

1 **Rule 3015.1. Requirements for a Local Form for Plans**
2 **Filed in a Chapter 13 Case**

3 Notwithstanding Rule 9029(a)(1), a district may
4 require that a Local Form for a plan filed in a chapter 13
5 case be used instead of an Official Form adopted for that
6 purpose if the following conditions are satisfied:

7 (a) a single Local Form is adopted for the district
8 after public notice and an opportunity for public comment;

9 (b) each paragraph is numbered and labeled in
10 boldface type with a heading stating the general subject
11 matter of the paragraph;

12 (c) the Local Form includes an initial paragraph for
13 the debtor to indicate that the plan does or does not:

14 (1) contain any nonstandard provision;

15 (2) limit the amount of a secured claim based on
16 a valuation of the collateral for the claim; or

17 (3) avoid a security interest or lien;

18 (d) the Local Form contains separate paragraphs
19 for:
20 (1) curing any default and maintaining payments
21 on a claim secured by the debtor’s principal residence;
22 (2) paying a domestic-support obligation;
23 (3) paying a claim described in the final
24 paragraph of § 1325(a) of the Bankruptcy Code; and
25 (4) surrendering property that secures a claim
26 with a request that the stay under §§ 362(a) and
27 1301(a) be terminated as to the surrendered collateral;
28 and
29 (e) the Local Form contains a final paragraph for:
30 (1) the placement of nonstandard provisions, as
31 defined in Rule 3015(c), along with a statement that
32 any nonstandard provision placed elsewhere in the
33 plan is void; and
34 (2) certification by the debtor’s attorney or by
35 an unrepresented debtor that the plan contains no

- 36 [nonstandard provision other than those set out in the](#)
37 [final paragraph.](#)

Committee Note

This rule is new. It sets out features required for all Local Forms for plans in chapter 13 cases. If a Local Form does not comply with this rule, it may not be used in lieu of the Official Chapter13 Plan Form. *See* Rule 3015(c).

Under the rule only one Local Form may be adopted in a district. The rule does not specify the method of adoption, but it does require that adoption of a Local Form be preceded by a public notice and comment period.

To promote consistency among Local Forms and clarity of content of chapter 13 plans, the rule prescribes several formatting and disclosure requirements. Paragraphs in such a form must be numbered and labeled in bold type, and the form must contain separate paragraphs for the cure and maintenance of home mortgages, payment of domestic support obligations, treatment of secured claims covered by the “hanging paragraph” of § 1325(a), and surrender of property securing a claim. Whether those portions of the Local Form are used in a given chapter 13 case will depend on the debtor’s individual circumstances.

The rule requires that a Local Form begin with a paragraph for the debtor to call attention to the fact

that the plan contains a nonstandard provision; limits the amount of a secured claim based on a valuation of the collateral, as authorized by Rule 3012(b); or avoids a lien, as authorized by Rule 4003(d).

The last paragraph of a Local Form must be for the inclusion of any nonstandard provisions, as defined by Rule 3015(c), and must include a statement that nonstandard provisions placed elsewhere in the plan are void. This part gives the debtor the opportunity to propose provisions that are not otherwise in, or that deviate from, the Local Form. The form must also require a certification by the debtor's attorney or unrepresented debtor that there are no nonstandard provisions other than those placed in the final paragraph.

Changes Made After Publication and Comment

- References to Bankruptcy Code §§ 362(a) and 1301(a) were added to subsection (d)(4);
- References to Rules 3012(b) and 4003(d) were added to what is now the penultimate paragraph of the Committee Note; and
- The last paragraph of the Committee Note was subdivided and the sentence "This part gives the debtor the opportunity to propose provisions that are not otherwise in, or that deviate from, the Local Form." was added to what is now the final paragraph.

Summary of Public Comment

Summaries of the comments submitted in response to the publication of these rule amendments are set forth in Appendix B.