Bankruptcy Local Rule 2002-5

FILING AND CONFIRMATION OF CHAPTER 13 PLAN

(a) **Amendment of plans**

The proposed plan may be amended anytime prior to confirmation to resolve an objection. Such amendment must be included in an amended plan or in the order for confirmation. Where a timely objection has been made, the plan will not be confirmed until the objecting party has withdrawn such objection or a hearing is held or the parties reach an agreement as stipulated to in the order of confirmation. Where the amendment does not affect any other party in interest, a judge may confirm the plan as amended without notice or a hearing. Where the amendment would affect another party in interest, the plan as amended must be mailed to each affected party at least twenty-eight (28) days prior to the date set for hearing on confirmation of the plan with a notice providing twenty-one (21) days to object to the amendment. If no objection is filed and served at least seven (7) days before the date set for hearing, a judge may confirm the plan as amended without a hearing.

(b) **Standard chapter 13 plan and order**.

The debtor shall use the standard approved chapter 13 plan and order for this district with such alterations as may be appropriate in a particular case. If the debtor is represented by an attorney, the plan or any amended plan shall be signed by the attorney at the time it is filed and shall be signed by the debtor prior to the confirmation hearing. If the debtor is not represented by an attorney, the plan shall be signed by the debtor at the time it is filed. If either the plan or any amended plan is further amended and the amendments are contained in the order confirming the plan, the proposed order confirming the plan shall be signed by the debtor, the debtor's attorney, the trustee, and any other party in interest affected by the amendments.

RELATED AUTHORITY

11 U.S.C. §§ 1302, 1322, 1323, 1324, 1325
Fed. R. Bankr. P. 2002, 3015.1
Model Chapter 13 Plan

Advisory Committee Notes:

The debtor must file the plan within fourteen (14) days of the petition. *See* Fed. R. Bankr. P. 3015(b). The debtor shall also provide copies of the plan and notice of confirmation hearing to all creditors and parties in interest, in compliance with Fed. R. Bankr. P. 2002 and 3015, and these local rules.