

**GUIDELINES AND HELPFUL HINTS TO COMPLETING
THE NATIONAL FORM PLAN
EFFECTIVE 12/01/2017**

HELPFUL HINTS:

- ***Plan form is Mandatory. Use Form Dated 12/01/2017.***
- ***This plan does not contain a priority of payment. See General Order 17-02 for Priority of Chapter 13 Plan Payments.***
- ***If amended plan, make sure you check the box and list plan changes.***

Check if this is an amended plan, and list below the sections of the plan that have been changed.

- ***All creditors, both secured and unsecured, need to file a proof of claim to participate in the bankruptcy.***
- ***Claims must be filed at least 70 days after the petition is filed. (Mortgage Companies have an additional 50 days if documents are not attached.)***
- ***Remember Rule 9011 limits the range of permissible changes to the official forms, including the model plan.***
- ***If the amount scheduled in a proof of claim differs from what is scheduled by the debtor, the claim will control.***

Part 1: Notices

- One box **and only one box** must be checked in each of Parts 1.1 1.2 and 1.3.
- If Section 3.2 values the lien of a secured creditor at less than the amount of the claim the debtor must check the first box in Section 1.1.
- If Section 3.4 avoids a lien the debtor must check the first box in Section 1.2.
- If Section 8 sets out ANY nonstandard provision the debtor must check the first box in Section 1.3.

Part 1: Notices			
<p>To Debtors: This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable.</p> <p><i>In the following notice to creditors, you must check each box that applies.</i></p>			
<p>To Creditors: Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.</p> <p>You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.</p> <p>If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to file a timely proof of claim in order to be paid under any plan.</p> <p>The following matters may be of particular importance. Debtors 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" or if both boxes are checked, the provision will be ineffective if set out later in the plan.</p>			
1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.3	Nonstandard provisions, set out in Part 8	<input type="checkbox"/> Included	<input type="checkbox"/> Not included

Part 2: Plan Payments and Length of Plan

Section 2.1 Payments to the trustee.

- Payments are per Month only. No other time intervals are to be used.
- The minimum term for below median income debtors is 36 months; the minimum term for above median income debtors is 60 months. See §1322(d).
- Plan step payments are to be shown in Section 2.1, not in Section 8.

<p>2.1 Debtor(s) will make regular payments to the trustee as follows:</p> <p>\$ _____ per _____ for _____ months [and \$ _____ per _____ for _____ months.] <i>Insert additional lines if needed.</i></p> <p>If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.</p>

Section 2.2 Source of payments.

- If the debtor is going to make payments via payroll deduction the debtor's attorney must e-file a Proposed Order to Employer to Pay Trustee, Local Form Order No. 25, preferably immediately upon filing the case.
- If the debtor is going to make payments via e-pay the debtor should enroll on the Trustee's website. Check Box Debtor (s) will make payments directly to trustee.

2.2 Regular payments to the trustee will be made from future income in the following manner:

Check all that apply.

- Debtor(s) will make payments pursuant to a payroll deduction order.
- Debtor(s) will make payments directly to the trustee.
- Other (specify method of payment): _____.

Section 2.3 Income tax refunds.

- If income tax refunds are required to be paid into the plan the third box must also be checked and the following provision added:
On or before April 20th of the year following the filing of the case and each year thereafter, the Debtor(s) shall submit a copy of the prior year's filed federal tax return to the Chapter 13 Trustee. The Debtor(s) shall tender the amount of any tax refund received while the case is pending in excess of \$1,200.00 to the Trustee. The tax refunds shall be treated as additional payments into the plan and must be submitted within 7 (seven) days of receipt of each such refunds by the Debtor(s).

2.3 Income tax refunds.

Check one.

- Debtor(s) will retain any income tax refunds received during the plan term.
- Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds received during the plan term.
- Debtor(s) will treat income tax refunds as follows:

Section 2.4 Additional payments.

- Other sources commonly include sale of an asset, proceeds of a lawsuit and periodic bonus; be very specific, if the debtor is entitled claim a portion as exempt, state that in this section.
- If the plan is partially funded with any of these sources of funds the following provision must be added to Section 2.4:
 - The plan will conclude before the end of the initial term only at such time as all allowed claims are paid in full, with any interest required by the plan.

2.4 Additional payments.

Check one.

- None.** *If "None" is checked, the rest of § 2.4 need not be completed or reproduced.*
- Debtor(s) will make additional payment(s) to the trustee from other sources, as specified below. Describe the source, estimated amount, and date of each anticipated payment.

Section 2.5 Total amount of estimated payments provided for in §§2.1 and 2.4.

- If the payments from §2.1 will not fund the amount required by the liquidation test of §1325(a)(4) and/or the disposable income test of §1325(b) then the debtor will have to prove that the additional payments provided are reasonably likely to be made to satisfy §1325(a)(6).

2.5 The total amount of estimated payments to the trustee provided for in §§ 2.1 and 2.4 is \$ _____.

Part 3: Treatment of Secured Claims

Section 3.1 Maintenance of payments and cure of default, if any.

- Section 3.1 is to be used for cure and maintain of mortgages (direct pay or trustee pay) and for cure and maintain of auto loans (direct pay or trustee pay).
- The timely filed Proof of Claim controls as to the amount of the arrears to be paid unless there is no claim, then the plan controls.
- In all cases where a claim has been timely filed, the Plan must match the POC as to name of creditor, collateral, current installment payment and amount of arrearage. The claim controls over any arrears amount or monthly payment amount in the plan. The Plan controls as to any interest, if any, paid on the arrears.
- **If no timely claim is filed, the Plan controls.**
- Mortgage creditors only receive interest on arrears if the loan originated before October 22, 1994.
- If relief from the stay is granted **as to any item of collateral** in Section 3.1, all payments under this section **as to that collateral will cease**, unless otherwise ordered by the court.
- The trustee will disburse adequate protection payments for all claims provided for as “Disbursed by trustee” in the amount of the installment payment listed in the plan or in the claim, if one is filed.

3.1 Maintenance of payments and cure of default, if any.

Check one.

- None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.
- The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Collateral	Current installment payment (including escrow)	Amount of arrearage (if any)	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage	Estimated total payments by trustee
_____	_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	_____ %	\$ _____	\$ _____
_____	_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	_____ %	\$ _____	\$ _____

Insert additional claims as needed.

Section 3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims.

- This section combines sections E3.1 and E3.2 of the old NDIL Plan.
- This section uses 11 USC § 506 to value the liens of creditors and is not to be confused with Section 3.4 which uses 11 USC §522 to avoid liens.
- The claim of a governmental unit controls over any contrary amount in the plan.
- If a governmental claim is filed, the plan must be amended to match the claim or the debtor must object to the claim.
- If a claim is filed, the plan controls as to the secured amount, the claim controls as to the total amount of the claim, and therefor the unsecured portion.
- If the plan gives a value of zero, any claim filed related to that collateral will be administered as wholly unsecured.
- If no claim is filed, the plan controls as to the secured amount, there is no unsecured portion.
- If a claim is filed after the applicable bar date, the secured amount in the plan controls. The attorney will seek to have an order entered determining the secured amount of the claim to be the amount in the plan and determining the unsecured amount of the claim to be zero. If the value in 3.2 is zero, the entire claim will be objected to as late.
- In all cases where a claim has been timely filed, the Plan must match the POC as to name of creditor and description of collateral. If an amended Plan is filed after the claim has been filed, the estimated amount of creditor's total claim in the plan must match the POC.
- The trustee will disburse adequate protection payments for all claims provided for in this section in the amount of the monthly payment to creditor listed in this section. Any deviation from this must be set forth in Section 8.

3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one.

None. If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.

The debtor(s) request that the court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the debtor(s) state that the value of the secured claim should be as set out in the column headed *Amount of secured claim*. For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, 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. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5 of this plan. Unless otherwise ordered by the court, the amount of the creditor's total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below as having value in the column headed *Amount of secured claim* will retain the lien on the property interest of the debtor(s) or the estate(s) until the earlier of:

- (a) payment of the underlying debt determined under nonbankruptcy law, or
- (b) discharge of the underlying debt under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor.

Name of creditor	Estimated amount of creditor's total claim	Collateral	Value of collateral	Amount of claims senior to creditor's claim	Amount of secured claim	Interest rate	Monthly payment to creditor	Estimated total of monthly payments
_____	\$ _____	_____	\$ _____	\$ _____	\$ _____	____%	\$ _____	\$ _____
_____	\$ _____	_____	\$ _____	\$ _____	\$ _____	____%	\$ _____	\$ _____

Insert additional claims as needed.

Section 3.3 Secured claims excluded from 11 USC § 506 (910 auto claims / one year PMSI other).

- These claims must be paid in full, trustee disburses or debtor disburses.
- The Proof of Claim controls as to the amount of the claim unless there is no claim, then the plan controls.
- In all cases where a claim has been timely filed, the Plan must match the POC as to name of creditor, collateral and amount of claim.
- The trustee will disburse adequate protection payments for all claims provided for as “Disbursed by trustee” in the amount of the installment payment listed in this section.

3.3 Secured claims excluded from 11 U.S.C. § 506.

Check one.

None. If “None” is checked, the rest of § 3.3 need not be completed or reproduced.

The claims listed below were either:

- (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
- (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full under the plan with interest at the rate stated below. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Unless otherwise ordered by the court, the claim amount stated on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) controls over any contrary amount listed below. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Collateral	Amount of claim	Interest rate	Monthly plan payment	Estimated total payments by trustee
_____	_____	\$ _____	_____%	\$ _____	\$ _____
				Disbursed by:	
				<input type="checkbox"/> Trustee	
				<input type="checkbox"/> Debtor(s)	
_____	_____	\$ _____	_____%	\$ _____	\$ _____
				Disbursed by:	
				<input type="checkbox"/> Trustee	
				<input type="checkbox"/> Debtor(s)	

Insert additional claims as needed.

Section 3.4 Lien avoidance.

- This section uses 11 USC §522(b) to avoid judicial or non-possessory, non PMSI liens that impair debtor's exemptions. This is not to be confused with Section 3.2 which uses 11 USC 506 to value liens.
- If the claim in question has already been filed, please include the claim number in one of the fields in the column titled "Information regarding judicial lien or security interest".
- The debtor must complete Section 3.4 once for every creditor with a lien to be avoided. The debtor must complete the "Calculation of lien avoidance" table once for every creditor with a lien to be avoided.
- If only a portion of the lien is avoided then Section 3.4 will provide for the creditor's claim as partially secured.
- If the entire lien is avoided, the entire claim is treated as unsecured.
- Creditors provided for in section 3.4 are not entitled to pre-confirmation adequate protection payments.

3.4 Lien avoidance.

Check one.

- None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.
The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.

- The judicial liens or nonpossessory, nonpurchase money security interests securing the claims listed below impair exemptions to which the debtor(s) would have been entitled under 11 U.S.C. § 522(b). Unless otherwise ordered by the court, a judicial lien or security interest securing a claim listed below will be avoided to the extent that it impairs such exemptions upon entry of the order confirming the plan. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part 5 to the extent allowed. The amount, if any, of the judicial lien or security interest that is not avoided will be paid in full as a secured claim under the plan. See 11 U.S.C. § 522(f) and Bankruptcy Rule 4003(d). *If more than one lien is to be avoided, provide the information separately for each lien.*

Information regarding judicial lien or security interest	Calculation of lien avoidance		Treatment of remaining secured claim
Name of creditor _____	a. Amount of lien	\$ _____	Amount of secured claim after avoidance (line a minus line f) \$ _____
	b. Amount of all other liens	\$ _____	
Collateral _____	c. Value of claimed exemptions	+ \$ _____	Interest rate (if applicable) _____ %
	d. Total of adding lines a, b, and c	\$ _____	
Lien identification (such as judgment date, date of lien recording, book and page number) _____ _____	e. Value of debtor(s)' interest in property	- \$ _____	Monthly payment on secured claim \$ _____
	f. Subtract line e from line d.	\$ _____	
Extent of exemption impairment (Check applicable box):			Estimated total payments on secured claim \$ _____
<input type="checkbox"/> Line f is equal to or greater than line a. The entire lien is avoided. (Do not complete the next column.)			
<input type="checkbox"/> Line f is less than line a. A portion of the lien is avoided. (Complete the next column.)			

Insert additional claims as needed.

Section 3.5 Surrender of collateral

- Upon confirmation the debtor “requests” that the stay under 11 USC §362(a) terminate as to the collateral and the stay under §1301 terminates entirely.
- This provision surrenders collateral to the specified creditor in satisfaction of their secured claim. A wholly secured claim treated in this section will not be paid.
- If a creditor provided for in Section 3.5 files a wholly unsecured claim, or amends a previously filed secured claim to an unsecured claim, their claim will be paid along with other general unsecured creditors.

3.5 Surrender of collateral.

Check one.

None. If “None” is checked, the rest of § 3.5 need not be completed or reproduced.

The debtor(s) elect to surrender to each creditor listed below the collateral that secures the creditor’s claim. The debtor(s) request that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under § 1301 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 5 below.

Name of creditor	Collateral
_____	_____
_____	_____

Insert additional claims as needed.

Part 4: Treatment of Fees and Priority Claims

4.2 Trustee’s fees

- Trustee’s fees are taken on receipt pursuant to 28 USC §586(e)(2). Trustee fees are set in the trustee’s budget as approved by the United States Trustee and as such may change from time to time.
- The maximum trustee fee is 10%. Each trustee’s fee is posted on his or her web site.
- The percentage fee entered in 4.2 is an estimate only and does not control in any way.

4.2 Trustee’s fees

Trustee’s fees are governed by statute and may change during the course of the case but are estimated to be _____% of plan payments; and during the plan term, they are estimated to total \$ _____.

4.3 Attorney's fees

- Attorney's fees are determined by court order, any amount entered in 4.3 is an estimate only and does not control in any way. The estimated amount in 4.3 should be consistent with the amount sought in the fee application, proposed order, and amount disclosed in Form B2030.

4.3 Attorney's fees

The balance of the fees owed to the attorney for the debtor(s) is estimated to be \$_____.

4.4 Priority claims to be paid in full

- POCs control over any amount entered in 4.4.
- Be sure to refer to filed claims so the number in this section is not understated.
- Be sure to include any scheduled delinquent DSO.

4.4 Priority claims other than attorney's fees and those treated in § 4.5.

Check one.

- None. If "None" is checked, the rest of § 4.4 need not be completed or reproduced.
- The debtor(s) estimate the total amount of other priority claims to be _____.

4.5 DSO assigned or owed to a governmental unit and not paid in full

- Do not include DSO owed to a parent or former spouse as those debts must be paid in full.
- This provision is for the very narrowly defined obligations assigned to or owed to a governmental unit that are eligible to be paid less than the full amount owed pursuant to 11 USC § 1322(a)(4).
- If this provision is invoked the term of the plan must be 60 months.
- Match the name of the creditor to their POC.

4.5 Domestic support obligations assigned or owed to a governmental unit and paid less than full amount.

Check one.

- None.** *If "None" is checked, the rest of § 4.5 need not be completed or reproduced.*
- The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim under 11 U.S.C. § 1322(a)(4). *This plan provision requires that payments in § 2.1 be for a term of 60 months; see 11 U.S.C. § 1322(a)(4).*

Name of creditor	Amount of claim to be paid
_____	\$ _____
_____	\$ _____

Insert additional claims as needed.

Part 5: Treatment of Nonpriority Unsecured Claims

5.1 Nonpriority unsecured claims not separately classified

- If more than one option is selected, the option providing the largest dividend to unsecured creditors will govern.
- **Box #1** The sum of \$_____ Use this selection when the Means Test dictates a minimum dollar amount to general unsecured creditors.
- **Box #2** _____% of the total amount of these claims, an estimated payment of \$_____. This selection replaces E8 from the old NDIL model plan. This will be the default choice when the liquidation test or disposable income test does not control. This box must be checked when the initial plan term is less than 60 months.
- **Box #3** The funds remaining after disbursements have been made to all other creditors provided for in this plan.
- **Box #3 must always be checked.**
- If the debtor's initial plan term is less than 60 months, the plan cannot complete by paying the dividend specified in Box #2 before the end of the initial term unless all creditors have been paid in full. The initial plan term controls over all other provisions.
- If the Chapter 7 liquidation test in §1325(a)(4) controls, the minimum dollar dividend to general unsecured creditors must be entered in the field in the "hanging provision" at the end of **5.1**.

5.1 Nonpriority unsecured claims not separately classified.

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. *Check all that apply.*

- The sum of \$_____.
- _____% of the total amount of these claims, an estimated payment of \$_____.
- The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$_____. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

5.2 Maintenance of payments and cure of default on nonpriority unsecured claims.

- Pursuant to §1325(b)(5) the debtor can maintain current payments and cure default for unsecured debts when the term of the debt exceeds the term of the Chapter 13.
- This provision is likely to apply only to student loan debts.
- Every claimant to be treated in this section must be listed individually. If a claim has been filed, the name of the creditor must match the name on the claim and the plan should refer to the PACER claim number.
- If the debtor is disbursing, Schedule J must have an entry for the current installment payment(s) listed in 5.2 as disbursed by the debtor. Arrearage payments shall be disbursed by the trustee regardless of who disburses ongoing payments.
- PLAN controls, the language in 5.2 states that the arrearage amount will be paid in full as specified below

5.2 Maintenance of payments and cure of any default on nonpriority unsecured claims. Check one.

- None. If "None" is checked, the rest of § 5.2 need not be completed or reproduced.
- The debtor(s) will maintain the contractual installment payments and cure any default in payments on the unsecured claims listed below on which the last payment is due after the final plan payment. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. The claim for the arrearage amount will be paid in full as specified below and disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Current installment payment	Amount of arrearage to be paid	Estimated total payments by trustee
_____	\$ _____	\$ _____	\$ _____
	Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)		
_____	\$ _____	\$ _____	\$ _____
	Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)		

Insert additional claims as needed.

5.3 Other separately classified nonpriority unsecured claims

- §1322(b)(1) allows debtors to treat co-signed debts differently than other unsecured claims.
- Every claimant to be treated in this section must be listed individually. If a claim has been filed, the name of the creditor must match the name on the claim and the plan should refer to the PACER claim number. The trustee’s office will examine the claim and attachments to verify that the debt is in fact co-signed.
- allowed claims listed below... and “Amount to be paid on the claim” means that you need a claim to be filed for it to be allowed, then you refer to 5.3 for the treatment. We have been used to a percentage in E7 instead of an amount.

5.3 Other separately classified nonpriority unsecured claims. Check one.

- None. If “None” is checked, the rest of § 5.3 need not be completed or reproduced.
- The nonpriority unsecured allowed claims listed below are separately classified and will be treated as follows

Name of creditor	Basis for separate classification and treatment	Amount to be paid on the claim	Interest rate (if applicable)	Estimated total amount of payments
_____	_____	\$ _____	_____%	\$ _____
_____	_____	\$ _____	_____%	\$ _____

Insert additional claims as needed.

Part 6: Executory Contracts and Unexpired Leases

6.1 Executory contracts and unexpired leases listed in this section are assumed. All others are rejected.

- Each lease provided for in this section must be listed separately. The debtor or the trustee may disburse ongoing payments. Any arrearage on any assumed lease will be disbursed by the trustee. The name of the creditor and the amount of the arrears to be paid by the trustee must match the proof of claim (if filed).
- If the term of the lease is less than the term of the plan and the trustee is disbursing ongoing payments, the plan must specify the date of the final lease payment.
- If a lease is rejected, any timely filed claim will be administered as an unsecured claim.
- PLAN controls, there is no language stating that the claim controls.

6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. All other executory contracts and unexpired leases are rejected. Check one.

None. If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

Assumed items. Current installment payments will be disbursed either by the trustee or directly by the debtor(s), as specified below, subject to any contrary court order or rule. Arrearage payments will be disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Description of leased property or executory contract	Current installment payment	Amount of arrearage to be paid	Treatment of arrearage (Refer to other plan section if applicable)	Estimated total payments by trustee
_____	_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	_____	\$ _____
_____	_____	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____	_____	\$ _____

Insert additional contracts or leases as needed.

Part 7: Vesting of Property of the Estate

- In this district, property of the estate, as specified by 11 USC §541 and §1306 has remained property of the estate following confirmation so the second box “entry of discharge” must be checked.

7.1 Property of the estate will vest in the debtor(s) upon

Check the applicable box:

- plan confirmation.
- entry of discharge.
- other: _____.

Part 8: Nonstandard Plan Provisions

- Provide for interest to unsecured creditors, if required.
- Identify creditor(s) that are not entitled to pre-confirmation adequate protection payments here.
- Pre-confirmation adequate protection payments different than the fixed payment in 3.1, 3.2 or 3.3 are set forth here.
- **Do not** include “boiler plate” provisions that do not apply to the case.

8.1 Check “None” or List Nonstandard Plan Provisions

- None.** *If “None” is checked, the rest of Part 8 need not be completed or reproduced.*

Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Official Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.

The following plan provisions will be effective only if there is a check in the box “Included” in § 1.3.

Part 9: Signature(s)

- Debtor(s) signatures are optional but recommended.
- The attorney must sign; by signing the attorney certifies that the wording and provisions of the plan have not been changed from the Official Form 113, other than nonstandard provisions in Part 8.

9.1 Signatures of Debtor(s) and Debtor(s)' Attorney

If the Debtor(s) do not have an attorney, the Debtor(s) must sign below; otherwise the Debtor(s) signatures are optional. The attorney for the Debtor(s), if any, must sign below.

x _____ Signature of Debtor 1	x _____ Signature of Debtor 2
Executed on _____ MM / DD / YYYY	Executed on _____ MM / DD / YYYY
x _____ Signature of Attorney for Debtor(s)	Date _____ MM / DD / YYYY

By filing this document, the Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) also certify(ies) that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Official Form 113, other than any nonstandard provisions included in Part 8.

This document was modified from information provided by Trustee Stearns website.