

Chapter 13 - Pre-Confirmation Plan Amendment

<u>Procedure Date:</u> 5/08/2013	<u>Official/Local Form:</u> Pre-Confirmation Amendment Instructions and Form; Chapter 13 Plan Form 4/14/08	<u>Rules/Code Sections:</u> 11 U.S.C. § 1323
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How to Process

Click the boxes below to navigate to the appropriate section

Overview
Filing Requirements
Intake
Electronic
Docket

Overview

A Chapter 13 Pre-Confirmation Plan Amendment is filed by the debtor or debtor's attorney at any time prior to confirmation to make a change to the initial chapter 13 plan. This event may be used multiple times during a case to amend the plan prior to confirmation.

[Critical Errors vs. Important Errors - Pre-Confirmation Plan Amendment](#)

END OF OVERVIEW



Filing Requirements

- Pre-Confirmation Chapter 13 Plan Amendment
 - Preferably using the Chapter 13 Plan Form (4/14/08)
 - Preferably entitled "First Amended, Second Amended, etc"
- May be filed without attorney bar ID number

Note: A Certificate of Service is NOT required. The Court will serve the plan.

END OF FILING REQUIREMENTS



Intake

- Ensure [Filing Requirements](#) are met
- [Quality control](#) the document(s)
- File stamp the document(s)
- Route the original (and copies, if any) to the assigned case administrator

END OF INTAKE



Electronic

- In the QC Editor, click the document number to open the document
- Ensure [Filing Requirements](#) are met
- [Quality control](#) the document(s)

IF...	Then
the plan is missing debtor(s) or attorney signature(s)	<ul style="list-style-type: none"> • Issue a Notice of Deficiency • Do NOT serve the plan – delete from the BNC Bin • Enhance the docket entry to state, "Plan not served – no signature."
the plan is missing a case number (if filed with the petition, a case number is not required)	<ul style="list-style-type: none"> • Notify debtor's attorney that case number is missing • Do NOT serve the plan – delete from the BNC Bin

	<ul style="list-style-type: none"> Enhance the docket entry to state, "Plan not served – missing case number. Attorney notified."
<p>the plan contains an incorrect case number</p>	<ul style="list-style-type: none"> Issue a Notice Regarding Incorrect Name/Case Number Do NOT serve the plan – delete from the BNC Bin Enhance the docket entry to state, "Plan not served – incorrect case number."
<p>the case has been dismissed and a motion to reconsider or vacate dismissal has not been filed</p>	<ul style="list-style-type: none"> Do NOT serve the plan – delete from the BNC Bin Enhance the docket entry to state, "Plan not served – case dismissed."
<p>the plan was filed using an incorrect event code</p>	<ul style="list-style-type: none"> Notify debtor's attorney to refile the document using correct event code Enhance the docket entry to state, "Incorrect Event Code used – Notified Attorney."
<p>the plan was filed using an incorrect event code that <u>does not</u> create a document to be released from the BNC bin (i.e. Notice)</p>	<ul style="list-style-type: none"> Notify debtor's attorney to refile the plan using correct event code Enhance the docket entry to state, "Incorrect Event Code used – Notified Attorney."

- Verify the docket text and make corrections, if necessary
- Click the "Mark as Checked" box in QC Editor before moving on to the next event
- If applicable, generate a [Notice of Deficiency](#)

Note: Remember to release the plan from the BNC bin

END OF ELECTRONIC



replaced strike through text with highlighted text

Docket

- Ensure [Filing Requirements](#) are met
- [Quality Control](#) the document(s)
- Select **Bankruptcy**
- Select **Plan**
- Enter case number (xx-xxxxx)
- Click **Next**
- Select the **filing attorney**
- Click **Next**
 - **IF** an attorney is not listed
 - Use [Add/Create New Attorney](#)
 - Click **Next**
 - **IF** the document is not being filed by an attorney
 - Click **Next**
 - Click **OK**
- Select the **party filer**
- Click **Next**
 - **IF** the party is not listed
 - Use [Add/Create New Party](#)
 - Click **Next**
- If you see the message: **IMPORTANT: The following attorney/party association(s) will be created in this case. De-selecting a party association will result in the filing attorney NOT receiving Notices of Electronic Filing for that party. If this is a joint filing, review the list carefully to ensure that only parties represented by the filing attorneys are selected.**
 - Remove the check mark from any party not represented by the filing attorney
 - Click **Next**
- Click **Next**
- Select **02-Chapter 13 - Pre-Confirmation Plan Amendment**
- Click **Next**
- Enter the **date filed** from the file stamp
- **Browse** to select the document to be filed (.pdf)
- Click **Next**
- You will see the message:
USE THIS EVENT ONLY FOR AMENDMENTS TO THE PLAN MADE PRIOR TO CONFIRMATION. THE AMENDMENT SHOULD RESTATE THE ENTIRE PLAN. DO NOT FILE AN AMENDMENT SHOWING ONLY ITEMS THAT HAVE BEEN ADDED OR DELETED. DO NOT FILE SCHEDULES AS PART

OF THE AMENDED PLAN. FILE AMENDED SCHEDULES SEPARATELY USING THE AMENDED SCHEDULES EVENT.

- Select the appropriate event(s) to which your event relates (select the initial Chapter 13 Plan)
- Click **Next**
- Verify the docket text and make corrections, if necessary
- Click **Next**
- At the top of the screen you will see: **Please note:** The docket event has been entered. The Notice of Electronic Filing will display after forms processing.
- Do **NOT** remove the check mark following the statement: **The following form(s) have been requested. Remove the check mark from any you do not wish to generate.**
 - **IF** the check mark is removed, the plan cannot be served
- Click **Next**
- Click **Next**
- In the lower right corner of the document, write the document number and your initials
- If necessary, generate a [Notice of Deficiency](#)

END OF DOCKET

