

GUIDELINES FOR USE OF THE NEW CHAPTER 13 PLAN FORM (LOCAL FORM 3015-1) EFFECTIVE DECEMBER 1, 2017

AVAILABILITY OF THE 12-1-17 PLAN FORM:

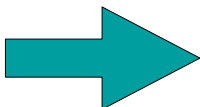
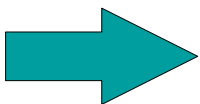
The 12-1-17 plan form is available in both pdf fillable and *Word* formats on the court's website under Local Forms: <http://www.mnb.uscourts.gov/local-forms> (See screenshot below).



IMPORTANT NOTE RE: WORD VERSION OF THE PLAN FORM: Because of the tables and other formatting in the form, the *Word* version may not display properly on some devices. Attorneys are **STRONGLY** encouraged to use the pdf fillable form.

Official Local Forms

1007-1	Disclosure of Compensation of Attorney for Debtor
1007-3	Financial Review of the Debtor's Business
1007-3-1 (7)	Notice of Responsibilities of Chapter 7 Debtors and Their Attorneys
1007-3-1 (13)	Notice of Responsibilities of Chapter 13 Debtors and Their Attorneys
1008-1	Proof Of Authority To Sign And File Petition
1019-1	Conversion Of Case By Debtor
2002-4(d)	Notice Of Case To Equity Security Holders
2002-5	Notice of Withdrawal
2016-1	Chapter 13 Attorney Fee Application
3002-2(c)	Request for Payment of Pre-Conversion Administrative Expense
3015-1	Chapter 13 Plan (pre 12/1/2017)
3015-1	Chapter 13 Plan (effective 12/1/2017) *Open only in Adobe Acrobat or Internet Explorer
3015-1	Chapter 13 Plan (effective 12/1/2017) - Word version
3020-2	Report Of Ballot Tabulation



IMPORTANT NOTE ABOUT THE PDF FILLABLE PLAN FORM:

The pdf fillable plan form requires use of Adobe Acrobat or Internet Explorer. The form will “auto-calculate” and “auto-fill” certain cells as data is entered.

The new plan form has also been provided to the software vendors listed below. Attorneys may wish to contact their vendors about the availability of the plan form through their petition preparation software:

BestCase
EZ Filing
Legal-Pro
13Software.com
LexisNexis
National Law Forms
Ruth Technology
Trustee Solutions

BMS7
Minus 10 Software
CIN Compass
CIN Legal
FastCase
Next Chapter BK
Epiq Systems

APPLICABILITY OF THE 12-1-17 PLAN FORM:

The amendments to Local Form 3015-1 will apply to ALL PLANS, including any modified plans, filed on and after December 1, 2017.

If the pre-12-1-17 plan form is used on or after December 1, 2017, the clerk’s office will contact the filer and direct that the plan or modified plan be resubmitted on the new form.



**WE WANT YOU
TO USE THE NEW PLAN
FORM**

SIGNATURES ON THE 12-1-17 PLAN FORM:

Attorney certification (last page of the plan form): an electronic signature (i.e., /e/ *Attorney Name*) is sufficient if the plan is filed using the attorney's CM/ECF login and password; the attorney's "wet signature" is not required on the plan form.

Debtors' signatures (last page of the plan form): debtors' signatures on the *Signature Declaration* form submitted with the plan are sufficient; the debtors' "wet signatures" are not required on the plan form.

SAVING THE PDF FILLABLE VERSION OF THE 12-1-17 PLAN FORM:

When all information has been entered into the pdf fillable plan form (available on the court's website), **print the plan form to Adobe PDF** to **flatten** and **reduce the size** of the electronic file.

MAILING AND SERVING THE PLAN:

If the chapter 13 plan is filed with the petition or **within 14 days thereafter**, the clerk's office will arrange for mailing or electronic notice through the bankruptcy noticing center of the plan and 341 meeting notice to all parties listed on the matrix. The 341 notice will include the deadline for filing objections to confirmation of the plan.

If the plan is filed **after the 341 meeting notice is sent**, the debtor must serve the plan on the trustee and all creditors per FRBP 3015(d).

SPECIAL SERVICE REQUIREMENTS (per 12-1-17 amendments to the FRBP):

FRBP 3012(b): If the plan includes a **request to determine the amount of a secured claim**, "the plan shall be served on the holder of the claim and any other entity the court designates in the manner provided for service of a summons and complaint by Rule 7004."

FRBP 4003(d): If the plan includes a **request to avoid a lien or other transfer of exempt property**, the plan must be served "on the affected creditors in the manner provided by Rule 7004 for service of a summons and complaint."

Plans containing one or both of these requests should be **accompanied by proof of service** showing compliance with the above noted federal rules.

FILING THE PLAN AND IDENTIFYING “EMBEDDED MOTIONS”:

The plan may contain any or all of the following “embedded motions”:

- *Request for valuation of a secured claim*
- *Request for lien avoidance*
- *Request that the stays under §§ 362(a) or 1301(a) be terminated as to surrendered collateral*
- *Request for assumption/rejection of executory contracts or leases*

As part of the filing, on or after December 1, 2017, of the chapter 13 plan or any modified plan, the filer will be prompted to identify which requests are included in the plan by checking the appropriate box or boxes, as shown in the screenshot below. This allows the court to gather statistics on these motions, for submission to Congress.

MNB Chapter 13 plan - Vosejpk, Lori (crt) - Inside

Select any of the following requests that are included with the Chapter 13 Plan (Click Next if none of these requests are included)

- Request for valuation of security, payment of fully secured claims, and modification of undersecured claims [Part 9]
- Request for lien avoidance [Part 17]
- Request that the stays under 11 U.S.C. 362(a) and 1301(a) be terminated as to collateral surrendered in the plan [Part 16]
- Request for assumption of executory contracts and/or unexpired leases [Part 5]

Next

Clear

QUESTIONS?

Please contact the Clerk’s Office:

Duluth
218-529-3600

Minneapolis
612-664-5200

St. Paul
651-848-1000