

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE**

**STANDING ORDER
Chapter 13 Pre-Confirmation Payments
and Case Management
No. 05-0005**

In accordance with 11 U.S.C. §§ 105 and 1326, IT IS ORDERED effective as to all Chapter 13 cases filed on or after October 17, 2005:

- (1) Debtors shall commence making payments not later than thirty days after the date of the filing of the plan or the order for relief, whichever is earlier.
- (2) Payments to the Chapter 13 trustee shall be in the amount of the payment proposed by the plan, which may include ongoing payments to a creditor holding an allowed claim secured by real property which is the debtor's residence and payments to the holder of a domestic support obligation, but shall not include ongoing payments to a lessor under a real or personal property lease other than a rent to own contract.
- (3) That portion of any payments made to the Chapter 13 trustee representing a pre-confirmation home mortgage payment, a pre-confirmation domestic support obligation, or a pre-confirmation adequate protection payment governed by 11 U.S.C. § 1326(a)(1)(C) including payments under rent to own contracts, shall be paid by the trustee to the creditors holding those obligations as they come due.
- (4) The trustee shall be compensated for disbursing pre-confirmation adequate protection payments in an amount equal to the fee that would be earned for making disbursements in like amount under a confirmed plan pursuant to 28 U.S.C. § 586(e)(1)(B). The compensation earned for disbursing pre-confirmation adequate protection payments shall be treated as an administrative expense for purposes of 11 U.S.C. § 1326(a)(2).
- (5) Debtors shall pay directly all ongoing payments arising out of real or personal property leases, and all ongoing payments not provided for in the plan to a creditor holding an allowed claim secured by real property which is the debtor's residence and to the holder of a domestic support obligation. Such payments shall commence not later than thirty days after the date of the filing of the plan or the order for relief, whichever is earlier.

(6) In order to be considered by the court, any objection to confirmation of a proposed Chapter 13 plan must be filed not later than seven days prior to the first date set for the hearing on confirmation of a plan. The clerk shall give notice of the deadline for filing objections to confirmation. Local Bankruptcy Rule 2083-1(c)(2) is vacated in its entirety.

ENTER FOR THE COURT

A handwritten signature in black ink, appearing to read "David S. Kennedy". The signature is written in a cursive style with a long, sweeping underline.

David S. Kennedy
Chief Bankruptcy Judge

Dated: October 14, 2005