



**UNITED STATES BANKRUPTCY COURT
DISTRICT OF MINNESOTA**

Diana E. Murphy U.S. Courthouse
300 S. 4th ST, STE 301
Minneapolis, MN 55415
(612) 664-5200

Warren E. Burger Federal Building & U.S. Courthouse
316 N. Robert ST, STE 200
St. Paul, MN 55101
(651) 848-1000

Edward J. Devitt U.S. Courthouse & Federal Building
118 South Mill ST
Fergus Falls, MN 56537
(218) 529-7337

Gerald W. Heaney Federal Building & U.S. Courthouse & Customhouse
515 W. 1st ST, STE 404
Duluth, MN 55802
(218) 529-7337

PUBLIC NOTICE

**AMENDMENTS TO LOCAL FORM 3015-1
AND
PROPOSED AMENDMENTS TO LOCAL RULE 3007-1**

The United States Bankruptcy Court for the District of Minnesota has approved amendments to the Court's Local Form 3015-1, Chapter 13 Plan Form, and is issuing for public comment proposed amendments to Local Rule 3007-1, Claims – Objections. A summary of the amendments and proposed amendments is provided below. The amendments and proposed amendments are available on the Court's website in final and redline formats.

A. Amendments to Local Form 3015-1, Chapter 13 Plan Form — effective January 1, 2022

On June 16, 2021, the Court notified the public of proposed amendments to Local Form 3015-1, Chapter 13 Plan Form. After consideration of the public's comments and the recommendations of the Court's Bankruptcy Practice Committee, chaired by Mary Sieling, the Court approved several amendments to the form. The amendments to Local Form 3015-1 take effect on January 1, 2022.

Local Form 3015-1 has been substantially updated. The table in Part 2 has been updated to provide the option to note variable plan payment amounts. The changes in Part 3 are intended to align with 11 U.S.C. § 1326(a)(2) and to clarify that the trustee is not required to retain funds for any claim in which a proof of claim was not timely filed.

The changes delete former Part 4 concerning adequate protection payments and move some of the language from Part 4 to Part 3, and renumbered Parts 8 and 9. The deletion of Part 4 is

intended to make it easier for practitioners to account for adequate protection payments by scheduling adequate protection payments directly in renumbered Parts 8 and 9. These changes align with 11 U.S.C. § 1326(a)(1)(C), which reduces any amount owed a creditor by the adequate protection payments. All other changes to the form are intended to be stylistic only.

B. Proposed Amendments to LR 3007-1

The Court is issuing for public comment proposed amendments to LR 3007-1, Claims – Objections. The proposed amendments restyle the rule by splitting it into two subsections and remove language that is duplicative of the Federal Rules. The language in proposed subsection (a) clarifies that an objection to the allowance of a claim must be made by motion. The language in proposed subsection (b) clarifies that if the objector files and serves a counterclaim against the claimant under Federal Rules of Bankruptcy 7001, the complaint for the counterclaim must include the objection to the allowance of the claim.

The proposed amendments also include an Advisory Committee Note, which will now be included with all future local rule amendments. In addition to describing the proposed changes to the local rule, the note advises that Federal Rule of Bankruptcy Procedure 3007(a)(1) requires that the notice of objection substantially conform to the appropriate Official Form (currently form 420B), but that there are few practitioners who file and serve the required Official Form.

C. Public Comment Instructions

Comments should be provided in writing to the Clerk of Court at the address above, or by e-mail to bankruptcypracticecommittee@mn.uscourts.gov. The court will consider adoption of the proposed amendments after reviewing any comments or suggestions submitted on or before December 31, 2021.