

Order 13 (Bankruptcy Clerk's list)

DISCHARGE OF TRUSTEE

It appears to the court that the Chapter 13 Trustee in the above case has performed all duties required of the Trustee in the administration of the case. Therefore, it is ORDERED that the Chapter 13 Trustee is discharged from and relieved of their duties in the case.

Order 1

CHAPTER 13 ORDER REVOKING
PAYROLL DEDUCTION

Before the court for consideration is the matter of revocation of the Chapter 13 Order to Pay Trustee previously entered directing the employer of the debtor to withhold certain sums from the debtor's compensation each month. It appears to the court that other arrangements have been made.

IT IS ORDERED that the Chapter 13 Order to Pay Trustee previously entered directing

[Employer]

to withhold sums of money from the pay of the debtor should be, and hereby is, revoked. The debtor's employer shall stop withholding payments from the debtor and cease making payments to the Trustee.

Order 2(a)

CHAPTER 13 ORDER TO PAY TRUSTEE
(EMPLOYER WITHHOLDING)

The above named debtor has filed a petition under Chapter 13 of the United States Bankruptcy Code.

IT IS ORDERED that until further orders of this court, the entity from whom the debtor receives income:

[Insert name and address of employer]

shall deduct from said income the sum of [amount] [timing, e.g., weekly, monthly, etc.] beginning on the next pay day following receipt of this Order and deduct a similar amount each pay period thereafter, including any period for which the debtor receives a periodic or lump sum payment as a result of vacation, termination or other benefits arising out of present or past employment, or from other benefits payable to the debtor and to remit the deductible sums EACH MONTH to:

[Trustee's name and address]

IT IS FURTHER ORDERED that this entity from whom the debtor receives income shall notify the Trustee if the debtor's income is terminated.

IT IS FURTHER ORDERED that all income of the debtor, except the amounts required to be withheld for taxes, social security, insurance or union dues, be paid to the debtor in accordance with usual payment procedures.

IT IS FURTHER ORDERED THAT NO DEDUCTIONS ON ACCOUNT OF ANY GARNISHMENT, WAGE ASSIGNMENT OR VOLUNTARY CREDIT UNION PAYMENTS BE MADE FROM THE INCOME OF SAID DEBTOR, WITH THE EXCEPTION OF CHILD SUPPORT, UNLESS OTHERWISE ORDERED BY THE COURT.

IT IS FURTHER ORDERED THAT this order supersedes previous orders made in this regard to the above entity in the case.

Order 2(b)

CHAPTER 13 ORDER TO PAY TRUSTEE
(DIRECT PAY)

The above named debtor has filed a petition under Chapter 13 of the United States Bankruptcy Code.

IT IS ORDERED that until further orders of this court, the debtor named above shall pay the sum of [amount] MONTHLY and each succeeding period thereafter to:

[Trustee's name and address]

IT IS FURTHER ORDERED that all funds forwarded to the Trustee shall be by money order, cashiers check or certified funds and are due by the 27th of each month unless scheduled otherwise.

IT IS FURTHER ORDERED that the payments required herein are to commence immediately upon receipt of this Order.

IT IS FURTHER ORDERED THAT this Order supersedes any previous order to the debtor to make payments to the Trustee in this case.

Order 3(a)

CHAPTER 13 ORDER WITHDRAWING
TRUSTEE'S MOTION TO DISMISS

The court, for cause shown, grants the Trustee's request to withdraw the Motion to Dismiss and cancels the hearing set for [date] at [time].

IT IS SO ORDERED.

Order 3(b)

CHAPTER 13 ORDER WITHDRAWING
TRUSTEE'S MOTION TO DISMISS UPON CONDITIONS

Before the court is the Motion to Dismiss filed by the Trustee on [date] for the reason that the debtor's plan cannot be completed within a period of sixty months. The motion was set for hearing on [date]. Appearing were [-----] for the debtor and [-----] for the Trustee. The court finds that the Trustee's motion is withdrawn conditioned upon:

[Condition].

IT IS ORDERED that the Trustee's Motion to Dismiss is hereby withdrawn conditioned upon the debtor complying with the above provision(s). If the debtor fails to comply with the provision(s), the Trustee's Motion to Dismiss shall be granted and the case dismissed without further notice or hearing.

Order 3(c)

CHAPTER 13 ORDER WITHDRAWING
TRUSTEE'S MOTION TO DISMISS UPON CONDITIONS

Before the court is the Motion to Dismiss filed by the Trustee on [date]. The motion was set for hearing on [date]. Appearing were [-----] for the debtor and [-----] for the Trustee. The court finds that the Trustee has agreed to withdraw the motion conditioned upon:

[Condition].

IT IS ORDERED that the Trustee's Motion to Dismiss is hereby withdrawn conditioned upon the debtor complying with the above provision(s). If the debtor fails to comply with the provision(s), the Trustee's Motion to Dismiss shall be granted and the case dismissed without further notice or hearing.

Order 4

ORDER CONFIRMING CHAPTER 13

The court finds that the plan as filed by the debtor complies with all provisions of Chapter 13 and with all other provisions of Title 11 of the United States Code; that all fees, charges, or amounts required under Chapter 123 of Title 28 or by the plan, to be paid before confirmation, have been paid; that the plan has been proposed in good faith and not by any means forbidden by law; that the plan complies with Section 1325 of the United States Bankruptcy Code and that the plan should be confirmed. Therefore,

IT IS ORDERED:

1. That the plan should be and hereby is confirmed. To effectuate the plan, the debtor shall pay to the Trustee according to the plan, which plan shall not exceed 60 months. The payments shall continue until further orders of the court.
2. Notwithstanding any plan term to the contrary, the debtor(s) may not obtain a refund or disbursement from the trustee without a court order after notice and hearing.
3. That the administrative expenses and compensation of the Trustee shall be paid in full pursuant to 11 U.S.C. Section 503(b) and Section 1326(b)(2), and that, to effectuate this provision, the Trustee shall receive such percentage fee of plan payments as may be periodically fixed by the Attorney General pursuant to 28 U.S.C. Section 586(e), which percentage fee shall not exceed ten percent (10%) of disbursements.
4. Whenever the plan confirmed by this order refers to the debt, debts, claim or claims of creditors, such reference shall be construed to mean allowed claim or allowed claims. The total amount of an allowed claim shall be the amount stated on a proof of claim properly filed by or on behalf of such creditor, unless the court determines a different amount following the filing of an objection to such claim.
5. Additional terms to be incorporated into the plan:
[The initial attorney distribution fee will be \$1,000.]

IT IS SO ORDERED.

Order 6

ORDER CONFIRMING CHAPTER 13 PLAN AS MODIFIED ON JANUARY 26, 2008

The court finds that the modified plan as filed by the debtors on January 26, 2008 complies with all provisions of Chapter 13 and with all other provisions of Title 11 of the United States Code; that all fees, charges, or amounts required under Chapter 123 of Title 28 or by the plan, to be paid before confirmation, have been paid; that the plan has been proposed in good faith and not by any means forbidden by law; that the plan complies with Section 1325 of the United States Bankruptcy Code and that the plan should be confirmed. Therefore,

IT IS ORDERED:

1. That the plan should be and hereby is confirmed. To effectuate the plan, the debtor shall pay to the Trustee according to the plan, which plan shall not exceed 60 months. The payments shall continue until further orders of the court.
2. Notwithstanding any plan term to the contrary, the debtor(s) may not obtain a refund or disbursement from the trustee without a court order after notice and hearing.
3. That the administrative expenses and compensation of the Trustee shall be paid in full pursuant to 11 U.S.C. Section 503(b) and Section 1326(b)(2), and that, to effectuate this provision, the Trustee shall receive such percentage fee of plan payments as may be periodically fixed by the Attorney General pursuant to 28 U.S.C. Section 586(e), which percentage fee shall not exceed ten percent (10%) of disbursements.
4. Whenever the plan confirmed by this order refers to the debt, debts, claim or claims of creditors, such reference shall be construed to mean allowed claim or allowed claims. The total amount of an allowed claim shall be the amount stated on a proof of claim properly filed by or on behalf of such creditor, unless the court determines a different amount following the filing of an objection to such claim.
5. Additional terms to be incorporated into the plan:
[None]

IT IS SO ORDERED.

Order 7

CHAPTER 13 AGREED ORDER SUSTAINING
TRUSTEE'S OBJECTION TO EXEMPTIONS

Before the court is the Trustee's Objection to Exemptions filed [date]. The objection was set for hearing on [date]. Appearing were [-----] for the debtor and [-----] for the Trustee. For cause shown, the court finds that the Trustee's Objection to Exemptions is [sustained] or [sustained with ___ days to modify] .

IT IS SO ORDERED.

Order 8

ORDER CANCELLING
MOTOR VEHICLE PHYSICAL DAMAGE INSURANCE

Before the court is the request of the Trustee and the debtor pursuant to Local Rule 2015-1 to cancel motor vehicle physical damage insurance. For good cause shown and finding no need for notice or hearing, the court orders the Trustee to cancel the motor vehicle physical damage insurance procured on behalf of the debtors in accordance with Local Rule 2015-1 on the [vehicle]. Insurance shall terminate effective [date].

IT IS SO ORDERED.

Order 9

CHAPTER 13 ORDER WITHDRAWING
TRUSTEE'S OBJECTION TO CONFIRMATION

The court, for cause shown, grants the Trustee's request to withdraw the Trustee's Objection to Confirmation filed [date] and cancels the hearing set for [date] at [time].

IT IS SO ORDERED.

Order 10(a)

CHAPTER 13 ORDER DISMISSING CASE
FOR EXCEEDING FIVE YEARS

Before the court is the Motion to Dismiss filed by the Trustee on [date] for the reason that the debtor's plan cannot be completed within a period of sixty months. The motion was set for hearing on [date]. Appearing were [-----] for the debtor and [-----] for the Trustee. The court finds that the debtor's plan was confirmed on [date] and that the plan will not be completed within sixty months from its effective date as required by 11 U.S.C. § 1322(c).

IT IS ORDERED that the Trustee's Motion to Dismiss is granted. The debtor's case is dismissed without prejudice.

Order 10(b)

CHAPTER 13 ORDER DISMISSING CASE
FOR VIOLATING STRICT COMPLIANCE ORDER

COMES NOW THE COURT and finds that an order was entered in the above styled case on [date], requiring the debtor to make specific payments to the Trustee. The order further provided that the case was to be dismissed if payments were not submitted as required. The court finds that the payments have not been submitted as required and, therefore, the case should be, and hereby is, dismissed for failure of the debtor to comply with the court's order of [date].

IT IS SO ORDERED.

Order 11 (a)

CHAPTER 13 ORDER REQUIRING STRICT COMPLIANCE

Before the court is the Motion to Dismiss filed by the Trustee on [date] as a result of the debtor's failure to make payments as required by the plan. The motion was set for hearing on [date]. The court finds that the debtor is in default under the terms of the plan. The Trustee has agreed to withdraw the Motion to Dismiss conditioned upon the debtor complying with the following:

[Condition].

IT IS ORDERED that the Trustee's Motion to Dismiss is hereby withdrawn conditioned upon the debtor complying with the above provisions. Failure of the debtor to comply with this order may result in the Trustee's Motion to Dismiss being granted and the case being dismissed without further notice or hearing.

Order 11(b)

TRUSTEE'S MOTION TO DISMISS
FOR FAILURE TO MAKE PLAN PAYMENTS
AND NOTICE OF HEARING

_____, Trustee, for this Motion to Dismiss for Failure to Make Plan Payments and Notice of Hearing, states:

1. The chapter 13 plan requires the Debtor to pay the Trustee as follows: [_____]
2. The Debtor is in material default with respect to the terms of the confirmed plan pursuant to 11 U.S.C. § 1307. Payments by or for the Debtor to the Trustee have not been made as proposed.
3. The Debtor's case should be dismissed pursuant to 11 U.S.C. § 1307(c)(1),(4) and (6).

WHEREFORE, the Trustee prays that Debtor's case be dismissed and for all other just, proper and equitable relief.

/s/ Trustee

NOTICE OF HEARING
TO THE DEBTOR AND DEBTOR'S ATTORNEY:

You are hereby notified that a hearing on the Trustee's Motion to Dismiss for Failure to Make Plan Payments will be held on:

Date and Place of Hearing in Text Box

If you contest the Trustee's Motion to Dismiss for Failure to Make Plan Payments, you should: (1) appear at the hearing; and (2) file a written response to the Motion and serve it upon the Trustee at the address listed in this Motion no later than two days before the date set for the hearing.

Date:

[Jean Rolfs]

Order 15

**CHAPTER 13 ORDER WITHDRAWING
TRUSTEE'S OBJECTION TO EXEMPTIONS**

The court, for cause shown, grants the Trustee's request to withdraw the Trustee's Objection to Exemptions filed [date] and cancels the hearing set for [date] at [time].

IT IS SO ORDERED.

Order 16

CHAPTER 13 ORDER
TO PROVIDE DOCUMENTATION

Before the court is the Objection to Confirmation filed on [date] by the Trustee. The Objection was set for hearing on [date]. Appearing were [-----] for the debtor and [-----] for the Trustee.

For cause shown, the court finds that the Objection to Confirmation is sustained. The debtor is granted [##] days from the date of this order to provide documentation [optional insert to describe documents] regarding the Chapter 13 plan. Failure to submit the documentation within the time described in this Order may result in dismissal of the case without further notice or hearing.

IT IS SO ORDERED.

Order 17

CHAPTER 13 ORDER
TO MODIFY CHAPTER 13 PLAN

Before the court is the Objection to Confirmation of Plan filed on [date] by the Trustee. The Objection was set for hearing on [date]. Appearing were [-----] for the debtors and [-----] for the Trustee.

For cause shown, the court finds that the Objection to Confirmation of Plan is sustained. The Debtor is granted [##] days from the date of this Order to file a modification to the plan. Failure to file the modification within the time described in this Order may result in dismissal of the case without further notice or hearing.

IT IS SO ORDERED.

Order 18

CHAPTER 13 ORDER WITHDRAWING
TRUSTEE'S OBJECTION TO CLAIM

The court, for cause shown, grants the Trustee's request to withdraw the Trustee's Objection to Claim filed [date] regarding the claim of [creditor or other claim information] and cancels the hearing set for [date] at [time].

IT IS SO ORDERED.

Order 19

CHAPTER 13 ORDER SUSTAINING
TRUSTEE'S OBJECTION TO CLAIM OF
[Claimant Name, Trustee's Claim No. #, Court Claim No. #]

Before the court is the Objection to Claim filed on [date] by the Trustee. The Trustee has requested that the court disallow the claim filed by [insert claim information] on [date], in the amount of [amount] for the reason set forth in the Objection to Claim.

The court finds that a NOTICE OF OPPORTUNITY TO OBJECT was mailed to Claimant and interested parties on [date], requiring the Claimant to file a written response to the Objection to Claim within 30 days from the date of the notice or an order would be entered granting the relief requested.

The court further finds that no response has been filed by the Claimant and the Objection to Claim should be sustained and the claim should be disallowed as noted below.

The Trustee's Objection to Claim is sustained. The claim filed by [insert claim information] in the amount of [amount] is disallowed [in its entirety *or* as a secured claim and allowed as an unsecured claim].

IT IS SO ORDERED.

Order 22

CHAPTER 13 ORDER REVOKING
ORDER CONFIRMING PLAN
INADVERTENTLY ENTERED

COMES NOW THE COURT and finds that the Order Confirming [Plan *or* Modified Plan] dated [date], was entered in error and should be and is hereby set aside pursuant to Federal Rule of Bankruptcy Procedure 9024(a).

Order 24

CHAPTER 13 ORDER
REVOKING INADVERTENT ORDER OF DISMISSAL

COMES NOW THE COURT and finds that the Order of Dismissal dated [date] was entered in error and should be and is hereby set aside pursuant to Federal Rule of Bankruptcy Procedure 9024.

IT IS SO ORDERED.

Order 25

CHAPTER 13 ORDER
DIRECTING TRUSTEE TO PROCURE INSURANCE

Before the court is the Motion to Procure Motor Vehicle Physical Damage Insurance filed by the Trustee on [date]. In the motion, the Trustee requests that insurance be placed on the debtor's [vehicle] pursuant to Local Rule 2015-1 because insurance coverage on the vehicle has been cancelled, not renewed or has lapsed.

For cause shown, and finding no need for notice or hearing, the court finds that the Trustee should obtain motor vehicle physical damage insurance coverage pursuant to Local Rule 2015-1 and increase the debtor's monthly plan payment by the amount of [amount] for the insurance premium, along with sufficient sums to cover the Trustee's administrative fee.

IT IS SO ORDERED.

Order 26(a)

CHAPTER 13 ORDER OF COMPENSATION
FOR PRE-CONFIRMATION SERVICES

Before the court is the Application for Compensation filed by debtor's counsel, [name of counsel], for all services and costs reasonably necessary for obtaining initial confirmation of the plan. The court finds that the application should be, and hereby is, approved. The sum of [amount], including costs, is approved. Because the debtor's counsel received the sum of [amount] prior to filing of the original petition, the Trustee is directed to pay the sum of [amount] pursuant to 11 U.S.C. § 1326.

IT IS SO ORDERED.

Order 26(b)

CHAPTER 13 ORDER OF COMPENSATION
FOR ADDITIONAL SERVICES

Before the court is the Application for Compensation for Additional Services filed by the debtor's counsel, [name of counsel], on [date], for additional services and/or costs. The court finds that the application should be, and hereby is, approved. The Trustee is directed to pay the amount of [amount] pursuant to 11 U.S.C. § 1326.

IT IS SO ORDERED.

Comments: [Trustee's office notes services rendered for the fee.]

Order 28

CHAPTER 13 ORDER OF DISMISSAL
FOR FAILURE TO MAKE PLAN PAYMENTS

Before the court is the Motion to Dismiss filed by the Trustee on [date] as a result of the debtor's failure to make plan payments in accordance with the plan. The motion was set for hearing on [date]. The debtor [did not *or* did] appear and the debtor's attorney [did not *or* did] appear.

For cause shown, the court finds that the debtor has failed to make payments pursuant to the plan. Therefore, the case should be, and hereby is, dismissed.

IT IS SO ORDERED.

Order 31

AGREED ORDER
GRANTING EXTENSION OF TIME FOR TRUSTEE'S OBJECTION

Before the court is the request of the Trustee for an extension of time to file an objection to confirmation of the debtor's plan filed [date]. The Trustee has conferred with debtor's counsel and understands that debtor's counsel has no objection to the extension.

The court finds that the request for extension is granted. Any objections to confirmation of the debtor's plan must be filed on or before [date].

IT IS SO ORDERED.

Order 32

NOTICE OF CONTINUED/RESCHEDULED HEARING ON
TRUSTEE'S MOTION TO DISMISS
FOR FAILURE TO MAKE PLAN PAYMENTS

Please take notice that the hearing on the Trustee's Motion to Dismiss for Failure to Make Plan Payments previously scheduled for [date] at [time] has been continued/rescheduled to:

[Text Box for date, time and place]

Date:

[Jean Rolfs]

Order 35

ORDER AUTHORIZING TRUSTEE DISBURSEMENT TO DEBTOR OF EMPLOYER
OVERPAYMENT

Before the court is the proposal of the Trustee to disburse funds to the debtor. Upon consideration, the court makes the following findings:

1. The debtor filed a chapter 13 case on [date] and proposed a plan of reorganization.
2. Funds have been received by the Trustee in the amount of [amount] as a result of an overpayment by the debtor's employer. These funds do not constitute plan payments and should be returned to the debtor.
3. The Trustee is authorized to disburse these funds to the debtor.

IT IS SO ORDERED.

Order 36

ORDER AUTHORIZING TRUSTEE
DISBURSEMENT TO DEBTOR
OF FUNDS RECEIVED AFTER COMPLETION OF PLAN

Before the court is the proposal of the Trustee to disburse funds to the debtor. Upon consideration, the court makes the following findings:

1. The debtor filed a chapter 13 case on [date] and proposed a plan of reorganization. The plan was completed on [date].
2. Funds remain or have been received in the amount of [amount] as a result of a debtor or employer overpayment.
3. The Trustee is authorized to disburse these funds to the debtor.

IT IS SO ORDERED.

Order 38

ORDER AUTHORIZING TRUSTEE
DISBURSEMENT TO DEBTOR
OF FUNDS RECEIVED AFTER CONVERSION

Before the court is the proposal of the Trustee to disburse funds to the debtor. Upon consideration, the court makes the following findings:

1. The debtor filed a chapter 13 case on [date] and proposed a plan of reorganization. The case was converted after confirmation on [date].
2. After conversion, funds have been received in the amount of [amount] as a result of a debtor or employer overpayment.
3. The Trustee is authorized to disburse these funds to the debtor.

IT IS SO ORDERED.

Order 39

ORDER AUTHORIZING TRUSTEE
DISBURSEMENT TO DEBTOR
OF FUNDS RECEIVED AFTER DISMISSAL

Before the court is the proposal of the Trustee to disburse funds to the debtor. Upon consideration, the court makes the following findings:

1. The debtor filed a chapter 13 case on [date] and proposed a plan of reorganization. The case was dismissed after confirmation on [date].
2. After dismissal, funds have been received in the amount of [amount] as a result of a debtor or employer overpayment.
3. The Trustee is authorized to disburse these funds to the debtor.

IT IS SO ORDERED.

Order 40

ORDER GRANTING TRUSTEE'S MOTION FOR AUTHORITY TO DISBURSE FUNDS

This cause is before the court upon the Chapter 13 Trustee's Motion for Authority to Disburse Funds and the accompanying Motion to Limit Notice. The court has reviewed the motions and the court file and it is ORDERED and adjudged as follows:

1. The Motion to Limit Notice is granted.
2. The Motion for Authority to Disburse Funds is granted. The Trustee is authorized to disburse to the Debtor the funds currently on hand in the amount of [amount].

IT IS SO ORDERED.