

## RECOMMENDATIONS: CHAPTER 13 TRUSTEE'S PERSPECTIVE

1. Use the most current forms in effect at the time of filing, especially Form B22C and the Chapter 13 Plan (Local Bankruptcy Form M).
2. Make sure your fee arrangement is stated consistently between the plan and your Form 2016(b). If you have selected one of the presumptively reasonable flat fees described in Paragraph 4 of Appendix F to the Local Rules, state in your Form 2016B which subparagraph (A, B, or C) of Paragraph 4 governs your fee arrangement and make sure the exclusions in the 2016B are consistent with that subparagraph.
3. Make sure that the plan payment terms of the Chapter 13 Plan are clearly stated and add up to the correct number of months.
4. Understand when an amended plan must circulate prior to confirmation, which requires a 28 day notice period. The only time an amended plan can be confirmed without circulation is when plan funding is increased but no changes have been made to treatment of creditors. Any other changes require the plan to circulate.
5. Review the claims register frequently until the POC bar date. Secured and Priority claims are frequently filed for different amounts than your client estimates.
6. Serve all necessary objections to proofs of claim, motions to value and motions to avoid liens properly. Make sure to serve the person who signed the proof of claim as well as all other parties that must be served in accordance with Bankruptcy Rule 7004. Improper service may will delay the prosecution of your case.
7. Make sure that pay advices and tax returns are sent to the trustee and not filed with the court. All documents should be clearly marked with the Debtor's name and case number.
7. Don't send documentation to the Trustee without having first looked at it yourself to make sure it is legible, complete and meaningful. If the document is not clearly self-explanatory, make sure you include sufficient explanation/ description so that the Trustee understands its impact in the case. In my office documents can be uploaded electronically or emailed to the case administrator.
8. Don't put your file down after the §341 meeting. The limited time between creditors' meetings and confirmation hearings since enactment of BACCPA means that you must keep your efforts to manage your clients' plans moving steadily along;
9. Include your phone number and email address on all pleadings filed with the court.

10. When saving your document and converting it to a PDF, be certain that you are including the whole document. If you have selected to print certain pages, the creation of the PDF will also only select and save those pages, resulting in a partial PDF document filed with the court.

11. Websites: [www.ch13md.com](http://www.ch13md.com)  
Our phone numbers and email addresses, forms, helpful worksheets, ePay

[www.ndc.org](http://www.ndc.org)

Chapter 13 Trustees data nationwide. Access for Debtors and Debtors' Counsel is free

Best Practices CM/ECF Seminar  
May 8 and May 15, 2014  
Nancy Grigsby, Chapter 13 Trustee  
May 4, 2014