

Fill in this information to identify your case:

Debtor 1

First Name Middle Name Last Name

Debtor

(Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the Western District of Tennessee

Case number

(If known)

Check if this is an amended plan, and list below the sections of the plan that have been changed.

Chapter 13 Plan

Part 1: Notices

To Debtors: This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in this judicial district.

In parts 1.1, 1.2, and 1.3 below, Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not included" or if both boxes are checked, the provision will be ineffective if set out later in the plan.

To Creditors: Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015.

1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.3	Nonstandard provisions, set out in Part 8	<input type="checkbox"/> Included	<input type="checkbox"/> Not included

Part 2: Plan Payments and Length of Plan

2.1 Debtor(s) will make regular payments to the trustee as follows:

Debtor (1) shall pay \$ weekly, every two weeks, semi-monthly, or monthly, by:

Payroll Deduction from: or Direct Pay.

Debtor (2) shall pay \$ weekly, every two weeks, semi-monthly, or monthly, by:

Payroll Deduction from: or Direct Pay.

2.2 Length of Plan.

The plan term shall be for a period of _____ months, not to be less than 36 months for below median debtors or less than 60 months for above median income debtor(s) (unless the plan provides for payment of 100% of all allowed claims). If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in the plan.

2.3 Income Tax Refunds: Check one.

- Debtor(s) will retain any income tax refunds received during the plan term.
- Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds that do not represent a tax credit received during the plan term.
- Debtor(s) will fund as part of and included in their plan payment the sum of \$ _____ in expected income tax refunds to be paid into the case over the life of the plan.
- Debtor(s) will treat income tax refunds as follows:

2.4 The total amount of estimated payments to the trustee provided for in §§ 2.1 and 2.2 is \$ _____.

2.5 Adjustments to payments.

- Trustee *de minimis* adjustments:** To the extent that the plan contains *de minimis* clerical or mathematical error(s) that can be corrected mechanically by the Trustee without rendering the plan infeasible, without any negative impact on any creditor, and without any adjustment to the treatment of any claim, the Trustee is hereby authorized to make said adjustment(s).
- I agree that notwithstanding any other provision of this plan, the Chapter 13 Trustee is hereby authorized to make adjustments to the terms of this plan as necessary to capture any excess equity, comply with pre-confirmation modifications, orders of this Court, placement of plan insurance and the payment of claims in compliance with Bankruptcy Rule 3012 and Parts 3 and 4 of this plan.
- I do not agree that the Trustee may make adjustments to the plan.

Part 3: Treatment of Secured Claims

3.1 Maintenance of payments and cure of default, if any.

If relief from the automatic stay is ordered as to any item of collateral listed in paragraphs 3.1(a), (b), or (c), then, unless otherwise ordered by the court, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan. Any allowed unsecured claim resulting from disposition of surrendered collateral will be treated as an unsecured claim upon amendment of the related proof of claim to account for the disposition of the surrendered collateral.

3.1(a) Claims secured by Debtor(s) principal residence: Check one.

- None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.
- The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control any contrary amounts listed below as to the current installments payment and arrearage. In the absence of a contrary timely-filed proof of claim, the amounts stated below are controlling.

Name of creditor	Property address	Beginning date for ongoing payments	Monthly ongoing payment amount	Includes Escrow (Yes or No)	Estimated amount of arrearage	Interest rate on arrearage	Monthly payment on arrearage
			\$ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)		\$	%	\$
			\$ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)		\$	%	\$

Insert additional claims as needed.

3.1(b) Claims secured by other real property: Check one.

- None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.
- All long term secured debt which is to be maintained and cured under the plan pursuant to 11 U.S.C. § 1322(b)(5) shall be scheduled below. Absent an objection by a party in interest, the proposed plan will be amended consistent with the proof of claim filed by the mortgage creditor as to the arrearage claim only, subject to the start date for the continuing monthly mortgage payment proposed herein.

Name of creditor	Property address	Monthly ongoing payment amount	Includes Escrow (Yes or No)	Estimated amount of arrearage including gap from filing date to first disbursement under the plan	Interest rate on arrearage	Monthly payment on arrearage
		\$ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)		\$	%	\$

Insert additional claims as needed.

3.1(c) Claims secured by real property to be paid in full over the plan term: Check one.

- None.** If "None" is checked, the rest of § 3.1 need not be completed or reproduced.

Name of creditor	Property address	Principal amount to be paid	Interest rate	Monthly payment
		\$	%	\$

Insert additional claims as needed.

As to sections 3.1(a) and 3.1(b) above, confirmation of the plan imposes on any claimholder listed above the obligation to:

- A. Apply arrearage payments received from the trustee only to such arrearages.
- B. Treat the obligation current at confirmation such that future payments, if made pursuant to the plan, shall not be subject to late fees, penalties, or other charges.

3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims. Check one.

If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless the Bankruptcy Court orders otherwise, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated in the plan. Any allowed unsecured claim resulting from the disposition of surrendered collateral will be treated as an unsecured claim upon the creditor's amendment of its secured claim to reflect and account for the disposition of the surrendered collateral.

None. If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.

The debtor(s) request that the court determine the value of the secured claims listed below. For each non-governmental secured claim listed below, the debtor(s) state that the value of the secured claim should be as set out in the column headed *Amount of Secured Claim*. For secured claims of governmental units, unless otherwise ordered by the court, the value of the secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, the claim of the secured claim will be paid in full with interest at the rate stated below. The portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5 of this plan. If the amount of a creditor's secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 5 of this plan. Unless otherwise ordered by the court, the amount of the creditor's total claim listed on the proof of claim controls over any contrary amounts listed in this paragraph.

The holder of any claim listed below as having value in the column headed *Estimated amount of creditor's claim* will retain the lien on the property interest of the debtor(s) or the estate(s) until the earlier of:

- (a) Payment of the underlying debt determined under nonbankruptcy law, or
- (b) Discharge of the underlying debt under 11 U.S.C. § 1328, at which time the lien will terminate and be released by the creditor.

Name of Creditor	Estimated amount of creditor's claim	Collateral	Amount of claims senior to creditor's claim	Value of Collateral	Amount of Secured Claim	Interest Rate	Pre-confirmation monthly adequate protection payment	Monthly payment (Post-confirmation)
	\$		\$	\$	\$	%	\$	\$
	\$		\$	\$	\$	%	\$	\$

Insert additional claims as needed.

3.3 Secured claims excluded from 11 U.S.C. § 506.

If relief from the automatic stay is ordered as to any item of collateral listed in this paragraph, then, unless the Bankruptcy Court orders otherwise, all payments under this paragraph as to that collateral will cease, and all secured claims based on that collateral will no longer be treated by the plan. Any allowed unsecured claim resulting from the disposition of surrendered collateral will be treated as an unsecured claim upon the creditor's amendment of its secured claim to reflect and account for the disposition of the surrendered collateral. *Check one.*

None. If "None" is checked, the rest of § 3.3 need not be completed or reproduced.

The claims listed below were either:

- (1) Incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or
- (2) Incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full under the plan with interest at the rate stated below. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Unless otherwise ordered by the court, the claim amount stated on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) controls over any contrary amount listed below. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of Creditor	Collateral	Amount of Claim	Interest Rate	Pre-confirmation monthly adequate protection payment	Monthly payment (Post-confirmation)
		\$	%	\$	\$

Insert additional claims as needed.

3.4 Lien Avoidance. Check one.

- None.** If "None" is checked, the rest of § 3.4 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable box in Part 1 of this plan is checked.

- The judicial liens or nonpossessory, nonpurchase money security interests securing the claims listed below impair exemptions to which the debtor(s) would have been entitled under 11 U.S.C. § 522(b). Unless otherwise ordered by the court, a judicial lien or security interest securing a claim listed below will be avoided to the extent that it impairs such exemptions upon entry of the order confirming the plan. The amount of the claim secured by the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part 5 to the extent allowed. The amount, if any, of the claim secured by the judicial lien or security interest that is not avoided will be paid in full as a secured claim under the plan to the extent allowed. See 11 U.S.C. § 522(f) and Bankruptcy Rule 4003(d).

If more than one lien is to be avoided, provide the information separately for each lien.

Name of Creditor	Description of property subject to judicial lien or security interest	Amount of lien or security interest	Amount avoided and treated as unsecured claim	Amount of remaining secured claim, if any	Interest rate, if applicable	Monthly payment on secured claim, if applicable
		\$	\$	\$	%	\$
		\$	\$	\$	%	\$

Insert additional claims as needed.

3.5 Surrender of Collateral. Check one.

- None.** If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

- The debtor(s) surrender to each creditor below the listed collateral. Upon confirmation of this plan, the stay under 11 U.S.C. § 362(a) will be terminated as to the collateral only and the stay under § 1301 will be terminated in all respects. Any allowed unsecured claim resulting from the disposition of surrendered collateral will be treated as an unsecured claim.

Name of Creditor	Collateral

Insert additional claims as needed.

Part 4: Treatment of Fees and Priority Claims

4.1 Trustee's fees

Trustee's fees are governed by statute and may change during the case but may never exceed 10% of plan disbursements.

4.2 Attorney's fees

The total fee requested by Debtor(s) attorney is \$ _____. The amount of the attorney fee paid pre-petition is \$ _____. The balance of the fee owed to Debtor(s) attorney is \$ _____. The balance owed to the Debtor(s) attorney will be paid in accordance with Standing Order 24-0001 and any amendments or further orders of the court. The initial disbursement upon confirmation will be \$ _____, but no more than the amount specified in Standing Order 24-0001.

4.3 Priority claims other than attorney's fees and those treated in § 4.4.

If the plan includes the repayment of a claim secured by an automobile owned by the debtor(s), unless the debtor(s) provide acceptable proof of insurance to the trustee, vehicle casualty insurance will be included in the plan as an administrative expense. See Standing Order 20-0009.

Check one.

- None.** If "None" is checked, the rest of § 4.3 need not be completed or reproduced.
- The priority claims listed below will be paid in full through the plan at the interest rate and monthly payment listed below.

Name of Creditor	Estimated Amount of Claim	Interest Rate, if applicable	Monthly Payment
	\$ _____	_____ %	\$ _____
	\$ _____	_____ %	\$ _____

Insert additional claims as needed.

4.4 Domestic Support Obligations.

4.4(a) Domestic Support Obligations to be paid in full. Check one.

- None.** If "None" is checked, the rest of § 4.4(a) need not be completed or reproduced.
- The allowed priority claims listed below are based on a domestic support obligation.

Name of Creditor	Paid by: (Indicate Debtor or Trustee)	Ongoing payments to begin (month and year)	Ongoing monthly payment amount	Approximate prepetition arrearage	Interest rate for arrearage, if applicable	Monthly payment for arrearage, if applicable
			\$ _____	\$ _____	_____ %	\$ _____
			\$ _____	\$ _____	_____ %	\$ _____

Insert additional claims as needed.

4.4(b) Domestic Support Obligations assigned or owed to a governmental unit and paid less than the full amount. Check one.

- None.** If "None" is checked, the rest of § 4.4(b) need not be completed or reproduced.
- The claims below are based on a Domestic Support Obligation that has been assigned to or is owed to a governmental unit and will be paid less than in full under 11 U.S.C. § 1322(a)(4).

Name of Creditor	Paid by: (Indicate Debtor or Trustee)	Ongoing payments to begin (month and year)	Ongoing monthly payment amount	Approximate prepetition arrearage	Interest rate for arrearage, if applicable	Monthly payment for arrearage, if applicable
			\$	\$	%	\$
			\$	\$	%	\$

Insert additional claims as needed.

Part 5: Treatment of Nonpriority Unsecured Claims

5.1 Nonpriority unsecured claims not separately classified.

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata, as set forth below. If more than one option is checked, the option providing the largest payment will be effective. Check all that apply.

- The sum of \$ _____.
- _____ % of the total amount of these claims, an estimated payment of \$ _____.
- All funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$ _____. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

5.2 Maintenance of payments and cure of any default on nonpriority unsecured claims. Check one.

- None.** If "None" is checked, the rest of § 5.2 need not be completed or reproduced.
- The debtor(s) will maintain the contractual installment payments and cure any default in payments on the unsecured claims listed below on which the last payment is due after the final plan payment. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. The claim for the arrearage amount will be paid in full as specified below and disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of Creditor	Current Installment Payment	Amount of Arrearage to be Paid
	\$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$ _____

Insert additional claims as needed.

5.3 Other separately classified nonpriority unsecured claims. Check one.

- None.** If "None" is checked, the rest of § 5.3 need not be completed or reproduced.
- The allowed nonpriority unsecured claims listed below are separately classified and will be treated as follows:

Name of Creditor	Basis for Separate Classification and Treatment	Amount to be Paid by Trustee	Interest Rate (if applicable)	Monthly Payment by Trustee
		\$	%	\$
		\$	%	\$

Insert additional claims as needed.

Part 6: Executory Contracts and Unexpired Leases

6.1 This plan assumes or rejects executory contracts as specified in this section. Check one.

- None.** If "None" is checked, the rest of § 6.1 need not be completed or reproduced.
- Rejected items.**

Name of Creditor	Description of Leased or Contractual Property

Insert additional claims as needed.

- Assumed items.** Current installment payments will be maintained directly by the debtor(s) as specified below, subject to any contrary court order or rule. Arrearage payments will be disbursed by the trustee. The final column includes only payments disbursed by the trustee.

Name of Creditor	Description of Leased Contractual Property	Current Installment Payment to be Maintained by Debtor(s)	Total Amount of Arrearage to be Paid by Trustee	Interest Rate (if applicable)	Monthly Payment by Trustee
		\$	\$	%	\$
		\$	\$	%	\$

Insert additional claims as needed.

Part 7: Vesting of Property of the Estate

7.1 All property shall remain property of the Chapter 13 estate under 11 U.S.C. §§ 541(a) and 1306(a) and shall revest in the debtor(s) only upon discharge pursuant to § 1328(a), conversion of the case to another chapter under the bankruptcy code, or specific order of the court which states otherwise. The debtor(s) shall remain in possession of and in control of all property of the estate not transferred to the Trustee and shall be responsible for the protection and preservation of all such property, pending further order of the court.

Part 8: Nonstandard Plan Provisions

8.1 Check "None" or List Nonstandard Plan Provisions.

None. *If "None" is checked, the rest of § 8.1 need not be completed or reproduced.*

Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Official Form or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.

The following plan provisions will be effective only if there is a check in the box "included" in § 1.3.

Part 9: Signatures:

9.1 Signature of Debtor(s) and Debtor(s)' Attorney

If the Debtor(s) do not have an attorney, the Debtor(s) must sign below; otherwise, the Debtor(s)' signatures are optional. The attorney for the Debtor(s), if any, must sign below.

Signature of Debtor 1

Signature of Debtor 2

Executed on

MM / DD / YYYY

Executed on

MM / DD / YYYY

Signature of Attorney for Debtor(s)

Date

MM / DD / YYYY

By filing this document, the Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) also certify(ies) that this plan does not contain nonstandard provisions other than those set out in Part 8.

Exhibit: Total Amount of Estimated Trustee Payments

The following are the estimated payments that the plan requires the trustee to distribute. If there is any difference between the amounts set out below and the actual plan terms, the plan terms control.

a. Maintenance and cure payments on secured claims (<i>Part 3, Section 3.1 total</i>)	\$	
b. Modified secured claims (<i>Part 3, Section 3.2 total</i>)	\$	
c. Secured claims excluded from 11 U.S.C. § 506 (<i>Part 3, Section 3.3 total</i>)	\$	
d. Judicial liens or security interests partially avoided (<i>Part 3, Section 3.4 total</i>)	\$	
e. Fees and priority claims (<i>Part 4 total</i>)	\$	
f. Nonpriority unsecured claims (<i>Part 5, Section 5.1, highest estimated amount</i>)	\$	
g. Maintenance and cure payments on unsecured claims (<i>Part 5, Section 5.2 total</i>)	\$	
h. Separately classified unsecured claims (<i>Part 5, Section 5.3 total</i>)	\$	
i. Trustee payments on executory contracts and unexpired leases (<i>Part 6, Section 6.1</i>)	\$	
j. Nonstandard payments (<i>Part 8 total</i>)	\$	
Total of lines a through j	\$	