

Comparison of Current Chapter 13 Plan form and Plan Form Effective 12.1.2020

Page or Section	Old Plan	New Plan
Page 1	Under "To Creditors" – second sentence "Check if applicable"	Remove "Check if applicable"
Page 1	"To receive payments under this plan, you must have an allowed claim. If you file a timely proof of claim, your claim is deemed allowed unless a party in interest objects. See 11 U.S.C. §502(a).	Remove the word "timely"
Page 1	Check box "The plan provides for the payment of a domestic support obligation (as defined in 11 U.S.C. §101(14A)), set out in Section 4.4.	Move check box to chart at the bottom of the page and change to 1.4 with check box for "included" or "not included"
Page 1	"The following matters may be of particular importance. Debtor(s) 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," if both boxes are checked, or if no box is checked, the provision will be ineffective even if set out later in the plan."	Add reference to 1.4: "The following matters may be of particular importance. Debtor(s) 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," if both boxes are checked, or if no box is checked, the provision will be ineffective even if set out later in the plan., except 1.4. "
§2.3 Income Tax Refunds	"Debtor(s) will (1) supply the trustee with a copy of each income tax return filed during the pendency of the case within 30 days of filing the return and (2) turn over to the trustee, within 20 days of the receipt of any income tax refunds during the applicable	Add the word "federal" in three (3) places: "Debtor(s) will (1) supply the trustee with a copy of each federal income tax return filed during the pendency of the case within 30 days of filing the

	commitment period for tax years _____, the amount by which the total of all of the income tax refunds received for each year exceeds \$2,000....”	return and (2) turn over to the trustee, within 30 days of the receipt of any federal income tax refunds during the applicable commitment period for tax years _____, the amount by which the total of all of the federal income tax refunds received for each year exceeds \$2,000....”
§2.6	Delete §2.6(a) and (b).	Replace with “The trustee shall disburse funds in accordance with General Order No. _____. (www.ganb.uscourts.gov/local-rules-and-orders)
§3.2	Title: Request for valuation Second check box, 3 rd paragraph: “For each listed claim below, the value of the secured claim will be paid in full, with interest at the rate stated below. 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....”	Change title of section: Request for valuation of security and modification of certain undersecured claims. Second check box, 3 rd paragraph: Add language for the treatment of secured tax claims: “For each listed claim below, the value of the secured claim will be paid in full, with interest at the rate stated below. For a secured tax claim, the interest rate shall be the interest rate stated in the proof of claim. 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....”
§3.3	Secured claims to be excluded from 11 U.S.C. §506. “The claims listed below were either:	Change section title to “Secured Claims to be paid in full.”

	<p>(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</p> <p>(2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other things of value.</p>	<p>“The claims listed below will be paid in full under the plan. Reasons for payment in full may include:</p> <p>(1) were 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</p> <p>(3) were incurred within 1 year of the petition date and secured by a purchase money security interest in any other things of value; or</p> <p>(4) the value of the collateral exceeds the anticipated claim; or</p> <p>(5) the claim listed shall be paid in full because the claim is cosigned; or</p> <p>(6) the claim listed shall be paid in full because the debtor is not entitled to a discharge;</p>
§3.4 Lien Avoidance	Lien Avoidance Calculation Box	Remove and replace lien avoidance calculation chart in its entirety.
§4.3 Attorney’s Fees (a)	The unpaid fees, expenses, and costs owed to the attorney for the debtor(s) in connection with legal representation in this case are \$_____. The allowance and payment of the fees, expenses and costs of the attorney for the debtor(s) are governed by General Order 22-2017 (“Chapter 13 Attorney’s Fees Order.”), as it may be amended.	<p>Add reference to additional fees:</p> <p>The unpaid fees, expenses, and costs owed to the attorney for the debtor(s) in connection with legal representation in this case are \$_____. The allowance and payment of the fees, including the award of additional fees, expenses and costs of the attorney for the debtor(s) are governed by General Order _____</p>

		("Chapter 13 Attorney's Fees Order."), as it may be amended.
(b)	Upon confirmation of the plan, the unpaid amount shall be allowed as an administrative expense under 11 U.S.C. §503(b) to the extent set forth in the Chapter 13 Attorney's Fees Order.	No changes.
(c)	The Bankruptcy Court may allow additional fees, expenses, and costs to the attorney for the debtor(s) in excess of the amount shown in §4.3(a) above upon application of the attorney in compliance with the Chapter 13 Attorney's Fees Order and after notice and a hearing.	Deleted in its entirety.
(d)	From the first disbursement after confirmation, the attorney will receive payment under §2.6(b)(1) up to the allowed amount set forth in §4.3(a).	(c) in revised plan form: From the first disbursement after confirmation, the attorney will receive payment under the Chapter 13 Attorney's Fees Order up to the allowed amount set forth in §4.3(a).
(e)	The unpaid balance and any additional amounts allowed under §4.3(c) will be payable (1) at \$ _____ per month from Regular Payments and (2) from Tax Refunds or Additional Payments, as set forth in the §2.6, until all allowed amounts are paid in full.	(d) in revised plan form: The unpaid balance and any additional amounts allowed under §4.3(c) will be payable (1) at \$ _____ per month from Regular Payments and (2) from Tax Refunds or Additional Payments, as set forth in the Chapter 13 Attorney's Fees Order until all allowed amounts are paid in full.
(f)		(e) in revised plan form.

	<p>If the case is converted to a Chapter 7 before confirmation of the plan, the debtor(s) direct(s) the trustee to pay the attorney for the debtor(s) the amount of \$_____, not to exceed the maximum amount that the Chapter 13 Attorney's Fees Order permits. If the attorney for the debtor(s) has complied with the applicable provisions of the Chapter 13 Attorney's Fees Order, the trustee will deliver, from the funds available, the stated amount or the maximum amount to the attorney, whichever is less.</p>	
(g)	<p>If the case is dismissed before confirmation of the plan, fees, expenses, and costs of the attorney for the debtor(s) in the amount of \$_____, not to exceed the maximum amount that the Chapter 13 Attorney's Fees Order permits, will be allowed to the extent set forth in the Chapter 13 Attorney's Fees Order. The attorney may file an application for fees, expenses, and costs in excess of the maximum amount within 14 days from the entry of the order of dismissal. If the attorney for the debtor(s) has complied with the applicable provisions of the Chapter 13 Attorney's Fees Order, the trustee will deliver, from the funds available, the allowed amount to the attorney.</p>	(f) in revised plan form.
(h)	<p>If the case is converted to Chapter 7 after confirmation of the plan, the debtor(s) direct(s) the trustee to deliver to the attorney for the</p>	(g) in revised plan form.

	debtor(s) from the funds available, any allowed fees, expenses and costs that are unpaid.	
(i)	If the case is dismissed after confirmation of the plan, the trustee will pay to the attorney for the debtor(s), from the funds available, any allowed fees, expenses and costs that are unpaid.	(h) in revised plan form.
§4.4 Priority Claims other than attorney's fees.	<p>(a) Check one</p> <p>Check box: "The debtor(s) has/have no domestic support obligations. If this box is checked, the rest of §4.4 need not be completed or reproduced."</p> <p>(b) "The debtor(s) has/have priority claims other than attorney's fees and domestic support obligations as set forth below."</p>	<p>Delete (a) Check one</p> <p>Check box: "The debtor has/have domestic support obligations as set forth below. The debtor(s) is/are required to pay all postpetition domestic support obligations directly to the holder of the claim."</p> <p>Delete (b) and add check box "The debtor(s) has/have priority claims other than attorney's fees and domestic support obligations as set forth below."</p>
9.1 Signature of Debtor(s) and Attorney for Debtor(s)	"The debtor(s) must sign below. The attorney for the debtor(s), if any, must sign below."	"The debtor(s) must sign the initial plan and, if not represented by an attorney, any modification of the plan, below. The attorney for the debtor(s), if any, must sign below."