

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

In re:)	
)	Case No. ___ - _____ - _____
NAME OF DEBTOR(S))	
)	Chapter 13
)	
Debtor(s).)	[Confirmation Hearing Date: _____] ¹

CHAPTER 13 PLAN

Debtor is to pay (by wage assignment) \$ _____ per month for _____ months until \$ _____ is paid (plus *); and a minimum of _____ is paid to unsecured creditors. In addition, debtor shall send any tax refund received during the plan to the Trustee. The plan base shall be increased by this amount.*

The Trustee shall pay creditors in the following order:

1. Pay Trustee a percent of all disbursements as allowed by law [and pay filing fee in the amount of \$ _____.]
2. Trustee to cure arrearage on any executory contract accepted in paragraph 3(A) as follows:
3. Pay sub-paragraphs concurrently:
 - (A). Debtor assumes executory contract with the following creditor(s) or proposes to maintain payments on the following continuing debt(s): _____ payments of \$ _____ per month to be made by the Trustee in accordance with terms of the original contract:
 - (B). (i) Payments due post-filing on debt secured by first lien on residence to be paid _____ (inside/outside) of plan at \$ _____ per month (or as adjusted by creditor under terms of loan agreement) to:
 - (ii) Payments due post-filing on debt secured by second lien on residence to be paid _____ (inside/outside) of plan at \$ _____ per month (or as adjusted by creditor under terms of loan agreement) to:
 - (C) Pay child support arrearage in full in equal monthly installments over the life of the plan to:
4. Pay arrearage on debt secured by liens on residence in equal monthly payments during the first 30 months of the plan with _____% interest, estimated as follows:

¹ The confirmation hearing date must be included on any amended plan. Response deadline is not required in the caption of a Chapter 13 plan.

5. Debtor's attorney shall receive 35% of all funds disbursed to creditors by the Trustee after payment of fixed monthly payments identified in the plan including executory contract arrearage and payments on home mortgage arrearage planned to be paid within a certain number of months, until the allowed attorney's fees are paid in full.
6. Pay sub-paragraphs concurrently:
 - (A) Pay secured creditors the amount of the fair market value of their collateral as of the date of filing per the allowed claim with _____% interest on this amount and with any excess to be paid as non-priority unsecured debt, estimated as set forth:

Name of Creditor	Bal. Due	FMV Collateral	Est. Total w/ interest
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ESTIMATED TOTAL DUE TO SECURED CREDITORS:

- (B) Pay the following co-debtor guaranteed debt _____% (100% or 0%) with secured debts with interest at _____%. (If paid at 0%, this debt is to be paid outside of plan by co-signer.)
 7. Pay priority claims allowed under 11 U.S.C. § 507 in full, estimated as follows:
 8. Pay sub-paragraphs concurrently:
 - (A) Pay non-priority, unsecured creditors. Estimated available: \$_____. Estimated total owed: \$_____. Estimated repayment _____%. Estimated repayment in Chapter 7 _____.
 - (B) Debtor proposes to surrender collateral to the following creditor(s) with any deficiency paid as non-priority unsecured debt:
 - (C) Debtor rejects executory contract(s) with the following creditor(s). Any balance to be paid as unsecured debt:
 - (D) Debtor will request avoidance of the following liens as non-purchase money liens secured by consumer goods. Claim to be paid as non-priority unsecured debt:
- All other Secured creditors shall retain liens on their collateral.
9. OTHER:
 10. All payments hereunder to be paid pro rata by class except per month payments described above.
 11. Any pledged credit union shares or certificates of deposit held by any bank shall be applied to the amount owed such Claimant.

12. Title to Debtor's property to re-vest in Debtor upon confirmation. Debtor is not to incur further credit or debt without the consent of the Court unless necessary for the protection of life, health or property and consent cannot be obtained readily.
13. Any post-petition claims filed and allowed under 11 U.S.C. § 1305 may be paid through the plan.

CREDITOR'S NOTICE: YOU MUST FILE A CLAIM IN ORDER TO PARTICIPATE IN DISBURSEMENTS PROPOSED HEREIN. CLAIMS SHALL SHARE ONLY IN FUNDS DISBURSED AFTER THE CHAPTER 13 TRUSTEE RECEIVES THE CLAIM.

DATE: _____ DEBTOR _____

DATE: _____ DEBTOR _____

PLAN SUMMARY / ANALYSIS

The following are estimates of the dollar amount of claims:

Secured \$ _____	Co-Signed \$ _____
Arrearage \$ _____	Unsecured Non-priority \$ _____
Priority \$ _____	Real Estate/Executory Contracts \$ _____

Debtor believes the percent distribution to non-priority unsecured creditors in a Chapter 7 would be: _____.

Debtor believes the percent distribution to non-priority unsecured creditors in this case will be: _____.

The dollar amount of the debtor's monthly plan payment is: \$ _____. The number of proposed monthly plan payments is _____. The sum of all such payments is \$ _____.

Certificate of Service
(See L.B.R. 9004-1 D. and L.B.R. 3015-2 C.)

Name

INSTRUCTIONS FOR COMPLETING LOCAL FORM CHAPTER 13 PLAN

NOTE: LIST CREDITOR NAME AND TOTAL DEBT OWED TO EACH CLASS OF CREDITOR. IF ANY PARTICULAR PARAGRAPH DOES NOT APPLY TO THE DEBTOR(S), LEAVE IT BLANK OR WRITE "N/A."

UNNUMBERED PARAGRAPH: Fill in total monthly plan payment to Trustee, plan duration and total plan base. If plan payment terms will change, put additional terms at the asterisk following the period. These terms will be read into the paragraph at the "(plus *)." For example, if the plan is \$300 for 5 months and then \$350 for 31 months, put the \$300 and 5 into the first two blanks and place the terms \$350 for 31 months at the second asterisk. The minimum percentage to unsecured creditors may be 10% or 100% or a set dollar amount. If you do not wish to obligate your client to pay more than 10%, even if it appears the minimum percentage to unsecured creditors will be higher, use 10%. If your plan must be 100% because of 7 versus 13 considerations, use 100% in this space.

PARAGRAPH 1: Trustee Fee - The Trustee will receive a set percentage up to 10 percent of each disbursement as a fee. The percentage is determined each year by the U.S. Trustee and may change at any time. The Trustee will not charge a percentage fee on ongoing, unmodified post-petition mortgage payments on debtor's residence, or on ongoing, unmodified post-petition child support payments. To qualify for zero percentage, these debts must have been in default at the time the Chapter 13 petition was filed. Filing Fee - If the filing fee is to be paid in installments through the Chapter 13 plan, the plan must contain direction to the Trustee and must state the amount of the unpaid fee.

PARAGRAPH 2: List the amount of pre-petition arrearage owed on any accepted executory contract and list the creditor to whom the Trustee is to pay the arrearage.

PARAGRAPH 3(A): List the regular monthly payment to be maintained on the executory contract or debt on which you wish to maintain regular payments which will continue beyond the life of the plan, the creditor to whom this payment is made, and the total amount due this creditor. Also, list the months remaining on the executory contract if the contract will be paid off before the end of the plan.

PARAGRAPH 3(B): For the first and second deed of Trust on the home in which the debtor lives, indicate if the regular payment will be maintained by debtor outside the plan or by the Trustee inside the plan. List the monthly payment, the creditor to whom the payment is made and the total debt owed. If this is an adjustable rate mortgage, the plan language allows the Trustee to alter the payment as it changes under the terms of the loan agreement. If you have more than two deeds of trust, add one extra paragraph or address the third deed of trust in paragraph 9.

PARAGRAPH 3(C): List the child support creditor and total amount of pre-petition arrearage owed to that creditor. If the Trustee is to make the regular monthly post-petition child support payments, put language to this effect in this paragraph or in paragraph 9. List the creditor and regular monthly payment.

PARAGRAPH 4: List the creditor to whom the arrearage is to be paid and the total amount owed to the creditor for arrearage.

PARAGRAPH 5: This paragraph provides direction to the Trustee to pay attorneys fees as directed in the Local Rules. Debtor's attorneys must elect one of two fee options, "the Flat Fee Option" or the "Fee Application Option" and must file a Fee Election Form (Local Court Form) with the petition. If an attorney elects the Flat Fee Option the attorney may receive \$1,700 for representing the debtor without submitting a fee application. The Flat Fee covers all services through conclusion of the case as specified in the Local Rules. If an attorney elects the Fee Application Option, the attorney must file a fee application for payment.

PARAGRAPH 6(A): List each secured creditor, the total balance due that creditor, the fair market value of that creditor's collateral, and the amount you estimate the creditor will receive under the plan including interest at the interest rate established by the Local Rules. Fill in the total amount you estimate will be paid to all secured creditors.

PARAGRAPH 6(B): If you wish to pay co-debtor debt fully inside the plan, put 100% in the blank. If you wish the co-signer to pay the debt outside the plan, put a 0% in the blank. In either case, list the creditor and amount owed. If you wish the creditor to receive interest, you must state the numerical interest rate.

PARAGRAPH 7: List all priority creditors and total amount owed to each creditor.

PARAGRAPH 8(A): List estimated funds available to unsecured creditors under this plan. List the total owed to unsecured debts which includes all scheduled unsecured debts minus those scheduled unsecured debts treated elsewhere and plus the unsecured portion of partially secured debts. Divide the first number by the second number to get the estimated percentage of repayment to unsecured creditors.

PARAGRAPH 8(B): List any creditor to whom you wish to surrender collateral and identify the collateral to be returned.

PARAGRAPH 8 (C): List any executory contracts you wish to reject.

PARAGRAPH 8(D): List any debt and collateral on which you wish to avoid the lien.

PARAGRAPH 9: Include here any other plan provision you wish to add.