

INSTRUCTIONS FOR THE DISTRICT WIDE MANDATORY CHAPTER 13 PLAN

GENERAL INFORMATION

1. Pursuant to Federal Rule of Bankruptcy Procedure (the “Rules”) 3015.1, Local Bankruptcy Rule 3015-1, and General Order No. 22-3, all Chapter 13 debtors proposing a plan in the Southern District of Ohio are required to use the court’s district wide mandatory Chapter 13 form plan (the “Plan”).
2. The Plan can be found on the court’s website at: <https://www.ohsb.uscourts.gov>, → Rules and Forms → Mandatory Chapter 13 Form Plans.
3. Before filling out the Plan, download the Plan that is applicable to your case. See General Order No. 22-3.

COMPLETING THE PLAN

1. **Page One**

- a. **Division and Office/City:** Use the drop-down lists to select the division and office/city where the case is pending.

WESTERN) DIVISION at)
EASTERN))
WESTERN))

DIVISION at)
CINCINNATI)
COLUMBUS)
DAYTON)

- b. **Debtor Name:** Enter the name of each debtor, including fkas, nkas, dbas, fdbas, etc. The form accommodates up to five names.
- c. **Case Number:** Enter the case number (if known).
- d. **Judge Name:** Select the judge’s name from the drop down list.

Chapter 13
Judge)
PLAN)
ruptcy Code.) Form

Jeffery P. Hopkins
John E. Hoffman, Jr.
C. Kathryn Preston
Guy R. Humphrey
Beth A. Buchanan

CHAPTER 13 PLAN)
CHAPTER 13 PLAN)
FIRST AMENDED CHAPTER 13 PLAN)
SECOND AMENDED CHAPTER 13 PLAN)
THIRD AMENDED CHAPTER 13 PLAN)
FOURTH AMENDED CHAPTER 13 PLAN)
FIFTH AMENDED CHAPTER 13 PLAN)
SIXTH AMENDED CHAPTER 13 PLAN)
SEVENTH AMENDED CHAPTER 13 PLAN)

- e. **Amended Plan:** If filing an amended plan, select the appropriate version from the drop down.
- f. **Discharge Box:** If a debtor is **not eligible** for discharge, select the appropriate checkbox and enter the name of the applicable debtor/joint debtor.

Unless otherwise checked below, the Debtor is eligible for a discharge under § 1328(f).

Debtor _____ is **not eligible** for a discharge. **S C**

Joint Debtor _____ is **not eligible** for a discharge.

- g. **Non-Standard and Special Plan Provisions:** The checkboxes found on page 1, row 4 of the Plan and shown below, will be checked automatically if information is entered in the referenced Plan provisions.

If an item is not checked, the provision will be ineffective if set out later in the Plan.
 The checkboxes below will be checked automatically if information is entered in the referenced Plan provisions. C

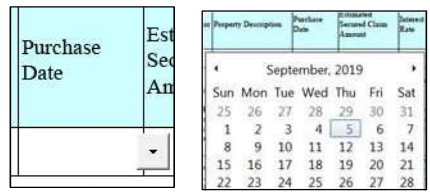
This Plan contains nonstandard provisions in Paragraph 13.

The Debtor proposes to limit the amount of a secured claim based on the value of the collateral securing the claim. See Paragraph(s) 5.1.2(A) and/or 5.1.4(A).

The Debtor proposes to eliminate or avoid a security interest or lien. See Paragraph(s) 5.4.1, 5.4.2, and/or 5.4.3.

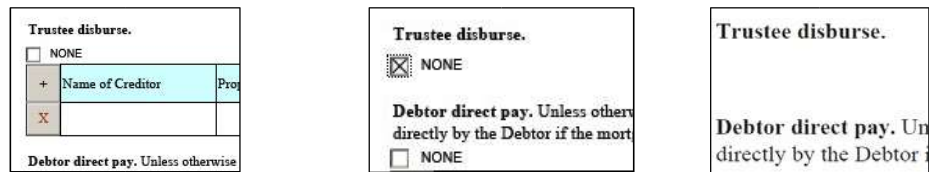
2. **Throughout the Plan**

- a. **Checkboxes:** Some Plan sections have mutually exclusive checkboxes, and others have multiple checkboxes.
- b. **Dates:** Dates should be entered using either MM/DD/YY or MM/DD/YYYY format. Calendar pop ups are available in all date fields.

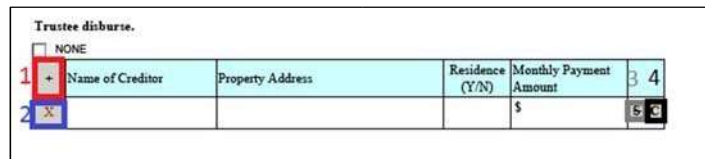


- c. **Creditor Name:** Include the last four digits of the account number, if known, after the creditor’s name (e.g., “ABC Bank (Acct. # . . .1234)”).
- d. **Tables:** There are numerous tables in the Plan which, if applicable to your case, require the entry of data. Table features include the following options:

- i. **NONE Checkboxes:** If a table is not applicable to a debtor’s case, the NONE checkbox should be selected. Once selected, the table will be hidden from view. Unlike the checkboxes in Paragraph 1, row 4 of the Plan, the failure to check the NONE checkbox does not impact the effectiveness of a particular plan provision and will not result in a deficiency notification from the court.



- ii. The Plan contains both single and double row tables. Both types of tables have the following buttons/functions:



1. The [+] button adds another row to a table.
2. The [X] button deletes a row and/or any text contained therein from a table. (The [X] will not delete a solitary empty row).

- iii. **Double Row Table Features:** In addition to the buttons above, double row tables have the following functions:

<input type="checkbox"/> NONE					
	<input type="checkbox"/> +	Name of Creditor / Procedure	Property Address	Value of Property	
		(Creditor name HERE)		\$	\$ C
1	<input checked="" type="checkbox"/> X	<input type="checkbox"/> Motion <input type="checkbox"/> Plan <input type="checkbox"/> Claim Objection			
		SENIOR Mortgages/Liens (Amount/Lienholder)	Estimated Secured Claim Amount	Minimum Monthly Payment	Interest Rate
1		\$ (Lienholder name HERE)	\$	\$	% \$ C

- Multiple creditors and properties can be included in double row tables. The number to the left of the table identifies the creditor or property number. When entering data for multiple creditors or properties, you should ensure that the data for the creditor on the top half of the table tracks with the corresponding creditor on the bottom half of the table.
- The [+] button following the **(Lienholder name HERE)** field allows you to add multiple senior lienholders as they relate to one property.

	<input type="checkbox"/> +	Name of Creditor / Procedure	Property Address	Value of Property	Exemption
1	<input checked="" type="checkbox"/> X	Best Buy Finance	120 West Third Street Dayton, OH 45402	\$300,000.00	\$125,000.00
		<input type="checkbox"/> Motion <input checked="" type="checkbox"/> Plan		Debtor's Interest \$300,000.00	Statutory Basis § 2329.66(A)(1)(b)
		OTHER Liens or Mortgages (Amount/Lienholder Name)	Judicial Lien	Amount of Judicial Lien to be Avoided	
		\$150,000.00 Union Savings Bank	\$1,500.00	\$1,500.00	\$ C
1		\$150,000.00 Quicken Loans	Recorded Date 1/1/2019	Effective Upon: discharge	

- e. **Notice of Deadline for Objecting to Plan Confirmation:** The notice of deadline for objecting to plan confirmation page contains a dropdown to select the appropriate Chapter 13 Trustee.

<p>You must also send a copy of your objection either by 1) the Court's ECF System or by 2) first class mail to:</p> <p>John Smith, 111 North Main Street, Centerville, OH 45458 Bill Jones, Esq., Jones & Associates, 1000 Hyde Avenue, Dayton, OH 45402 [APPROPRIATE CHAPTER 13 TRUSTEE NAME] and the United States trustee.</p> <p>If you or your attorney do not take these steps, the Court may decide that you do not oppose the terms of the Plan and may enter an order confirming the Plan without further hearing or notice.</p>	<p>You must also send a copy of your objection either by 1) the Court's ECF System or by 2) first class mail to:</p> <p>[DEBTOR NAME AND ADDRESS] [DEBTOR ATTORNEY NAME]</p> <p>Edward A. Bailey, 130 E. Wilson Bridge Rd., Suite 200, Worthington, OH 43085 Margaret A. Burks, 600 Vine Street, Suite 2200, Cincinnati, OH 45202 Faye D. English, 10 West Broad Street, Suite 1600, Columbus, OH 43215 John G. Jansing, 131 North Ludlow Street, Suite 900, Dayton, OH 45402</p>
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f. **Certificate of Service**

- The certificate of service must identify service of the Plan according to the applicable Federal Rules of Bankruptcy Procedure, the Ohio Rules of Civil Procedure, and/or the Local Bankruptcy Rules of this District.
- To complete the certificate of service, enter the date of service and the names and addresses that were served by first class mail.

iii. **Special Service**

- Select the **NONE** checkboxes above the special service sections if no Rule 7004 or third party notice provider service is required.
- Rule 7004 Service:** If service was made on any parties pursuant to Rule 7004, the service method, date, and name and addresses of parties should be listed on the certificate of service.

- a. If one or more parties are served using the same method of service (i.e., certified mail, registered mail, etc.), multiple party names and mailing addresses can be added by hitting the return key.
- b. If different methods of service are used, select the [A] button to add another Rule 7004 service paragraph.

NONE

[For parties served other than by ordinary first class mail pursuant to Federal Rule of Bankruptcy Procedure 7004, add the following language]

by _____ *certified mail or any other method of service* on _____ addressed to:
 (Name and mailing address, or for in-person hand delivery to an individual, state "delivered to the individual personally")

X

A

3. **Third Party Notice Provider:** If service was made on any parties using a third-party notice provider, information on such service including the list of recipients and the date of such service should be noted in the following section of the certificate of service.

NONE

[For parties served using a Third-Party Notice Provider approved by the Administrative Office of the United States Courts pursuant to Federal Rules of Bankruptcy Procedure 9001(9) and 2002(g)(4), add the following language]

and the creditors and parties in interest as shown on the _____ *attached or separately filed*

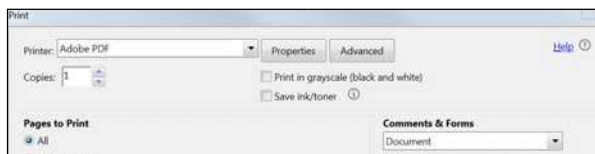
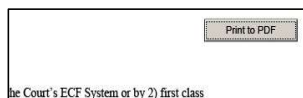
Declaration of Mailing and Certificate of Service on _____.

- iv. **Alternate Signatory - Please Note:** The signature block of the certificate of service auto-populates with the information for debtor’s attorney as entered at the end of the Plan. If a person other than debtor’s attorney serves the Plan, that person’s name should be set out as the signatory in the signature block of the certificate of service.

SAVING THE PLAN FOR UPLOAD

1. **Initial Plan**

- a. Once the Plan is completed, it should be saved (or re-saved) in fillable format.
- b. To structure the Plan in the correct format for upload, the document **must** be flattened which ensures that all buttons, checkboxes, and drop-down lists are eliminated and the document is no longer modifiable.
- c. To flatten the Plan, click on the [Print to PDF] button at the top right corner of the Plan and change the Printer to **Adobe PDF**.



- d. Select **Print** at the bottom of your print queue page and resave the flattened document in final format (i.e., “Smith, initial plan (final) 10.2.2019”).

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MANDATORY FORM PLAN (Revised 09/19)

5.2.1 Secured Claims with No Designated Monthly Payments
 The following claims are secured claims with no designated monthly payments, including mortgage arrearages, certificates of judgment and tax liens. The proof of claim amount and interest rate shall control, subject to the claims objection process. Class 2 claims shall be paid second and shall be paid pro rata with other Class 2 claims.

Name of Creditor	Description of Claim	Estimated Secured Claim Amount	Interest Rate
Misc Bank	2019 Water Softener	\$72.00	%

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MANDATORY FORM PLAN (Revised 09/19) Print to PDF

5.2.1 Secured Claims with No Designated Monthly Payments
 The following claims are secured claims with no designated monthly payments, including mortgage arrearages, certificates of judgment and tax liens. The proof of claim amount and interest rate shall control, subject to the claims objection process. Class 2 claims shall be paid second and shall be paid pro rata with other Class 2 claims.

NONE

Name of Creditor	Description of Claim	Estimated Secured Claim Amount	Interest Rate
X Misc Bank	2019 Water Softener	\$72.00	%

- e. **Caution:** If a fillable Plan is uploaded to CM/ECF, the Plan will be rejected.

2. **Amended Plan**

- a. If an amended plan needs to be filed, follow the instructions above for saving and flattening the Plan.
- b. Once an amended plan is filed, it is recommended that the fillable version of the amended plan be edited to delete any items that contain strikeouts and then saved again as a new version (i.e., “Smith, first amended plan (clean fillable) 10.3.2019) in the event that a further amended plan needs to be filed.

3. **Making Changes/Amending a Plan**

- a. All additions to the Plan (or most recently filed amended plan) must be highlighted by selecting the [C] button nearest to the changed data.

OTHER Liens or Mortgages (Amount/Lienholder Name)				
1	\$150,000.00	Union Savings Bank	+ \$	C
	\$150,000.00	Quicken Loans	+ \$	C
	\$100,000.00	USAA	+ \$	C

- b. Any items removed from the Plan (or most recently filed amended plan) must be stricken by selecting the [S] button nearest the data stricken.

OTHER Liens or Mortgages (Amount/Lienholder Name)				
1	\$150,000.00	Union Savings Bank	+ \$	C
	\$150,000.00	Quicken Loans	+ \$	S
	\$150,000.00	USAA	+ \$	C

ENTERING EMBEDDED RELIEF REQUESTS IN CM/ECF WHEN FILING THE PLAN

- 1. If the Plan contains any of the following requests for relief, ***for which you do not intend to file a separate motion or claim objection***, you must check the appropriate boxes in CM/ECF when you file the Plan:
 - Paragraph 5.1.2(A) – Cramdown/Real Property
 - Paragraph 5.1.4(A) – Cramdown/Personal Property
 - Paragraph 5.1.6 – Assumption or Rejection of Executory Contracts and Unexpired Leases
 - Paragraph 5.4.1 – Modification or Elimination of Wholly Unsecured Mortgages/Liens
 - Paragraph 5.4.2 – Avoidance of Judicial Liens Impairing an Exemption in Real Property
 - Paragraph 5.4.3 – Avoidance of Nonpossessory, Nonpurchase-Money Security Interests in Exempt Property
- 2. When uploading the Plan to CM/ECF, a requested relief screen will display.

File a Plan:
[3:19-bk-30008 test addcredit](#)
Type: bk Chapter: 7 v Office: 3 (Dayton)
Assets: n Judge: grh Case Flag: DEBTED, MEANSNO

Select any of the following requests that are included with the Chapter 13 Plan. Do NOT select the checkbox if you intend to file a motion or a claim objection regarding the request. (Click Next if none of these requests are included.):

- Request to cramdown real property [Paragraph 5.1.2(A)], request to cramdown personal property [Paragraph 5.1.4(A)] and/or request to eliminate wholly unsecured mortgage/lien [Paragraph 5.4.1]
- Request for rejection of executory contract or unexpired lease [Paragraph 5.1.6]
- Request for assumption of executory contract or unexpired lease [Paragraph 5.1.6]
- Request for lien avoidance [Paragraph 5.4.2 and/or 5.4.3]

Next Clear

3. Select the checkboxes that correspond with the relief requested in the Plan.

Caution: Do not mark checkboxes if the Plan provides for the debtor to file a motion or claim objection to effectuate the relief requested.