-2.