

UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA

U.S. BANKRUPTCY COURT  
WESTERN DISTRICT OF NORTH CAROLINA

00 SEP 26 P3:57

IN RE: )  
 )  
ADMINISTRATIVE ORDER )  
CHAPTER 13 FORM PLANS, )  
 )  
 )  
 )  
 )

GERALDINE FRENCHLAAR  
PROCKET CLERK *lga*

This matter is before the Court upon its own Motion, and it appearing as follows:

1. On December 1, 1998, this Court Amended its Local Rules.
2. Among the Rules adopted at that time, was Rule 3015, entitled Chapter 13 Plan Procedures. That Rule provided as follows:

3015-1

**Rule 3015-1. Chapter 13 Plan Procedures**

Chapter 13 Plans are required to be filed using the Plan Summary Form, Local Form 20. The Plan Summary contemplates that debtors' motions to avoid liens pursuant to 11 U.S.C. Section 511(f) and motions to value secured claims pursuant to Federal Rules of Bankruptcy Procedure 3012 will be asserted through use of this Plan document. The Plan summary is to be filed with the Chapter 13 petition, or within such additional time as the Court by subsequent order may direct, in order that a copy of such form may be timely served on all parties in interest prior to the date of the Section 341 meeting of creditors in the respective case. If the Plan Summary is not filed prior to notice of the Section 341(a) meeting notice, the debtor(s) shall be responsible for filing and serving said Plan Summary on all creditors. Proof of service must be filed with the Court.

3. Since the adoption of this Local Rule, the Western District has used Local Form 20 as its mandatory Chapter 13 Plan. That practice continues through the current date.
4. The Court, on April 3, 2000, adopted other amendments to its Local Rules, including an amendment to Local Rule 3015-1 to

provide for a fifteen (15) day objection period after the 341 meeting of creditors within which to file an objection to the Confirmation of the Chapter 13 Plan.

5. Through clerical error, it appears that while this new portion of 3015-1 was adopted, the earlier proviso was not republished.

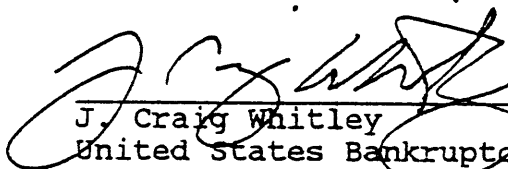
6. To rectify this error, the Judges of this Court believe that this Administrative Order should be entered readopting Rule 3015-1, *nunc pro tunc* to April 3, 2000, to provide both the standard Chapter 13 Plan provision and the newer Objection to Confirmation. The recast Rule 3015-1 is attached hereto as Exhibit A and is incorporated herein by reference.

SO ORDERED.

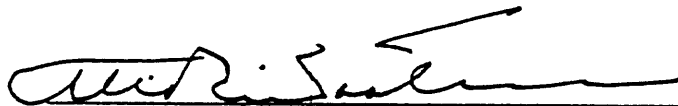
This the 26<sup>th</sup> day of September, 2000.



George R. Hodges  
Chief, United States Bankruptcy Judge



J. Craig Whitley  
United States Bankruptcy Judge



Marvin R. Wooten  
United States Bankruptcy Judge

## EXHIBIT A

### Rule 3015-1. Chapter 13 Plan Procedures.

Chapter 13 Plans are required to be filed using the Plan Summary Form, Local Form 20. The Plan Summary contemplates that debtors' motions to avoid liens pursuant to 11 U.S.C. Section 511(f) and motions to value secured claims pursuant to Federal Rules of Bankruptcy Procedure 3012 will be asserted through use of this Plan document. The Plan summary is to be filed with the Chapter 13 petition, or within such additional time as the Court by subsequent order may direct, in order that a copy of such form may be timely served on all parties in interest prior to the date of the Section 341 meeting of creditors in the respective case. If the Plan Summary is not filed prior to notice of the Section 341(a) meeting notice, the debtor(s) shall be responsible for filing and serving said Plan Summary on all creditors. Proof of service must be filed with the Court.

### Objections to Confirmation.

Parties shall have fifteen (15) days after the 341(a) meeting within which to file an objection to confirmation of the Chapter 13 plan. If no objection is filed within that time, the Court will enter an order confirming the plan.