

wishing to introduce the valuation of property by an expert witness may, at the time of a hearing or trial, make a summary of the appraisal. The witness shall be sworn for the purposes of cross-examination by the adverse parties.

LBR 3015-1. CHAPTER 13 - PLAN

(a) **Chapter 13 Plan Forms.** All Chapter 13 plans shall substantially conform to the plan form contained in the Clerk's Instructions.

(b) **Long-Term Debt Paid Through Plan.** All Chapter 13 plans shall provide that when a pre-petition arrearage exists for claims treated pursuant to § 1322(b)(5) as of the date of the bankruptcy filing and such arrearage is four monthly payments or more under the terms of the applicable note or contract, the payments which come due after the filing of the bankruptcy shall be maintained during the plan and shall be paid by the Chapter 13 Trustee unless otherwise ordered by the Court. The Chapter 13 Trustee is authorized to disburse to the holder of such claim the payment amounts under the applicable note or contract which come due after the filing of the bankruptcy but before the confirmation of the plan. The Chapter 13 Trustee is authorized to collect the percentage fee in effect at the time of the disbursement on all payments made pursuant to this Rule. Such disbursements shall be made within a reasonable time after receipt of payment from the debtor unless otherwise ordered by the Court. Such disbursements shall be made to the creditor's address as listed in the debtor's schedules if no proof of claim has been filed by the creditor.

(c) **Length of Plan.** All Chapter 13 plans shall provide for payments over a period of not less than 36 months unless the plan provides that the value of the property to be distributed under the plan on account of any claim is not less than the amount of such claim. Unless the Court orders otherwise, if the dividend provided in the confirmed plan is less than 100% and is met before 36 monthly payments are made by the debtor to the Chapter 13 Trustee, the debtor, in order to be eligible for a discharge under § 1328(a), shall continue to make payments until 36 monthly payments have been made or a 100% dividend has been paid.

(d) **Pre-Confirmation Adequate Protection and Lease Payments.**

1. General. The Chapter 13 plan shall provide that § 1326(a)(1) pre-confirmation adequate protection and lease payments are to be paid through the Chapter 13 Trustee.

The plan shall identify the creditors entitled to the payments and the amounts proposed. The debtor shall immediately commence plan payments to the Chapter 13 Trustee and may not reduce payments to the Chapter 13 Trustee under § 1326(a)(1)(B) and (C) without an order of the Court.

2. Payment by the Chapter 13 Trustee. The Chapter 13 Trustee is authorized to pay § 1326(a)(1) pre-confirmation payments set forth in the proposed plan and to collect the Chapter 13 Trustee's usual fee thereon without an order of the Court. No payment shall be made to a creditor until a proof of claim is filed. Pre-confirmation payments shall be made to creditors within 30 days of the filing of the proof of claim unless sufficient funds to make such payments have not been received by the Chapter 13 Trustee within seven working days prior to the end of the 30-day period. The Chapter 13 Trustee is authorized to deduct from an allowed claim the § 1326(a)(1) pre-confirmation payments made by the Chapter 13 Trustee. The deduction is made as of the date of payment.

3. If a creditor obtains an order for payments under § 1326(a)(3) and the case is dismissed prior to confirmation, the creditor shall receive from the Chapter 13 Trustee, upon dismissal of the case, any payments due and owing from funds collected by the Chapter 13 Trustee under § 1326(a)(1)(A), less the Chapter 13 Trustee's fees.

LBR 3015-2. CHAPTER 13 - MODIFICATIONS TO PLAN

A request to modify a plan pursuant to § 1329 shall be served by the proponent of the modification on the Trustee and on all parties in interest affected by the modification pursuant to LBR LBR 9007-1 or LBR 2002-1(e). For all post-confirmation modifications the debtor shall prepare and file a budget of current income and expenses.

LBR 3015-3. CHAPTER 13 - CONFIRMATIONS

(a) All creditor objections to confirmation of a Chapter 13 plan shall comply with the following:

1. All creditor objections shall be filed and served seven days prior to the first confirmation hearing held in the case unless a modification of plan has been filed