



UNITED STATES BANKRUPTCY COURT DISTRICT OF MARYLAND

CM/ECF Attorney Training Module

AFFIDAVIT OF ADEQUATE PROTECTION AND LEASE PAYMENT

Under BAPCPA and pursuant to LBR 3015-3, any pre-confirmation adequate protection and personal property lease payments made pursuant to 11 U.S.C. § 1326(a)(1) must be disclosed. LBR 3015-3 requires that such payments be paid directly by the debtor(s) to the creditor rather than the chapter 13 trustee. No later than fourteen (14) days prior to the date of a confirmation hearing, the debtor shall file with the Court an affidavit that discloses any Section 1326(a)(1) pre-confirmation payments paid by the debtor directly to creditors.

The affidavit shall identify each creditor, the creditor's address, the last four digits of the account number, the date of payment, the due date of the payment, the amount of each payment and the aggregate amount of payments made pre-confirmation. A copy of the affidavit shall be served on each creditor listed in the affidavit and upon the Chapter 13 trustee. In addition to the service required by Federal Rules of Bankruptcy Procedure 7004(b) and 9014, the debtor must serve a copy of the affidavit on the creditor in care of an individual at the creditor's address indicated on any proof of claim filed by that creditor and certify that service to the Court.

FILING STEPS:

1. Click 'Bankruptcy' on the menu bar and select 'Miscellaneous'
2. The Case Number screen displays. Enter the case number in yy-nnnnn format and click 'Next'
3. The Available Events List Screen displays. Scroll down to 'Affidavit of Adequate Protection and Lease Payments' or type any part of the event name in the search window to narrow the list. The search is not case sensitive. Select the correct event
4. The event will show in the 'Selected Events' window (If you select the incorrect event, click in the 'Selected Events' window to remove it). Click 'Next'
5. The Select the Party screen displays:
 - Scroll through the list of parties. If your party is found, highlight the name
 - If the name of the party is not found, click Create New Party. (Refer to Add/Create New Party for complete instructions)
6. Click 'Next'



UNITED STATES BANKRUPTCY COURT DISTRICT OF MARYLAND

CM/ECF Attorney Training Module

7. If this is the first time you are filing on behalf of the party filer, a check box will appear to create the association between attorney and client. Check the box and click 'Next'
8. The PDF Document Selection screen displays. Click Browse (Refer to the Navigating through Directories for complete instructions), select PDF document(s), and click 'Next'
9. Property Address Request screen displays. Enter address of property and click 'Next'
10. Objection due date screen displays. The objection due date defaults to 14 days. Click 'Next'
11. Case Information screen displays. Verify Debtor(s) Name and Case Information and click 'Next'
12. The Final Approval screen displays: **Attention!!** Submitting this screen commits this transaction. You will have no further opportunity to this submission if you continue.
13. Verify the Final Docket Text then click 'Next'
14. The Notice of Electronic Filing screen displays. (Refer to the Notice of Electronic Filing for complete instructions)