

Notice of Pre-Confirmation Amendment of Plan and Confirmation Hearing [Ch 12 & Ch 13 only]

NOTE: **Before filing:** Prepare **LBF 1355.05 Notice of Pre-Confirmation Amendment of Plan and Confirmation Hearing** and the Amended Plan. The Amended Plan must be filed on the most recent version of the same form as the original plan. For example:

LBF 1200.05 12/1/14 for Ch 12 cases.
LBF 1300.05 12/1/12 for Ch 13 cases filed 5/31/14 and before.
LBF 1300.14 12/1/16 for Ch 13 cases filed 6/1/14 to 11/30/17.
LBF 1300.17 12/1/17 for Ch 13 cases filed 12/1/17 and after.

The above two forms (Notice and Plan) must be completed and merged into one document (Notice is first, then the Plan). The completed document must retain its fillable properties.

Before filing: If a new Confirmation Hearing date is to be set, and it *has not* been noticed by the court, you must call the case judge's calendar clerk to obtain the new date. You may find this information under Contacts on the court's website.

The following federal rules govern notice related to Ch 13 confirmation hearings:

- Per FRBP 2002(b), 28 days' notice must be given of the time fixed for the hearing to consider confirmation of a Ch 13 plan.
- Per FRBP 2002(a)(9), 21 days' notice must be given of the time fixed for filing objections to confirmation of a Ch 13 plan.
- Per FRBP 3015(f), an objection to confirmation of a plan must be filed and served at least 7 days before the date set for hearing on confirmation.

Therefore, in order to comply with these rules, as stated in LBR 3015-2(b), an Amended Plan may not be filed fewer than 28 days before the next scheduled confirmation hearing.

STEP 1. Click on **Bankruptcy** on the ECF menu bar.

STEP 2. Click on **Notices**.

- STEP 3.** The **Case Number** screen displays.
- Insert the case number using the YY-NNNNN format.
 - Click **Next**.
- STEP 4.** Click on **Notice of Pre-Confirmation Ch 12/13 Amendment of Plan** from the event list.
- Click **Next**.
- STEP 5.** The **Party Selection** screen displays.
- Select the party filer.
 - Click **Next**.
- STEP 6.** The screen displays: **Per LBR 3015-2(b), an amended plan may not be filed fewer than 28 days before the next scheduled confirmation hearing and must be attached to LBF 1355.05.**
- Click **Next**.
- STEP 7.** The screen displays: **Enter Date of Amended Plan**
- Enter the date of the amended plan.
 - Click **Next**.
 - For Chapter 12, continue to **STEP 9**.
 - For Chapter 13, continue below:
- STEP 8.** The screen displays: **Select any of the following motions that are included in the Chapter 13 Plan. Click Next if no motions are included.**
- Select **Motion to Value Collateral** or **Motion to Avoid Liens**, or both, as appropriate, and click **Next**.
 - If neither of these motions are included in the Ch 13 Plan, click **Next**.
- STEP 9.** The screen displays: **You must select one option below**, and two options are given.

- Select the appropriate option regarding the confirmation hearing date listed on LBF 1355.05.
 - Click **Next**.
 - If the **first** option was selected on the previous screen, continue to **STEP 12**.
 - If the **second** option was selected on the previous screen, continue below:
- STEP 10.** The screen displays: **You must enter a valid hearing date, time and location. Be sure to review the final docket text to verify all hearing information.**
- Click **Next**.
- STEP 11.** The screen displays a blank area for each: **Confirmation Hearing Date, Hearing Time, and Location.**
- Enter the confirmation hearing date, hearing time, and location in each area.
 - Confirm the information entered is correct.
 - Click **Next**.
- STEP 12.** The screen displays: **Select the pdf document.**
- Click **Browse** to select the appropriate PDF.
 - Before attaching, open the PDF to confirm the correct document is selected.
 - Click **Next**.
- STEP 13.** The **Docket Text: Modify as Appropriate** screen displays.
- Use the drop down list to select any information that may be required to complete the docket text, or, leave it blank.
 - Click **Next**.
- STEP 14.** The **Docket Text: Final Text** screen displays.
- Confirm the docket text is correct, including any confirmation hearing information that may have been entered.

- ❑ Click Next.

STEP 15. The **Notice of Electronic Filing** screen displays.