

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re

LOCAL BANKRUPTCY RULES AND
FORMS AMENDMENT

GENERAL ORDER NO. 21-1

Pursuant to Federal Rule of Bankruptcy Procedure 9029(a) and Federal Rule of Civil Procedure 83(a) and as authorized by United States District Court for the District of Oregon by LR 2100-2(b), I certify that the judges of this court have

ADOPTED the attached amendments to the local bankruptcy rules and local bankruptcy forms of this district, all to take effect on December 1, 2021.

Dated: November 9, 2021



Thomas M. Renn
Chief Bankruptcy Judge

2021 Local Rule Changes

Rule 1006-1. Fees—General.

- (a) **Installment Payment Request.** A debtor must file LBF 110 (or OF 103A) to request authority to pay the petition filing fee in installments.
- ~~(b) **Payment Required when Filing a Petition.** A debtor must tender not less than the amount specified on the current version of LBF 110.~~
- ~~(b)(e) **Dishonored Check.** If a check or draft is returned for nonsufficient funds or another valid reason, the clerk may thereafter require that fee payments on behalf of a party be made in a form other than personal check.~~
- ~~(c)(d) **Erroneous Payment of Fee or Charge.** An entity making any payment with respect to a filing fee, or other fee or charge, must ensure the fee is due and not overpaid or paid more than once. The clerk may retain any excess payment.~~
- ~~(d)(e) **Child Support Creditor Exemption From Certain Filing Fees.** OF 2810 must be filed.~~

Rule 1016-1. Death of a Debtor or Party.

- (b) In the event of the death of an individual debtor in an open case, a surviving debtor or personal representative must file a notice of the initiation of a any probate proceeding.

Rule 1017-2. Dismissal—Case.

- (a) **Motion to Dismiss.** Unless filed by a debtor that has a statutory right to dismiss the case, a motion must be served on the debtor and any creditors' committee. The motion must set forth the terms of any agreement concerning the dismissal.
- ~~(b) **Motion to Dismiss by Debtor in Chapter 12 or 13 Case.**~~
- ~~(1) If a chapter 12 case or a chapter 13 case has not been converted, the motion will ordinarily be granted without notice unless an objection is filed within seven days after the filing of the motion.~~
- ~~(2) A debtor moving under (1) above may request expedited relief. If the debtor requests expedited relief, the court will promptly consider the motion.~~

- (be) Chapter 7 or 13—Motion to Vacate Dismissal.** The motion must be filed on LBF 1367.92 and signed by the debtor.

Rule 1019-1. Conversion—Procedure After. ~~Reserved~~

LBR 2002-1(a)(1) applies.

Rule 2002-1. Notices to Creditors and Other Interested Parties.

(a) Entity Responsible for Giving Notice.

- (1) **General.** The clerk may direct an entity to serve any ~~required~~ notice that an FRBP requires be given by the clerk or some other person as the court may direct.
- (2) **Chapter 7.** The entity ~~requesting relief~~, other than a trustee, proposing an action of which must serve all notices is required ~~under by~~ FRBP 2002(a)(2)-(4) must give the notice. An entity ~~servicing giving~~ a notice required by FRBP 2002(a)(6) must do so under LBR 2016-1.
- (3) **Chapter 11.**
- (A) **General.** The entity ~~requesting relief must serve all~~ making a request for relief or proposing an action of which notice is required by notices except for one under FRBP ~~2002~~ must give the notice, unless the notice is required by FRBP 2002(a)(1), (a)(7), (d)(1), (f)(1), (f)(2) or (f)(6).
- (B) **Plan or Amended Plan.** The proponent must ~~serve~~ give a notice required by: _____
- (i) FRBP 2002(b)(1) or (d)(5), together with the documents required by FRBP 3017(a), using the notice of hearing on proposed disclosure statement prepared by the court.
- (ii) FRBP 2002(a)(5), (b)(2), (d)(6), or (d)(7), together with the documents required by FRBP 3017(d), using the order approving disclosure statement prepared by the court.
- (iii) FRBP 2002(a)(6) for a final compensation application timely filed under LBR 2016-1(c)(2)(C).

- (4) **Chapter 12.** The entity ~~requesting relief making a request for relief or proposing an action must serve all of which~~ notices is required by FRBP 2002 must give the notice, except for one under unless the notice is required by FRBP 2002(a)(1), (a)(7), (f)(1), (f)(2), (f)(3), (f)(5) or (f)(6).
- (5) **Chapter 13.** The entity ~~requesting relief making a request for relief or proposing an action of which must serve a~~ notice is required by FRBP 2002(a)(2), ~~or~~ (a)(3), or (a)(6) must give the notice.
- (6) **Chapter 15.** A foreign representative filing a petition for recognition must serve the notice required under FRBP 2002(q)(1) and any notice required by FRBP 2002(q)(2).

[...]

(j) **Limited Notice to Creditors Whose Claims are Filed.** To the extent permitted by FRBP 2002(h) and an LBF, a notice required by FRBP 2002(a) may be mailed to the entities listed in FRBP 2002(h) in lieu of those listed in FRBP 2002(a).

Rule 2003-1. Meeting of Creditors.

- (b) **Attendance.** The debtor and debtor’s attorney must attend and complete the meeting. The debtor’s attorney may arrange for another attorney to attend in ~~his or her~~ the attorney’s place without a formal substitution of attorney. The debtor’s failure to complete the meeting of creditors is a ground for dismissal of the case.

Rule 2015-1. Trustee—Reports, Accounts, Notices, & Destruction of Records.

- (b) **Chapter 11.** [...]

- (2) **Final Account.**

- (A) **General.**

- (i) In a case other than one in which the plan has been confirmed under § 1191(b), ~~the~~ the following entity must complete and file LBF 1195 no later than 120 days after entry of a plan confirmation order: ~~(i) a trustee or other agent, other than the plan proponent, an agent appointed under the plan to serve after confirmation; or,~~ (ii) if no

agent is appointed, the proponent. If LBF 1195 is not filed by that deadline, that entity must file a status report no later than 120 days after entry of the confirmation order and every 180 days thereafter until application for a case-closing order.

(ii) In a case in which the plan has been confirmed under § 1191(b), the trustee must file a status report no later than 120 days after entry of the confirmation order and every 180 days thereafter until the discharge of the trustee.

Rule 2016-1. Compensation for Services Rendered & Reimbursement of Expenses.

(e) Chapter 13 Debtor's Attorney.

(1) Chapter 13 Debtor's Attorney's Compensation Disclosure and Application on LBF 1305. General. ~~A disclosure of compensation, any employment agreement, and an initial application for compensation must be filed on LBF 1305 no later than 14 days after the first date set for the meeting of creditors. Any amended disclosure must be filed on LBF 1305 no later than 7 days before the confirmation hearing.~~

(A) An attorney representing a chapter 13 debtor in or in connection with the chapter 13 case must file an LBF 1305 no later than 14 days after the later of the petition date or the date the attorney first provides services—unless the attorney is not required by § 329(a) to make a disclosure or by FRBP 2016(b) to make a statement.

(B) An attorney whose LBF 1305 is due more than seven days before the final confirmation hearing must file any required amended LBF 1305 no later than seven days before the final plan-confirmation hearing.

(2) Chapter 13 Debtor's Attorney's Schedule 2.(b) Itemization on LBF 1306. Post Confirmation Supplemental Compensation Application.

(A) If the attorney selects LBF 1305 Schedule 2.(b) and (i) the LBF 1305 estimate, before credit for payments, exceeds \$3,450 or (ii) the actual value of services rendered and reimbursable expenses incurred by the attorney through 14 days before the final confirmation hearing exceeds \$3,450, the attorney must complete and file a Chapter 13 Debtor's Attorney's Schedule 2.(b) Itemization on LBF 1306 no later than seven days before the final confirmation hearing. Any Chapter 13 Debtor's Attorney's Supplemental-Compensation Application on LBF 1307 by an attorney who has not timely

filed an LBF 1306 may not include any amount by which the total amount of fees and expenses incurred through 14 days before the final confirmation hearing exceeds the amount of compensation and expense reimbursement allowed in the confirmation order.

(B) Plan confirmation after the filing of an LBF 1306 does not constitute allowance of fees and expenses exceeding the amounts allowed in the confirmation order. Allowance of any excess will be considered in connection with the first LBF 1307.

(3) Chapter 13 Debtor’s Supplemental-Compensation Application on LBF 1307.

(A) No LBF 1307 may be filed (i) if Schedule 1 was selected on LBF 1305, (ii) to request fees and expenses less than \$500 on a nonfinal LBF 1307, (iii) sooner than six months after the last to be filed of the LBF 1305 and any prior LBF 1307, (iv) after filing a final LBF 1307, or (v) after ~~If permitted under the LBF 1305 filed in the case, the application must be filed on LBF 1307 no later than~~ 28 days after service of the trustee’s notice of plan completion.

(B) If Schedule 2.(b) was selected—and even if an LBF 1306 was filed—the first LBF 1307 must include an itemized statement of all services rendered and expenses incurred in contemplation of or in connection with the case, both before and after the petition date, and it must reflect the paid amounts listed in the LBF 1305 and amounts allowed in the confirmation order.

(C) The presumptively reasonable compensation for preparation of each LBF 1307 is \$100.

(D) If allowance of the compensation requested in an LBF 1307 will require a plan modification, the debtor must, within 28 days after allowance of this LBF 1307, file either a Notice of Postconfirmation Amendment of Plan on LBF 1355.10 and a proposed amended plan on the appropriate LBF or a statement why none has been filed.

[...]

(h) Secured Creditor Expenses. In this subdivision the term “expense” includes the costs of insurance, taxes paid, attorney fees, appraisal fees, and inspection fees.

(1) Chapter 7 or 11.

(A) General.

[...]

(ii) **Declaration of Professional.** A proof of claim filed for postpetition expenses that includes a claim for compensation of professional services must also include a declaration from the professional that contains the following five points of information and representations:

~~(I)(1)~~ The declarant requests allowance of compensation for: ~~P~~professional ~~S~~services of \$____; ~~and~~ ~~E~~expenses of \$____; for a ~~T~~total of \$____. Expenses claimed were actually charged to the declarant.

~~(II)(2)~~ [Rate based on hourly charge] The rate of compensation, number of hours, and requested fee for each person included in this application are summarized as follows:

<u>Timekeeper</u> <u>(names and initials)</u>	<u>Title</u>	<u>Hourly</u> <u>Rate</u>	<u>Number</u> <u>Of Hours</u>	<u>Requested</u> <u>Fee</u>
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[Rate not based on hourly charge] The fees for services were calculated as follows: ~~(Describe)~~. Services were provided by the following: ~~(Identify by name)~~.

~~(III)(3)~~ The declarant has not shared or agreed to share any compensation received or to be received for services rendered in connection with this case; except with a regular member, partner, or associate of declarant's firm.

~~(IV)(4)~~ A description of the timekeeper's services and expenses is included and incorporated into the declaration.

~~(V)(5)~~ The declarant requests: a. A total of \$____ for expenses that fall within the limits of LBR 2016-1(b) (no itemization required); ~~AND~~ b. Other ~~(describe each in detail)~~:

Rule 3015-2. Chapter 12 or 13—Plan Amendment.

(a) **General.** Any proposed amendment must be: [...]

(3) Signed and dated ~~with the date signed~~ by the ~~debtor~~ proponent or ~~debtor's~~ proponent's attorney.

- (b) **Preconfirmation.** If a proposed amendment is filed 28 days or more before a confirmation hearing, the ~~debtor~~ proponent must attach the amended plan to LBF 1355.05 and serve it under that form. An amended plan may not be filed fewer than 28 days before the then-pending confirmation hearing.
- (c) **Postconfirmation.**
- (1) The ~~debtor~~ proponent must use the same version of the local form plan as the prior confirmed plan and attach a proposed amendment to LBF 1355.10.
- (2) The proponent must give the notice required by FRBP 3015(h).

Rule 3019-1. Chapter 11—Plan or Disclosure Statement Amendment.

- (a) A proposed amended plan or disclosure statement must be:
- (1a) Entitled a “(insert First, Second, etc.) Amended Plan or Disclosure Statement.”
- (2b) Preceded by a separate document containing the old and new language set out separately in different forms (e.g., by striking through deleted language and highlighting new language, or bracketing deleted language and underlining new language).
- (3e) Complete, including each proposed amendment.
- (4d) Signed and dated.
- (b) LBR 2002-1(a)(1) applies to a request under FRBP 3019(b) to modify a confirmed plan in an individual chapter 11 case.

Rule 3020-1. Chapter 11—Confirmation; Report of Administrative Expenses & Confirmation Order.

- (b) **Confirmation Order.**
- (1) **General.** A proposed confirmation order must ~~be~~:
- (A) Be Pprepared by the plan’s proponent.

- (B) ~~Specify~~ Specify as to the amount of unpaid fees due to the clerk and require payment no later than 14 days after the order is entered.
 - (C) ~~Be~~ Lodged no later than seven days after the final confirmation hearing.
 - (D) In a subchapter V case, identify the subsection of § 1191 under which the plan will be confirmed in both the caption and body.
- (2) **Notice of Confirmation.** No less than 30 days, nor more than 45 days, after entry of a confirmation order, the proponent must prepare and file a notice on LBF 1190.

Rule 4001-1. Relief From Automatic Stay; Use of Cash Collateral; Obtaining Credit; Agreements; Rental Cure Deposits.

~~(a) — Chapter 7 — Nonjudicial Relief from Automatic Stay.~~

- ~~(1) — Request. An entity claiming an interest in property of the estate or property in the possession of the debtor or trustee may request nonjudicial relief from the automatic stay of § 362(a) under LBF 715.~~
- ~~(2) — Objection. An objection must not be filed with the court. An objection to a request, unless made at the meeting of creditors, must be in writing and contemporaneously delivered to only the debtor, the trustee, and the entity requesting relief. If the trustee receives a timely objection, the trustee must not grant nonjudicial relief unless the objection is withdrawn in writing.~~
- ~~(3) — Granting and Effect of Nonjudicial Relief. If permitted under LBF 715, the trustee may grant nonjudicial relief from stay by executing LBF 750. A grant of nonjudicial relief constitutes termination of the stay of an act against the subject property. An LBF 750 need not be filed to become effective. The trustee will not be deemed to have abandoned or waived any interest or other rights in the property by executing LBF 750. Any nonexempt equity in the property remains property of the estate, and any exempt equity remains property of the debtor.~~

~~(b)(a)~~ **Motion for Relief From Debtor or Codebtor Stay.**

[...]

~~(e)~~(d) **Debtor’s Consent to Relief From Stay re Property to be Surrendered.** Marking the “Property Will be Surrendered” box on a debtor’s chapter 7 statement of intention form (LBF 521.05) as to any property constitutes the debtor’s consent to relief from the automatic stay with regard to that property. Relief from stay will be effective at the earliest of the following: (1) the granting of ~~judicial or nonjudicial~~ relief from stay, (2) physical surrender of the property by the debtor, or (3) expiration of the time deadlines in § 521.

Rule 4008-2. Voluntary Modification of Debt Secured by Debtor’s Residence in Chapter 7 and Chapter 13 Cases.

(a) **Chapter 7 Cases.** A mortgage creditor may negotiate a modification of its secured claim with the debtor and the debtor’s attorney at any time during the pendency of a ~~C~~chapter 7 case. A modification is voluntary on the part of the secured creditor and the debtor and is subject to procedures set forth in LBF 751.7. The court will not consider a mortgage creditor’s contact with the debtor or the debtor’s attorney and any negotiation or to implementation of a modification, by themselves, to violate the automatic stay of ~~11 U.S.C.~~ § 362 or the discharge injunction of § 524. No modification can become effective until the trustee abandons the encumbered real property.

Rule 7005-1. Service & Certificate of Service

(a) **Service Requirements**

- (1) A document served on an entity must also be served on an attorney of record for the entity.
- (2) When service of a document prepared and filed by an entity is required, the service must be made contemporaneously with the act of filing.
- (3) When the court delivers a notice to serve a document to an entity, service must be made under the notice.

~~(4) — LBR 2002-1 applies.~~

Rule 9001-1. Rules of Construction & Definitions.

Titles and headings are part of the LBRs. A word or phrase not otherwise defined in an LBR or LBF has the meaning and construction assigned to it in the Code or an FRBP unless the specific definitions below or the context require otherwise. All singular words include the plural, and any reference to ~~one~~ gender includes ~~both genders~~ all gender identities. A list of items after a colon will generally be read to be joined by an “and.” However, if the colon follows the word “either,” the list will be read to be joined by an “or.” The following definitions apply in these LBRs and to all LBFs: [...]

Rule 9021-1. Order or Judgment—Entry of; Costs.

(b) Lodging of Proposed Order or Judgment.

- (1) When Permitted.** A proposed order or judgment may be lodged when it is appropriate for the court to sign it.

[...]

- (C)** The proponent must lodge an order concurrently with the motion or application if—

- (i)** the order is combined with the motion or application in a single LBF;
- (ii)** the proponent seeks entry of the order without notice and a hearing pursuant to LBR 9013-1(b)(2)(F); ~~or~~
- (iii)** the motion or application contains a certification that it is stipulated, agreed, or unopposed; ~~or~~

(iv) the motion is for entry of default in an adversary proceeding.

- (D)** An order or judgment that is stipulated, agreed, or unopposed may be lodged at any time.

- (2) Orders Not to be Lodged.** No party need lodge a proposed order of the types listed in LBF 9021. [...]

~~**(5) Service.** The court may delegate to the party lodging a proposed order or judgment, or such other party specifically designated by the court, the clerk’s obligation under FRBP 9022(a) to serve an order or judgment to the contesting parties immediately after entry of the order or judgment.~~

PROCEDURES RE: FILING AN INDIVIDUAL BANKRUPTCY CASE

Where to Obtain the Forms

You may obtain forms from the U.S. Courts website and Oregon Bankruptcy Court website as follows:

- <https://www.uscourts.gov/forms/bankruptcy-forms> - Official Forms (OF)
- <https://www.orb.uscourts.gov/forms/all-local-forms> - Local Bankruptcy Forms (LBF)

The required forms for each chapter are listed on the pages 3-6 of this document.

Filling Out the Forms

After you obtain the forms, you must complete and sign each required document before submitting them to the court for filing. You may need to enter “zero” or “none” in a blank to fully complete the form.

If you need to file a bankruptcy petition on an emergency basis (for example, to stop an imminent foreclosure), please contact the clerk's office at 503-326-1500 or 541-431-4000 for instructions.

Legal Advice

Federal law prohibits the bankruptcy court from giving any type of legal advice or instruction. If you have a question about how to fill out a form, it is recommended that you contact an attorney.

Where to File Your Documents*

If you reside in this county:	Mail or deliver your documents to:
Benton, Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Marion, Polk	U.S. Bankruptcy Court 405 E 8th Ave. #2600 Eugene, OR 97401
Any other county	U.S. Bankruptcy Court 1050 SW 6th Ave. #700 Portland, OR 97204

*During the COVID-19 outbreak, all documents should be mailed to the Portland office; see the “Court Operations During Coronavirus (COVID-19) Outbreak” page of the court’s website for more information (<https://www.orb.uscourts.gov/court-operations-during-coronavirus-covid-19-outbreak>).

After You File

Read everything very closely that is sent to you regarding your bankruptcy case.

A “Notice of Bankruptcy Case” will be mailed to you and the creditors on the mailing list you prepared. This document will list important information such as deadlines and the date, time and location of a hearing called the “Meeting of Creditors.”

A “Letter to Debtor” will also be mailed to you. This document will have important information about items such as the financial management education requirement, reaffirmation of debts, and where to send pay stubs and tax returns.

Meeting of Creditors

You are required to attend this hearing. The date and location of the meeting will be provided to you with the “Notice of Bankruptcy Case” described in the previous section. At the hearing, the trustee will question you about your assets and the documents you filed.

Chapter 7 Case

A combination of [Official Forms](#) (OF) and [Local Bankruptcy Forms](#) (LBF) must be used. You can find links to access both types of forms on page 1 of this document and under the “Forms” heading on the court’s website at <https://www.orb.uscourts.gov/forms>. Please be sure to use the correct form.

You must complete and sign each required document (even if “none” or “zero” must be inserted in a blank). File the following documents in the order listed. You may put them together with a clip or rubber band, but do not staple or hole punch them.

- \$338 Filing Fee or Individual Debtor’s Application to Pay Fees in Installments (LBF 110) or Application to Have the Chapter 7 Filing Fee Waived (OF B 103B)
- A mailing list prepared following LBF 104 instructions. The mailing list does not require a signature.
- Statement of Social Security Number (OF B 121)
- Petition (OF B 101)
- Attorney’s Disclosure Statement [if represented by an attorney]
- Individual Debtor’s Statement of Intention (LBF 521.05)
- Summary of Your Assets & Liabilities (OF B 106Sum)
- Schedules A/B, C, D, E/F, G, H, I, J, and possibly J-2 (OF B 106A-J)
- Declaration About an Individual Debtor’s Schedules (OF B 106Dec)
- Statement of Financial Affairs for Individuals (OF B 107)
- Statement of Your Current Monthly Income (OF B 122A-1) [When filing this form, an additional form may be required. Please follow the instructions on the form.]
- Certificate of Credit Counseling or Motion for Extension of Time/Exemption (LBF 100.3)

Note to CM/ECF Participants: [Click here](#) for case filing procedures.

Chapter 11 Case

A combination of [Official Forms](#) (OF) and [Local Bankruptcy Forms](#) (LBF) must be used. You can find links to access both types of forms on page 1 of this document and under the “Forms” heading on the court’s website at <https://www.orb.uscourts.gov/forms>. Please be sure to use the correct form.

You must complete and sign each required document (even if “none” or “zero” must be inserted in a blank). File the following documents in the order listed. You may put them together with a clip or rubber band, but do not staple or hole punch them.

- \$1,738 Filing Fee or Individual Debtor’s Application to Pay Fees in Installments (LBF 110)
- A mailing list prepared following LBF 104 instructions. The mailing list does not require a signature.
- Statement of Social Security Number (OF B 121)
- Petition (OF B 101)
- Attorney’s Disclosure Statement [if debtor is represented by an attorney]
- Summary of Your Assets & Liabilities (OF B 106Sum)
- Schedules A/B, C, D, E/F, G, H, I, J, and possibly J-2 (OF B 106A-J)
- Declaration About an Individual Debtor’s Schedules (OF B 106Dec)
- Statement of Financial Affairs for Individuals (OF B 107)
- Statement of Your Current Monthly Income (OF B 122B) [not required for small business debtors filing under subchapter V]
- Certificate of Credit Counseling or Motion for Extension of Time/Exemption (LBF 100.3)
- Documents required by 11 U.S.C. § 1116(1) [only if debtor is proceeding under subchapter V or is a small business]
- List of Creditors Who Have the 20 Largest Unsecured Claims (OF B 104), and an attached certificate of service that you served on the U.S. Trustee a copy of the list and the mailing labels described below
- Mail to the U.S. Trustee’s office: (1) a copy of the List of Creditors Who Have the 20 Largest Unsecured Claims and (2) self-adhesive mailing labels with the name and service address for the debtor (or party designated to perform the debtor’s duties), any joint debtor, any debtor’s attorney, and each creditor on the list.

Note to CM/ECF Participants: [Click here](#) for case filing procedures.

Chapter 12 Case

A combination of [Official Forms](#) (OF) and [Local Bankruptcy Forms](#) (LBF) must be used. You can find links to access both types of forms on page 1 of this document and under the “Forms” heading on the court’s website at <https://www.orb.uscourts.gov/forms>. Please be sure to use the correct form.

You must complete and sign each required document (even if “none” or “zero” must be inserted in a blank). File the following documents in the order listed. You may put them together with a clip or rubber band, but do not staple or hole punch them.

- \$278 Filing Fee or Individual Debtor’s Application to Pay Fees in Installments (LBF 110)
- A mailing list prepared following LBF 104 instructions. The mailing list does not require a signature.
- Statement of Social Security Number (OF B 121)
- Petition (OF B 101)
- Attorney’s Disclosure Statement [if debtor is represented by an attorney]
- Financial Review of Debtor’s Farming/Fishing Business (LBF Exhibit D-1)
- Financial Review of Debtor’s Non-Farming/Non-Fishing Business (LBF Exhibit D-2) [if applicable]
- Summary of Your Assets & Liabilities (OF B 106Sum)
- Schedules A/B, C, D, E/F, G, H, I, J, and possibly J-2 (OF B 106A-J)
- Declaration About an Individual Debtor’s Schedules (OF B 106Dec)
- Statement of Financial Affairs for Individuals (OF B 107)
- Certificate of Credit Counseling or Motion for Extension of Time/Exemption (LBF 100.3)
- Chapter 12 Plan (LBF 1200.05)

Note to CM/ECF Participants: [Click here](#) for case filing procedures.

Chapter 13 Case

A combination of [Official Forms](#) (OF) and [Local Bankruptcy Forms](#) (LBF) must be used. You can find links to access both types of forms on page 1 of this document and under the “Forms” heading on the court’s website at <https://www.orb.uscourts.gov/forms>. Please be sure to use the correct form.

You must complete and sign each required document (even if “none” or “zero” must be inserted in a blank). File the following documents in the order listed. You may put them together with a clip or rubber band, but do not staple or hole punch them.

- \$313 Filing Fee or Individual Debtor’s Application to Pay Fees in Installments (LBF 110)
- A mailing list prepared following LBF 104 instructions. The mailing list does not require a signature.
- Statement of Social Security Number (OF B 121)
- Petition (OF B 101)
- Financial Review of Debtor’s Non-Farming/Non-Fishing Business (LBF Exhibit D-2) [if applicable]
- Financial Review of Debtor’s Farming/Fishing Business (LBF Exhibit D-1) [if applicable]
- Summary of Your Assets & Liabilities (OF B 106Sum)
- Schedules A/B, C, D, E/F, G, H, I, J, and possibly J-2 (OF B 106A-J)
- Declaration About an Individual Debtor’s Schedules (OF B 106Dec)
- Statement of Financial Affairs for Individuals (OF B 107)
- Attorney’s Disclosure Statement (LBF 1305) [if debtor is represented by an attorney]
- Statement of Your Current Monthly Income (OF B 122C-1) [When filing this form, an additional form may be required. Please follow the instructions on the form.]
- Certificate of Credit Counseling or Motion for Extension of Time/Exemption (LBF 100.3)
- Chapter 13 Plan (LBF 1300.21)

Note to CM/ECF Participants: [Click here](#) for case filing procedures.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**INDIVIDUAL DEBTOR'S APPLICATION TO
PAY FILING FEES IN INSTALLMENTS**

In accordance with FRBP 1006, application is made for permission to pay all the fees for filing on the following terms:

1. Chapter 7 case:

\$_____ with the filing of the petition,

\$_____ [*enter at least \$50*] within 30 days,

\$_____ [*enter at least \$50*] within 60 days, and

\$_____ [*enter the balance of the fee*] within 90 days from the entry date of the order allowing installment payments.

2. Chapter 11 case:

\$_____ with the filing of the petition and the balance as follows: \$_____ within 30 days and \$_____ within 60 days from the entry of the order allowing installment payments.

3. Chapter 12 case:

\$_____ with the filing of the petition and the balance of \$_____ within 45 days from the entry of the order allowing installment payments.

4. Chapter 13 case:

\$_____ with the filing of the petition and the balance of \$_____ within 45 days from the entry of the order allowing installment payments.

I certify that I am unable to pay all the filing fees except in installments. I further certify that I will not make any additional payment to an attorney or any other person for services in connection with this case until all filing fees are paid in full.

I understand that my case may be dismissed and that I may not receive a discharge of my debts if I fail to pay any amount on time.

Dated: _____

Signature of Debtor

Signature of Joint Debtor, if any

EMAIL REMINDERS

If you would like to receive an email reminder from the court regarding your payments, please complete this information:

Debtor's email address: _____

Joint debtor's email address: _____

If the above application is granted, you will receive an order to pay in installments in the mail that lists each payment and when it is due. The court will also send an email reminder to each email address listed above.

Regardless of whether you receive the reminder, you are responsible for making each payment on or before the due date. The court cannot confirm an email address is accurate and will not resend an email that is undeliverable.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____ [if known]
Amended

Debtor(s)

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION PER 11 U.S.C. § 521(a)

Instructions to Filer:

1. Complete, sign and file this form even if you have no debts secured by property of the estate or personal property subject to unexpired leases.
2. If creditors are listed, make sure the certificate of service is completed.
3. Use the continuation sheet on page 3 of this document to list more property and attach additional pages if necessary.
4. Failure to perform the intentions as to property stated below within 30 days after the first date set for the meeting of creditors under 11 U.S.C. § 341(a) may result in relief for the creditor from the automatic stay protecting such property.

PART A - Debts secured by property of the estate. [Part A must be fully completed for each debt which is secured by property of the estate. Attach additional pages if necessary.]

None [If no debts are secured by property of the estate, check this box and proceed to Part B.]

Property No.1	
Creditor's Name:	Property Securing Debt [Describe (for example, 2011 Ford Taurus)]:
Property will be [check one]: Surrendered Retained If retaining property, debtor intends to [check at least one]: Redeem the property Reaffirm the debt Other [Explain (for example, avoid lien using 11 U.S.C. § 522(f))]:	
Property is [check one]: Claimed as exempt Not claimed as exempt	

Property No.2 [if necessary]	
Creditor's Name:	Property Securing Debt [Describe (for example, 2011 Ford Taurus)]:
Property will be [check one]: Surrendered Retained If retaining property, debtor intends to [check at least one]: Redeem the property Reaffirm the debt Other [Explain (for example, avoid lien using 11 U.S.C. § 522(f))]:	
Property is [check one]: Claimed as exempt Not claimed as exempt	

Property No.3 [if necessary]	
Creditor's Name:	Property Securing Debt [Describe (for example, 2011 Ford Taurus)]:
Property will be [check one]: Surrendered Retained If retaining property, debtor intends to [check at least one]: Redeem the property Reaffirm the debt Other [Explain (for example, avoid lien using 11 U.S.C. § 522(f))]: Property is [check one]: Claimed as exempt Not claimed as exempt	

PART B – Personal property subject to unexpired leases [All three columns of Part B must be completed for each unexpired lease. Attach additional pages if necessary.]

None [If no debts are subject to unexpired leases, check this box.]

Property No.1		
Lessor's Name:	Describe Leased Property:	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2): Yes No

Property No.2 [if necessary]		
Lessor's Name:	Describe Leased Property:	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2): Yes No

Property No.3 [if necessary]		
Lessor's Name:	Describe Leased Property:	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2): Yes No

I/we declare under penalty of perjury that the above indicates intention as to any property of my estate securing a debt and/or personal property subject to an unexpired lease.

Date:

Debtor's Signature

Joint Debtor's Signature [if applicable]

I/we, the undersigned, certify that copies of this document were served on any creditor named above.

Date:

Debtor's or Attorney's Signature

OSB#

Joint Debtor's Signature [if applicable and not attorney]

Print or Type Signer's Name & Phone #

Signer's Address [if attorney]

Questions?

Call an attorney with questions about the law. However, only call the debtor's attorney if you have questions about the debtor's intent as to your collateral.

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION – CONTINUATION SHEET

PART A - Continuation

Property No.4	
Creditor's Name:	Property Securing Debt [<i>Describe (for example, 2011 Ford Taurus)</i>]:
Property will be [check one]: Surrendered Retained If retaining property, debtor intends to [<i>check at least one</i>]: Redeem the property Reaffirm the debt Other [<i>Explain (for example, avoid lien using 11 U.S.C. § 522(f))</i>]:	
Property is [<i>check one</i>]: Claimed as exempt Not claimed as exempt	

Property No.5	
Creditor's Name:	Property Securing Debt [<i>Describe (for example, 2011 Ford Taurus)</i>]:
Property will be [check one]: Surrendered Retained If retaining property, debtor intends to [<i>check at least one</i>]: Redeem the property Reaffirm the debt Other [<i>Explain (for example, avoid lien using 11 U.S.C. § 522(f))</i>]:	
Property is [<i>check one</i>]: Claimed as exempt Not claimed as exempt	

PART B - Continuation

Property No.4		
Lessor's Name:	Describe Leased Property:	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2): Yes No

Property No.5		
Lessor's Name:	Describe Leased Property:	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2): Yes No

Property No.6		
Lessor's Name:	Describe Leased Property:	Lease will be assumed pursuant to 11 U.S.C. § 365(p)(2): Yes No

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**DEBTOR'S CERTIFICATION
REGARDING PAYMENT OF DOMESTIC
SUPPORT OBLIGATIONS IN A
CHAPTER 12 OR 13 CASE AND
STATEMENT RE: 11 U.S.C. § 522(q)(1)
APPLICABILITY**

1. Certification regarding domestic support obligations pursuant to 11 U.S.C. § 1228(a) or § 1328(a)

I certify that [*check one*]:

- a. I owed no domestic support obligation when I filed my bankruptcy petition, and I have not been required to pay any such obligation since then.
- b. I am or have been required to pay a domestic support obligation. I have paid all such amounts that my plan required me to pay. I have also paid all such amounts that became due between the filing of my bankruptcy petition and today.

2. Certification regarding § 522(q) pursuant to § 1228(f) or § 1328(h)

I certify that I _____ have _____ have not claimed an exemption in property pursuant to § 522(b)(3) and state or local law that (1) I or a dependent of mine uses as a residence, claims as a homestead, or acquired as a burial plot, as specified in § 522(p)(1), and (2) exceeds in aggregate value the amount specified in § 522(q)(1).

I certify under penalty of perjury that the information provided in these certifications is true and correct to the best of my knowledge and belief.

Signature of Debtor

Signature of Joint Debtor

Date: _____

Date: _____

If paragraph 1.b. was checked, I certify that on _____ this document was served on the person to whom the payments were due and on any agency collecting the payments.

Signature

OSB#

Print or Type Signer's Name and Phone #

Signer's Address

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

[Check all applicable boxes]
CHAPTER 7/13 MOTION FOR RELIEF FROM
Debtor Chapter 13 Codebtor Stay
Filed by Movant:

Debtor(s)

Objection to Stay Motion filed by Respondent:

Instructions to movant: You must file this motion with a notice of motion on [Local Bankruptcy Form \(LBF\) 720](#). See [LBF 720.50](#), Procedures re: Motions for Relief from Stay, for more information.

1. Debt, Default, Other Encumbrances, Description and Value of Collateral [To be completed by movant]

a. Description of collateral [e.g., car model, year, and VIN, or property address]:

b. Amount of debt: \$ _____, consisting of principal of \$ _____, interest of \$ _____, and other:

c. Description, amount, and priority of other encumbrances on collateral. If not known, include applicable information from debtor's schedules if available on PACER:

Total debt secured by collateral [1.b. + 1.c.]: \$ _____.

d. Value of collateral: \$ _____.

Equity in collateral: \$ _____, after deducting \$ _____ of liquidation costs.

e. Current monthly payment: \$ _____.

f. If Chapter 13:

(1) \$ _____ postpetition default consisting of [e.g., \$ _____ payments, \$ _____ late charges, \$ _____ fees]:

(2) \$ _____ prepetition default consisting of _____ amounts specified in proof of claim, or, _____ consisting of:

g. If Chapter 7, total amount of default: \$ _____.

OBJECTION [*Identify specific items disputed and specify what you contend are the pertinent facts, including why there is a postpetition default, if applicable; to be completed by respondent*]:

2. Relief from Stay Should be Granted Because: [*Check all that apply; to be completed by movant*]:

Lack of insurance on collateral.

No equity in the collateral and the property is not necessary for an effective reorganization.

Failure of debtor to make Chapter 13 plan payments to the trustee.

Failure of debtor to make direct payments required by Chapter 13 plan.

Other [*describe*]:

OBJECTION [*Specify why relief from stay should be denied. If respondent proposes to cure a postpetition default, detail the cure by attaching a proposed order using [LBF 720.90](https://www.orb.uscourts.gov) available at <https://www.orb.uscourts.gov> under Forms/Local Forms; to be completed by respondent*]:

3. Background [*To be completed by movant*]

a. Date petition filed: _____ Current Chapter: _____ (7 or 13)

If 13, current plan date _____ Confirmed: Yes No

If 13, treatment of movant's prepetition claim(s) in plan:

If 7, debtor _____ has _____ has not stated on LBF 521.05 or OF B108 that debtor intends to surrender the collateral.

b. Movant has a lien on the collateral by virtue of [*check all applicable sections, see also paragraph 6 below*]:

Security agreement, trust deed, or land sale contract dated _____ and any assignment of that interest to movant. The security interest was perfected as required by applicable law on _____.

Retail installment contract dated _____ and any assignment of that interest to movant. The security interest was perfected on the certificate of title on _____.

Other [*describe*]:

OBJECTION [*Identify any disputed items and specify the pertinent facts; to be completed by respondent*]:

4. Request for Relief from Codebtor Stay [*Chapter 13 only*]

- a. _____, whose address is _____
_____, is a codebtor on the obligation described above, but is not a debtor in this bankruptcy.
- b. Movant should be granted relief from the codebtor stay because [*check all that apply*]:
codebtor received the consideration for the claim held by movant debtor's plan does not propose to pay movant's claim in full movant's interest would be irreparably harmed by continuation of the codebtor stay as a result of the default(s) described above because:

OBJECTION [*Identify any disputed items and specify the pertinent facts; to be completed by respondent*]:

5. Other Pertinent Information [*To be completed by movant, if applicable*]:

OBJECTION [*Identify any disputed items and specify the pertinent facts; to be completed by respondent*]:

6. **Relief Requested** [*Check all applicable sections; to be completed by movant*]:

Movant requests relief from the automatic stay to allow it to foreclose its lien on the collateral and to take any necessary action to obtain possession of the collateral.

Movant has a security interest in real property and requests relief from stay of an act against the collateral and that the relief be binding in any other bankruptcy case purporting to affect the collateral filed not later than 2 years after the date of the entry of an order granting this motion. [*If you check this box, you must complete paragraph 5 above to support this request. If you do not do so, the Court will not grant relief binding in any other bankruptcy case.*]

Movant requests that the 14-day stay provided by FRBP 4001(a)(3) be waived based on the following cause:

Other [*describe and explain cause*]:

OBJECTION [*Identify any disputed items and specify the pertinent facts. If respondent agrees to some relief, attach a proposed order using [LBF 720.90](https://www.orb.uscourts.gov) available at <https://www.orb.uscourts.gov> under Forms/Local Forms; to be completed by respondent*]:

7. **Documents:**

If movant claims to be secured in paragraph 3.b. above, movant has attached to and filed with this motion a copy of the documents creating and perfecting the security interest, if not previously attached to a proof of claim.

If this case is a chapter 13 case and the collateral is real property, movant has attached to and filed with this motion a postpetition payment history current to a date not more than 30 days before this motion is filed, showing for each payment the amount due, the date the payment was received, the amount of the payment, and how movant applied the payment.

RESPONDENT requests movant provide respondent with the following document(s), if any are marked below, which are pertinent to this objection:

Postpetition payment history, if not required above.

Documents establishing that movant owns the debt described in paragraph 1 or is otherwise a proper party to bring this motion.

Other document(s) [*describe*]:

Movant/Attorney

Respondent /Attorney

(By signing, the respondent also certifies that the respondent has not altered the information completed by movant.)

Signature: _____

Signature: _____

Name: _____

Name: _____

Address: _____

Address: _____

Email: _____

Email: _____

Phone #: _____

Phone #: _____

OSB#: _____

OSB#: _____

You are hereby notified that the creditor is attempting to collect a debt and any information obtained will be used for that purpose.

PROCEDURES RE: MORTGAGE MODIFICATION

The court has adopted the following procedures to facilitate negotiation of a mortgage loan modification concerning a debtor's residence in a chapter 7 bankruptcy case.

1. **Negotiations.** Under Local Bankruptcy Rule (LBR) 4008-2, at any time during a chapter 7 case, the debtor and a mortgage creditor may negotiate an agreement to modify the terms of the loan agreement. A creditor's contact with the debtor and/or debtor's attorney to seek, negotiate, and implement a modification of the debt will constitute neither a violation of the automatic stay of 11 U.S.C. § 362 nor a violation of the discharge injunction of § 524. But no agreement can become effective unless and until the trustee abandons the property. Negotiations with represented debtors must be with debtor's counsel, who may consent to the creditor communicating directly with the debtor.
2. **Notice.** To implement LBR 4008-2, the Notice of Chapter 7 Bankruptcy Case sent to parties and creditors in a chapter 7 case contains the following provision:

Notice Re: Abandonment of Debtor's Residence (Real Property)

At least 5 days prior to the date of the meeting of creditors, any party in interest who objects to abandonment of the debtors' residence (real property) must file with the Court a written objection and serve a copy on the debtors and debtors' attorney. If no timely objection is filed, the trustee can abandon the property at or after the meeting of creditors upon request of the debtors or mortgage creditor without any further notice requirement. Mortgage creditors are authorized to negotiate a loan modification with a debtor either before or after the meeting of creditors, but any modification reached cannot become effective until the property is abandoned. Mortgage creditors may use the procedure outlined in Local Bankruptcy Form (LBF) 751.7, available at <https://www.orb.uscourts.gov>, to obtain such abandonment. A creditor's contact with the debtors and/or debtors' attorney to negotiate or implement a modification will not be considered a violation of either the automatic stay of 11 U.S.C. § 362 or the discharge injunction of § 524. Negotiations with represented debtors must be with debtors' counsel, who may consent to the creditor communicating directly with the debtor.

3. **Request.** To request abandonment, send the trustee a written request to abandon the debtor's residence and provide documentation showing a perfected security interest and that no non-exempt equity exists for the benefit of the estate.
4. **Trustee's Action.** If the trustee agrees that abandonment of the property is appropriate, and no objection to the proposed abandonment has been filed per paragraph 2 above, the trustee will file [LBF 751.5](#) (Trustee's Abandonment of Debtor's Residence (Real Property)) with the court.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**NOTICE OF INTENT TO COMPENSATE
PROFESSIONAL**

1. The trustee or debtor in possession (DIP) filed an interim report (copy attached) showing total receipts of \$ _____, disbursements of \$ _____, and a balance on hand of \$ _____.
2. The interim report also shows this exact language in response to the following questions:
 - a. A distribution to creditors is expected [*to be completed for chapter 7 cases; give the date or estimated time period, or, if stating "None," also state reasons why not*]:
 - b. The trustee or DIP is currently obligated to pay a maximum of \$ _____ for administrative and operating expenses owed to non-professionals. [*If case converted from chapter 11 to 7*] The maximum amount of all timely filed claims for chapter 11 administrative expenses is \$ _____.
 - c. The trustee or DIP believes the sum of \$ _____ could be disbursed for compensation and administrative expenses at this time without jeopardizing the viability of the estate.
3. The following application(s) for interim compensation have been filed by professionals appointed by the court to perform services for the estate:

Applicants [*state profession and relation to case*] Compensation Expenses

4. The party giving notice certifies the information in paragraphs 1-3 is true and correct.

NOTICE IS GIVEN that unless an interested party files a written objection to any application listed above, setting forth the specific grounds for the objection, within 21 days of the service date below, with the clerk at 1050 SW 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401, the court may, if a proposed compensation order is submitted to it with this notice and a verified statement that no objections were filed attached to the order, sign the order without further notice or a hearing. You may contact the party giving notice if you have further questions.

Date Name of Party Giving Notice Phone #

Address

[If notice given on behalf of DIP] DIP's Address & Last 4 Digits of Tax ID#

I certify that, if required by FRBP 2002(a)(6), on _____, the interim report and this notice were served on the debtor(s), any trustee, U.S. trustee, all creditors (or if FRBP 2002(h) applies, only on each entity that is listed in FRBP 2002(h)), and their attorneys; and any application(s) for interim compensation were served on the debtor(s), any creditor's committee, and their attorneys. A list of the names, addresses, and methods for service on all parties served using paper is attached. The notice served on creditors did not include the attachment, but any creditor may obtain a copy of the attachment upon request.

Signature of Party Giving Notice

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

REPORT OF AUCTIONEER

I, _____, the undersigned auctioneer, having sold property of the estate on _____, do report, as required by the bankruptcy rules, that attached hereto are (1) lists of all property sold, the amount received for each item or lot, and the name and address of each buyer of each item or lot; and (2) an explanation and sample of my advertising efforts.

My authorized commission is calculated as follows:

<u>General Property Description</u>	Gross Sale Price of <u>All Property</u>	Commission <u>% Applicable</u>	<u>Commissions</u>
1.	\$		\$
2.	\$		\$
3.	\$		\$
4.	\$		\$
5.	\$		\$
6.	\$		\$
7.	\$		\$
8.	\$		\$
9.	\$		\$
10.	\$		\$
11.	\$		\$
12.	\$		\$
13.	\$		\$
14.	\$		\$
15.	\$		\$
Totals:	\$ _____		\$ _____

Attached hereto are appropriate receipts or explanations of my expense requests. My authorized expenses are calculated as follows:

Description

Amount

Total: \$ _____

I certify that all my commissions, which total \$ _____, and all my expenses, which total \$ _____, are within the terms set forth in the application and order for my appointment.

I further certify that, in the above case, I had no persons bidding on my behalf, directly or indirectly, for the purchase of items auctioned and had no arrangement with the trustee apart from the terms of my employment and no arrangement with the trustee or the trustee's attorney other than selling the items auctioned for the highest available bid prices except for any items upon which the trustee may have placed a reserve minimum price with respect to any item or items offered for sale.

Date: _____

Signature of Auctioneer

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**NOTICE OF INTENT TO SELL PROPERTY
AT PUBLIC SALE AND COMPENSATE
LIQUIDATOR, APPLICATION TO EMPLOY
LIQUIDATOR, AND ORDER THEREON**

Instruction to filer: Do not use this form to sell personally identifiable information about individuals.

The undersigned trustee applies to employ _____,
whose address is _____,
as liquidator for the purpose of selling the following assets of the estate, which to the best of the trustee's knowledge are either free of any encumbrance or the secured creditors have agreed to such sale, at public sale:

The trustee intends to sell the property at a liquidation sale on _____, beginning at _____
at _____,
and continuing thereafter during normal business hours until the property is sold.

The items for sale will be available for inspection from _____ to _____, on _____ at the liquidation site.

The liquidator's commission will be _____ and if expense reimbursement is sought, such sum shall not exceed \$ _____.

For further information, contact: _____.

To the best of the trustee's knowledge, the liquidator has no connections with the entities listed in the verification below, except as described therein.

Date: _____
Trustee

I, the liquidator named above, verify that neither I nor my firm has any connections with the debtor(s), creditors, any party in interest, their respective attorneys and accountants, the U.S. trustee, any person employed in the office of the U.S. trustee, or any District of Oregon bankruptcy judge, except as follows:

I also certify I have complied with the U.S. trustee's bonding requirements and neither I nor my insiders (per 11 U.S.C. § 101(31)) will directly or indirectly acquire any interest in the estate property to be sold.

Applicant

IT IS ORDERED that employment of the above-named liquidator is authorized and the liquidator must file a complete report on [Local Bankruptcy Form 753.57](#).

IT IS FURTHER ORDERED, AND NOTICE IS GIVEN, that the trustee will proceed with the sale as scheduled and pay the liquidator within the above terms after the liquidator files the report, without further notice or court order, unless within 23 days of the date in the "Filed" stamp on page 1, or at least 5 days prior to the sale, whichever is earlier, an interested party:

1) files a written objection to the sale or liquidator's compensation, setting forth the specific grounds for the objection, with the clerk at 1050 SW 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401, and

2) serves the objection on the trustee at: _____
_____.

###

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

REPORT OF LIQUIDATOR

I, _____, the undersigned liquidator, having sold property of the estate on _____, do report that attached to this report are (1) lists of all estate property sold; (2) the amounts received for such property; (3) the names and addresses of the buyers of each item or lot, if practicable, or cash register tapes or other appropriate documentation; and (4) an explanation and sample of any advertising efforts.

My authorized commission is calculated as follows:

<u>General Property Description</u>	<u>Gross Sale Price of All Property</u>	<u>Commission % Applicable</u>	<u>Commissions</u>
1.	\$		\$
2.	\$		\$
3.	\$		\$
4.	\$		\$
5.	\$		\$
6.	\$		\$
7.	\$		\$
8.	\$		\$
9.	\$		\$
10.	\$		\$
11.	\$		\$
12.	\$		\$
13.	\$		\$
14.	\$		\$
15.	\$		\$
Totals: \$	\$ _____		\$ _____

Attached hereto are appropriate receipts or explanations of my expense requests. My authorized expenses are calculated as follows:

Description

Amount

Total: \$ _____

I certify that all my commissions, which total \$ _____, and all my expenses, which total \$ _____, are within the terms set forth in the application and order for my appointment.

I further certify that, in the above case, I had no persons bidding on my behalf, directly or indirectly, for the purchase of items liquidated; no arrangement with the trustee apart from the terms of my employment; and no arrangement with the trustee or the trustee's attorney other than selling the items liquidated for the highest available bid prices, except for any items upon which the trustee may have placed a reserve minimum price with respect to any item or items offered for sale.

Date: _____

Signature of Liquidator

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**APPLICATION TO EMPLOY COLLECTION
AGENCY AND ORDER THEREON; NOTICE
OF INTENT TO COMPENSATE
COLLECTION AGENCY**

1. The trustee applies to employ _____, a collection agency, whose address is _____, for the purpose of:
2. The approximate number, amounts, and age of accounts receivable to be collected are:
3. The trustee has taken the following previous action to attempt to collect these accounts:

4. The compensation and expenses of the collection agency will be:

5. The collection agency will submit reports to the trustee every [specify period] _____
_____.

6. To the best of the trustee's knowledge, the collection agency has no connections with the entities listed in the verification below, except as described therein.

Date

Trustee

I, _____, verify that neither I nor my agency have any connections with the debtor(s), creditors, any other party in interest, their respective attorneys and accountants, the U.S. Trustee, any person employed in the office of the U.S. Trustee, or any District of Oregon bankruptcy judge, except as follows:

Applicant/Relation to Agency

IT IS ORDERED, AND NOTICE IS GIVEN, that employment of the above-named collection agency is authorized, and the trustee is authorized to compensate the collection agency within the above terms without further notice or court order, unless, within 23 days of the date in the "FILED" stamp on page 1, an interested party:

- 1) files a written objection to the application, setting forth the specific grounds for the objection, with the clerk at 1050 SW 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401; and
- 2) serves the objection on the trustee at:

###

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**INDIVIDUAL DEBTOR'S MOTION
FOR ENTRY OF DISCHARGE AND
STATEMENT RE 11 U.S.C. § 522(q)(1)
APPLICABILITY**

Each undersigned debtor moves the court for entry of a discharge in this case pursuant to 11 U.S.C. § 1141(d)(5) and certifies under penalty of perjury that:

1. [*Check one*]

All plan payments have been completed.

The plan provides for entry of the discharge contemporaneously with the confirmation order.

The debtor(s) seek an early discharge. [*Check one*]

Debtor(s) have completed all payments required by the plan to be made before the entry of discharge. The attached exhibit lists the total amount of payments to each creditor required by the plan to be made before the entry of a discharge and the total of such payments actually made.

Debtor(s) assert that an early discharge is appropriate, even though debtors have not completed all payments required by the plan to be made before the entry of discharge, because:

The attached exhibit lists the total amount of payments made and the total plan payments required for each creditor.

The value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on the claim if the estate of the debtor(s) had been liquidated under chapter 7 on that date. Modification of the plan under 11 U.S.C. § 1127 is not practicable because:

1. The debtor [*check one*]: has has not claimed an exemption in property pursuant to 11 U.S.C. § 522(b)(3) and state or local law (1) that I or a dependent of mine uses as a residence, claims as a homestead, or acquired as a burial plot, as specified in § 522(p)(1), and (2) that exceeds in aggregate value the amount specified in § 522(q)(1).

2. Per Federal Rule of Bankruptcy Procedure 1007(b)(7), the debtor has either [*check one*]:

 completed an instructional course concerning personal financial management and has separately filed the certification pertaining thereto.

 is not required to complete an instructional course concerning personal financial management.

Signature of Debtor Date

Signature of Joint Debtor Date

Taxpayer ID# (last four digits)

Taxpayer ID# (last four digits)

Address

Address

NOTICE IS GIVEN that if you object to entry of a discharge in this case, you must, within 14 days of the service date shown below, file a written objection with the clerk at 1050 SW 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401 and include a certificate of service on each debtor, the trustee (if any), and their attorneys.

On _____, this motion was served on the trustee (if any) and all creditors and other parties entitled to receive it. Attached is a list of the names, addresses, and methods for service of all parties served using paper.

Signature and Relation to Case

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**CHAPTER 11 SUBCHAPTER V DEBTOR'S
MOTION FOR ENTRY OF DISCHARGE AND
APPLICATION FOR FINAL DECREE AND
CLOSING ORDER**

Each undersigned debtor moves the court for entry of a discharge in this case pursuant to 11 U.S.C. § 1192, applies for entry of a final decree and closing order pursuant to Federal Rule of Bankruptcy Procedure 3022, and certifies under penalty of perjury that:

1. The debtor has completed all payments due within the first three years of the plan or any later period fixed by the court for entry of discharge.
2. On _____, the court entered an order confirming the chapter 11 plan.
3. The percentage of unsecured creditors' claims that will be paid over the life of the plan is _____%. [*Enter "N/A" if percentage amount is not determinable at this time.*]
4. All objections to claims have been resolved.
5. The plan has been substantially consummated.
6. The estate has been fully administered.

Signature of Debtor

Date

Signature of Joint Debtor

Date

Taxpayer ID# (last four digits)

Taxpayer ID# (last four digits)

Address

Address

NOTICE IS GIVEN that if you object to entry of a discharge in this case, you must, within 14 days of the service date shown below, file a written objection with the clerk at 1050 SW 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401 and include a certificate of service on each debtor, the trustee, and their attorneys.

On _____, this motion was served on the trustee and all creditors and other parties entitled to receive it. Attached is a list of the names, addresses, and methods for service of all parties served using paper.

Signature and Relation to Case

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**FINAL ACCOUNT AND APPLICATION FOR
FINAL DECREE AND CLOSING ORDER**

The undersigned files this final account and represents that:

1. On _____, the court entered an order confirming the chapter 11 plan.
2. The percentage of unsecured creditors' claims that will be paid over the life of the plan is _____. (Enter "N/A" if percentage amount is not determinable at this time.)
3. All objections to claims have been resolved.
4. The plan has been substantially consummated.
5. The estate has been fully administered.

The undersigned applies for a final decree and closing order pursuant to Federal Rule of Bankruptcy Procedure 3022.

Date: _____

Signature

OSB#

Type or Print Signer's Name & Relation to Case

Signer's Address

(If signer is a debtor or debtor's attorney) Debtor's
Address & Taxpayer ID#(s) (last 4 digits)

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re _____

Case No. _____
Amended

APPLICATION FOR [check one]

INITIAL

SUPPLEMENTAL/ADDITIONAL

**CHAPTER 12 DEBTOR'S ATTORNEY'S
COMPENSATION**

Debtor(s) _____

The applicant, _____, by and through the undersigned, pursuant to 11 U.S.C. § 331 and Local Bankruptcy Rule (LBR) 2016-1, applies for compensation as marked above for the period from _____ to _____, and certifies the following is true and correct:

- The following pre-filing compensation has been received in connection with this case [*indicate date, amount, payer, payer's relation to case, and description for all monies and any other consideration received*]:

- Applicant requests allowance of compensation for legal services of \$ _____ and expenses of \$ _____ for a total of \$ _____.

- Applicant's prior requests for compensation in this case are as follows:

Date of Application	Amount Requested		Amount Allowed		Amount Received		Payment Source
	Fees	Expenses	Fees	Expenses	Fees	Expenses	

Totals: \$ \$ \$

4. Applicant has not shared or agreed to share any compensation received or to be received for services rendered in connection with this case, except with a regular member, partner or associate of Applicant's firm.
5. The rate of compensation, number of hours and requested fee for each person included in this application are summarized as follows:

<u>Name & Initials</u>	<u>Title</u>	<u>Hourly Rate</u>	<u>Number of Hours</u>	<u>Requested Fee</u>
----------------------------	--------------	--------------------	------------------------	----------------------

6. Attached and incorporated herein by reference are the following schedules [*check all that apply*]:

Schedule A - A narrative summary of services provided including total hours and resulting benefits to the estate of each activity category. [*Preferred, but only mandatory if application exceeds \$3,000*]

Schedule B - [*If this is the Initial Application for Compensation*] A brief narrative and itemization detailing all case related pre-petition fees. [*Itemization mandatory; narrative mandatory if compensation requested in the application exceeds \$3,000*]

Schedule C - An itemized billing setting forth a description of each event, including the date, amount of time spent, and name of the person performing each event. [*Mandatory*]

7. Applicant's expense reimbursement requests do not exceed the sums specified in LBR 2016-1, except to the extent specifically explained below:

I certify that, if required by FRBP 2002(a)(6), on _____, copies of this application, all attachments thereto, and the required notice of application prepared on [Local Bankruptcy Form 1214.5](#) were served on the debtor(s), trustee, and U.S. trustee; and a separate copy of only the notice was served on all creditors (or if FRBP 2002(h) applies, only on each entity that is listed in FRBP 2002(h)). A list of the names, addresses, and methods for service on all parties served using paper is attached. The notice served on creditors did not include the attachment, but any creditor may obtain a copy of the attachment upon request.

Applicant's Signature Date

Type or Print Applicant's Name OSB#

Applicant's Telephone Number

Applicant's Service Address

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____

Debtor(s)

CHAPTER 13 PLAN DATED _____

NOTICE: Your rights may be affected: all parties (including debtor and creditors) are bound to the terms of a confirmed plan. Creditors' claims may be modified or eliminated. The plan imposes obligations and duties on the debtor and other parties. You should read these papers carefully and discuss them with your attorney. If you do not have one, you may wish to consult one.

If you oppose the plan treatment of your claim or any provision of this chapter 13 plan, you must file an objection. **Failure of a creditor to file a written objection to this plan will constitute acceptance of the plan, and the bankruptcy court may confirm the plan without further notice.** Objections must be filed within 14 days after the conclusion of the meeting of creditors, unless otherwise ordered by the court; for an amended plan, the deadline is in the attached notice of amendment. If there are any additional plan provisions or provisions that alter the language of paragraphs 1–14, they must be in paragraphs 15+ below.

1. **Plan Motions.** This plan includes the following items (and does not include items not selected):

Includes	
	Motion to Value Collateral: A limit on the amount of a secured claim, set out in paragraphs 4(b)(1) and (2), which may result in a partial payment or no payment at all to the secured creditor.
	Motion for Relief: Termination of the automatic stay with respect to surrendered property, set out in paragraph 4(b)(4), or property subject to a rejected contract or lease, set out in paragraph 5.
	Motion to Avoid Liens: Avoidance of a judicial lien or nonpossessory, non-purchase-money security interest, set out in paragraph 6.
	Nonstandard Provisions: Nonstandard provisions, set out starting in paragraph 15.

2. **Applicable Commitment Period.** The applicable commitment period of this plan is 36 or 60 months. Debtor must make plan payments for that period unless debtor first pays 100% of all allowed claims with appropriate interest. If that period is 36 months, the plan payments may continue for a longer period, not to exceed 60 months, as necessary to complete required payments to creditors. The approximate length of the plan is _____ months; cause to extend longer than 36 months is as follows: _____

3. **Payments to the Trustee.** Debtor must pay to the trustee:

(a) a monthly payment of \$ _____ ;

- (b) all non-exempt proceeds from avoided transfers, including those from transfers avoided by the trustee;
- (c) with respect to the following tax years _____; *(mark only one)*: upon receipt, net tax refunds attributable to those tax years. no portion of net tax refunds attributable to those tax years. Net tax refunds are those tax refunds not otherwise provided for in the plan, less (1) tax paid by debtor for a deficiency shown on any tax return for that same tax year or tax paid by setoff by a tax agency for a postpetition tax year; (2) any earned income tax credit; (3) if checked, child care credits; and (4) if checked, _____.
- (d) a lump sum payment of \$ _____ on or before _____ (date); and
- (e) _____.

4. **Trustee Disbursements and Treatment of Claims.** The trustee must commence prepetition disbursements required by paragraph 4(b)(3); upon confirmation of this plan, the trustee must commence disbursements in accordance with this plan. The trustee must not make any disbursement under this paragraph except on account of an allowed claim or allowed administrative expense. Should the trustee not have sufficient funds in trust to pay fully the disbursements listed below, disbursements of available funds must be made pro rata. The trustee must disburse all funds in the following amounts and order:

- (a) **Trustee's Fee and Expenses.** First, to the trustee's percentage fee and expenses.
- (b) **Treatment of Secured Claims.** Second, to secured creditors as provided in (1) and (2) below. The terms of debtor's prepetition agreement with each secured creditor will continue to apply, except as otherwise provided in this plan or in the confirmation order.

The value of collateral for secured claims is fixed at the values stated in (1) and (2) only if there is a check in the box "Includes" in paragraph 1 for "Motion to Value Collateral" and the plan is served on the secured creditor as required under FRBP 7004 or the allowed amount of the secured claim is fixed by consent of the secured creditor. Secured creditors' liens shall be treated in accordance with § 1325(a)(5)(B)(i) and must be released when retention ends under that section.

- (1) **Cure of Default and Claim Modification.** Debtor must cure the default and maintain the contractual installment payments (as provided in paragraph 7) on a secured claim listed below in the "Estimated Arrearage if Curing" column. The amount listed in that column is an estimate; the creditor's allowed claim will control. A claim listed in the "Collateral Value if Not Paying in Full" column is an allowed secured claim only to the extent of the value listed, and pursuant to § 506(a), debtor MOVES the court for an order fixing the value of the collateral in the listed amount.

The value of the creditor's interest in the collateral is limited to the amount listed below, and that amount will be paid under the plan with postconfirmation interest at the rate stated below. The holder of a claim listed in the "Estimated Secured Claim if Paying in Full" column will receive the total amount of the claim as set forth in the creditor's proof of claim.

For all creditors provided for under this subparagraph (1), if the creditor's claim will not be paid in full, the portion of the creditor's claim that exceeds the amount of the allowed secured claim will be treated as an unsecured claim under paragraph 4(f) (if the claim identifies the priority position of the claim) and 4(g) below.

Creditor	Collateral	Estimated Arrearage if Curing	Collateral Value if Not Paying in Full	Estimated Secured Claim if Paying in Full	Interest Rate	Monthly Plan Payment

Use only one of these columns for each creditor

(2) **Secured Claim Modification Not Expressly Authorized by the Code.** Treatment of secured claims under this subparagraph (2) may include modification of a claim secured by a purchase-money security interest in either (a) a motor vehicle acquired for personal use by the debtor within 910 days before the petition date or (b) any other personal property collateral acquired within 1 year before the petition date. A secured claim treated in this subparagraph is limited to the amount listed in the “Amount of Claim as Modified (Value of Collateral)” column. Debtor MOVES the court for an order fixing the value of the collateral in the amount listed below. **Debtor proposes that the creditors listed accept, either expressly or impliedly, the following treatment, which might not be able to be approved absent consent of creditor. Failure of a creditor to file a written objection to confirmation of this plan before confirmation will constitute acceptance of the plan.**

Creditor	Collateral	Amount of Claim as Modified (Value of Collateral)	Post-confirmation Interest Rate	Monthly Payment

- (3) **Adequate Protection.** Payments must be disbursed by the trustee before confirmation, as adequate protection, from funds on hand with the trustee in the payment amounts specified in the plan for personal-property-secured creditors. Payments by the trustee before confirmation will be deducted from the amount of the allowed secured claim. Unless the concerned creditor is fully secured or over secured under § 506 or § 1325(a)(9), no interest will accrue or may be paid from the petition date to the confirmation date unless otherwise specifically provided for in the payment provisions set forth above.
- (4) **Surrender of Collateral.** Debtor must surrender any collateral not addressed by the terms of this plan no later than the confirmation date to the following (state creditor name followed by description of collateral to be surrendered, and if debtor does not have possession of the collateral, so state):

With respect to the claims secured by the collateral listed in this subparagraph (4), debtor moves that the stay of § 362(a) be terminated as to the collateral only and that the stay of § 1301 be terminated.

- (c) **Debtor's attorney compensation and expense reimbursement.** *[If this plan is filed as a postconfirmation amendment of plan, leave this part 4.(c) entirely blank; any postconfirmation compensation and expense reimbursement will be addressed by application under LBF 1307]* Third, to debtor's attorney fees of \$ _____ and expenses of \$ _____, of which \$ _____ had been paid as of the date the attorney's Chapter 13 Debtor's Attorney's Compensation Disclosure and Application on LBF 1305 was filed, leaving \$ _____ unpaid.

The attorney [*check one*] may may not apply for supplemental compensation and expense reimbursement.

Debtor moves for modification of the automatic stay of § 362(a) to permit the attorney to offset the amount allowed to the attorney, to the extent it accrued before the petition date, against the amount that had been paid before the petition date.

The attorney will be paid as follows [*check only one*]:

All allowed attorney fees and expenses, including supplemental compensation, will be paid from all available funds after the trustee makes any disbursements under paragraph 4(a) and any fixed monthly payments in paragraph 4(b).

Other: _____.

- (d) **Domestic Support.** Fourth, to allowed unsecured domestic support obligations under § 507(a)(1), and these claims must be paid in full.
- (e) **Administrative Expenses.** Fifth, to allowed administrative expenses under § 507(a)(2), and these claims must be paid in full.
- (f) **Priority Claims.** Sixth, to allowed priority claims in the order stated in § 507(a)(3)-(10), and these claims must be paid in full.

(g) **Unsecured Claims.** Seventh, to allowed nonpriority unsecured claims, the amounts required by § 1325(b)(1) [*check only one*].

(1) Creditors will receive approximately _____ % of their claims. Payment of any dividend will depend on the amounts of allowed secured, priority (including costs of administration and the debtor's attorney fees), and nonpriority unsecured claims.

(2) Creditors will receive full payment of their claims.

(h) **Best Interest of Creditors.** The "best interest of creditors" number is \$_____, and not less than that amount must be distributed to unsecured priority and nonpriority creditors. The amount of allowed priority claims will reduce the amount distributed to allowed unsecured nonpriority creditors.

(i) **Unsecured Claim Interest.** All allowed unsecured claims will receive interest of _____ % from the time of confirmation.

(j) **Untimely Claims Disallowed.** Subject to the provisions of § 502(b)(9), untimely claims, other than those secured claims for which the treatment is specified in paragraph 4(b) above, are disallowed without the need for objection.

5. **Executory Contracts and Leases.** The debtor ASSUMES the following executory contracts and leases:

Creditor	Amount of Default (State if None)	Cure Provisions

Executory contracts or leases not specifically listed above are rejected. Any allowed claim arising from rejection will be treated under paragraph 4(g). Debtor will pay all assumed executory contracts and leases directly, including amounts required to cure. Debtor must surrender any property covered by rejected executory contracts or leases to the affected creditor no later than confirmation. Debtor MOVES that the stay of § 362(a) be terminated as to all property covered by rejected executory contracts and leases and that the stay of § 1301 be terminated.

6. **Section 522 Lien Avoidance.** Debtor MOVES, pursuant to § 522(f)(1), to avoid the judicial liens or non-purchase-money security interests of the following creditors because they impair an exemption of the debtor:

The order of confirmation will avoid the liens listed above and claims of the lienholders will be

treated in paragraph 4(g).

7. **Direct Payments.** Debtor must pay directly to each of the following creditors the regular payment that comes due after the petition date (state creditor name followed by collateral description):

8. **Use of Credit.** Debtor may not obtain credit or incur debt obligations during the life of the plan and out of the ordinary course of operating debtor's business unless the trustee gives written consent, the obtaining of the credit or incurring of the debt is made necessary by emergency, or debtor gives notice to all creditors and the trustee and an opportunity for hearing as if the credit or debt were to be incurred by the trustee.
9. **Debtor Reporting Requirements.** Unless waived by the trustee in writing, debtor must report immediately, upon receipt of notice of the change, to the trustee if actual or projected gross annual income exceeds by more than 10% the gross income projected by debtor in the most recently filed Schedule I. Unless listed in the schedules, debtor must report immediately to the trustee any right of debtor to a distribution or right to distribution of funds or other property, including bonuses and inheritances, worth more than \$2,500.
10. **Postpetition Tax Reporting.** For tax years listed in paragraph 3(c), debtor must timely file all required tax returns and provide copies to the trustee each year immediately upon filing with the taxing authority.
11. **Vesting of Estate Property; Limitations on Postconfirmation Property Use.** Property of the estate will vest in debtor upon confirmation, subject to the terms of this paragraph. Except for regular monthly income, any right of debtor to a distribution of funds or other property exceeding a value of \$2,500 must be held by debtor and not used without the trustee's permission or a court order. Debtor must not buy, sell, use, lease (other than a lease of real property in which the debtor will reside), encumber, or otherwise dispose of any interest in: (a) real property; or (b) personal property worth more than \$10,000 out of the ordinary course of business without notice (given per FRBP 2002 as if the interest were property of the estate) to all creditors and the trustee, with an opportunity for hearing, unless the property is acquired through the use of credit with the trustee's written consent.
12. **Treatment of Trustee Funds on Hand Upon Dismissal or Conversion.** If this case is converted to chapter 7 and the chapter 13 trustee has more than \$2,500 at the time of conversion, the chapter 13 trustee must forward all funds to debtor, in care of debtor's attorney, if any, 10 days after the first scheduled § 341(a) meeting in the chapter 7 case unless the chapter 7 trustee files and serves a written objection pursuant to § 348(f)(2). If the funds in the chapter 13 trustee's possession at conversion are \$2,500 or less, or if this case is dismissed, the chapter 13 trustee must forward all funds to debtor in care of debtor's attorney, if any. This paragraph does not determine the rights of the parties to these funds.
13. **Reservation of Rights and Powers.** Except as expressly set forth in this plan or the confirmation order, neither this plan nor the confirmation order affects any right or power of debtor or the trustee, including debtor's rights under § 1302 and rights of the trustee or any trustee's assignee under 11 U.S.C. chapter 5.

14. **Additional Nonstandard Provisions.** Any nonstandard provisions are set forth below or on attachments; each provision is numbered, beginning with 15. Debtor and, if applicable, debtor's counsel certify that the plan contains no nonstandard provision other than those set out consistent with this paragraph. Nonstandard provisions set out elsewhere in this plan are ineffective; nonstandard provisions will be effective only if there is a check in the box "Includes" in paragraph 1.

Debtor Date Debtor Date

CERTIFICATE OF SERVICE on Creditors/Parties Treated in Paragraphs 4(b)(1) (under the "Collateral Value if Not Paying in Full" column), **4(b)(2)** (under the "Amount of Claim as Modified" column), **5**, and **6** (see FRBP 3012, 4003(d), and 9014, and LBR 6006-1(b)). I certify that copies of this plan and the notice of hearing to confirm this plan were served as follows:

a) For creditors/parties who are not Insured Depository Institutions (served by court) (see FRBP 7004(b)), I either listed the creditors/parties in the mailing list filed with the court exactly as follows, OR, on _____, I served the above-documents by first-class mail to the creditors/parties at the names and addresses exactly as follows (list each creditor/party, the person or entity the creditor/party was served through, and the address):

b) For Insured Depository Institutions (see FRBP 7004(h)), on _____, I served the above-documents by certified mail, or by other authorized means (specify), at the name and address exactly as follows (list each insured depository institution, the person or entity the institution was served through, and the address):

Debtor or Debtor's Attorney

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**CHAPTER 13 DEBTOR'S ATTORNEY'S
COMPENSATION DISCLOSURE AND
APPLICATION**

1. This compensation disclosure and application is made by debtor's attorney (applicant). Applicant applies for allowance of the compensation and expense reimbursement described herein.

2. Agreement [*check one*]

A copy of the written agreement between debtor and applicant required by 11 U.S.C. § 528(a)(1) is attached.

No agreement is attached because _____.

3. Payments

a. As of the date of this Local Bankruptcy Form (LBF) 1305, the amount that applicant has received as compensation for services rendered or to be rendered or expenses incurred or to be incurred in contemplation of or in connection with the case, including the petition filing fee, whether or not held in trust, is \$_____.

b. Any amount received after the petition date is \$_____.

c. Any source of payment to applicant other than debtor is:_____.

d. As of the date of this LBF 1305, the amount of expenses incurred in contemplation of or in connection with the case, including the petition filing fee, that applicant has paid, whether from applicant's funds or funds held in trust, is: \$_____.

4. Schedule [*select Schedule 1, 2.(a), 2.(b), or 3, and complete blanks*]

a. **Schedule 1** (life-of-the-case fixed fee):

i. Applicant has agreed to perform all legal services to debtor that are reasonably necessary in or in connection with this case for the entire life of the case, including contested-matter litigation, but excluding adversary proceedings and appeals for the fixed fee of \$_____ [*\$4,750 maximum*] plus expenses of \$_____ [*\$600 maximum*], for a total of \$_____.

- ii. The unpaid agreed fee and expense amount is \$ _____ [*amount in paragraph 4.a.i less the amount in paragraph 3.a*].
- b. **Schedule 2.(a)** (fixed fee through confirmation and initial audit of claims):
 - i. Applicant has agreed to perform all legal services to debtor that are reasonably necessary in or in connection with this case through confirmation of the plan and the initial audit of claims, including prepetition services in contemplation of the case, for the fixed total amount of \$ _____ [*\$3,450 maximum*].
 - ii. The unpaid portion of the agreed amount for services described in paragraph 4.b.i is \$ _____ [*amount in paragraph 4.b.i less the amount in paragraph 3.a*].
 - iii. Applicant has also agreed to perform all other legal services to debtor that are reasonably necessary in or in connection with this case on the terms set forth in the attached agreement or, if there is no written agreement, as follows:
- c. **Schedule 2.(b)** (hourly; estimated amount through confirmation and initial audit of claims):
 - i. Applicant has agreed to perform all legal services to debtor that are reasonably necessary for this case at hourly rates. The estimated total amount of compensation and expense reimbursement for all services through confirmation of the plan and the initial audit of claims, including prepetition services in contemplation of the case, is \$ _____.
 - ii. The unpaid estimated compensation and expenses is \$ _____ [*amount in paragraph 4.c.i less the amount in paragraph 3.a*].
 - iii. The agreement for compensation and expense reimbursement for all services and expenses in and in connection with this case is set forth in the attached agreement or, if there is no agreement, as follows:

d. **Schedule 3** (other):

i. Applicant has agreed to provide debtor with services in or in connection with this case on the terms set forth in the attached agreement or, if there is no written agreement, as follows:

ii. If another attorney previously filed an LBF 1305 in this case selecting Schedule 1 or, if the other attorney did not complete services through plan confirmation and the initial audit of claims, Schedule 2(a), the following is a description of incomplete services, compensation paid by the trustee to the other attorney, and any agreement among the other attorney and the debtor regarding the other attorney's fees:

5. If applicant has previously shared any compensation or there exists any agreement or understanding between applicant and any other entity for the sharing of compensation received or to be received for services rendered in or in connection with this case, other than as a member or regular associate of a firm of attorneys, the details of the sharing or sharing agreement are as follows:

6. On _____, applicant served this document on debtor.

Applicant's Signature

Type or Print Applicant's Name

OSB#

Applicant's Telephone Number

Applicant's Service Address

Instructions

See Local Bankruptcy Rule (LBR) 2016-1(e) regarding who must file LBF 1305 and when it and any amendment must be filed.

See instructions in LBF 1307, *Chapter 13 Debtor's Attorney's Supplemental-Compensation Application*, regarding required contemporaneous time records.

Paragraph 4.(c) of the chapter 13 plan on LBF 1300.21 must be completed consistently with this LBF 1305.

If applicant selects Schedule 2.(b) and the agreed estimated total compensation, before credit for payments, exceeds \$3,450, applicant must file a Chapter 13 Debtor's Attorney's Schedule 2.(b) Itemization on LBF 1306 no later than seven days before the final plan-confirmation hearing (see LBR 2016-1(e)(2)(A)).

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**CHAPTER 13 DEBTOR'S ATTORNEY'S
SCHEDULE 2.(b) ITEMIZATION**

1. This itemization is submitted by debtor's attorney (applicant). In applicant's Chapter 13 Debtor's Attorney's Compensation Disclosure and Application on Local Bankruptcy Form (LBF) 1305, applicant stated that, as of the date the LBF 1305 was filed—
 - a. The amount that applicant had received as compensation for services rendered or to be rendered or expenses incurred or to be incurred in contemplation of or in connection with the case, including the petition filing fee, whether or not held in trust, was: \$ _____ (LBF 1305 item 3.a); and
 - b. The amount of expenses in contemplation of or in connection with the case, including for the petition filing fee, that applicant had paid, whether from applicant's funds or funds held in trust, was: \$ _____ (LBF 1305 item 3.d).
2. Applicant has attached contemporaneously prepared records of the services rendered to and expenses incurred on behalf of debtor in contemplation of or in connection with this case, both before and after the petition date, through _____, a date no earlier than 14 days before the final confirmation hearing. The value of those services is \$ _____, and the amount of those expenses is \$ _____, for a total of \$ _____.

Date

Applicant's Signature

Type or Print Applicant's Name

OSB#

Applicant's Telephone Number

Applicant's Service Address

Instructions

If applicant selected Schedule 2.(b) in LBF 1305 and the agreed total amount of compensation and expense reimbursement for all services through confirmation of the plan and the initial audit of claims, before credit for payments, exceeds \$3,450, applicant must complete and file an LBF 1306 no later than seven days before the final plan-confirmation hearing (Local Bankruptcy Rule (LBR) 2016-1(e)(2)(A)).

Plan confirmation after the filing of LBF 1306 will not constitute allowance or determination of the reasonableness of any future request for allowance of the amount by which the unpaid fees and expenses in LBF 1306 exceed those in LBF 1305. The court will consider allowance of any excess in the first postconfirmation Chapter 13 Debtor's Attorney's Supplemental-Compensation Application on LBF 1307 (LBR 2016-1(e)(2)(B)).

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**CHAPTER 13 DEBTOR'S ATTORNEY'S
SUPPLEMENTAL-COMPENSATION
APPLICATION; AND ORDER AND NOTICE
THEREON**

1. This application is made by debtor's attorney (applicant).
2. In applicant's Chapter 13 Debtor's Attorney's Compensation Disclosure and Application on Local Bankruptcy Form (LBF) 1305, applicant selected [*check one*]:
 - Schedule 2.(a)
 - Schedule 2.(b)
 - Schedule 3.
3. This application [*check one*] is is not applicant's final application in this case.
4. Applicant has previously been allowed compensation and expense reimbursement in the plan-confirmation order and any prior LBF 1307s in the total amount of \$_____.

5. Applicant applies for supplemental allowance of compensation and expense reimbursement totaling \$_____ for the period _____ through _____. An itemized statement of services rendered and expenses incurred for the period of this application is attached. If this application is granted, the total amount allowed will be \$_____. If this application is final, it includes \$_____ in anticipated additional fees to complete the case.

6. Allowance of this application will [*mark all that apply*]—

not affect the distribution to creditors.

delay the distribution to creditors by approximately ____ months.

reduce the estimated distribution to general unsecured creditors from _____% to _____%

require that the debtor pay more by making additional or increased plan payments sufficient to pay the additional fees and expenses.

not change the length of the plan, which is estimated to be ____ months.

change the estimated length of the plan from ____ months to ____ months.

other: _____.

8. If applicant has previously shared any compensation or there exists any agreement or understanding between applicant and any other entity for the sharing of compensation received or to be received for services rendered in or in connection with this case, other than as a member or regular associate of a firm of attorneys, the details of the sharing or sharing agreement, other than those disclosed in LBF 1305 or a prior LBF 1307, are as follows:

Date

Applicant's Signature

Type or Print Applicant's Name

OSB#

Applicant's Telephone Number

Applicant's Service Address

CERTIFICATE OF SERVICE

I certify that on _____ a copy of this application and order thereon (without attachments) and any Notice of Hearing prepared by the court per the judge's order were served on the debtor and, if the total amount requested exceeds \$1,000, on all creditors (or if FRBP 2002(h) applies, only on each entity that is listed in FRBP 2002(h)). I have attached a clearly identified list of the names, addresses, and methods for service on all parties served using paper. The application served on creditors did not include the attachment, but any creditor may obtain a copy of the attachment upon request to applicant.

Signature & Relation to Applicant

INSTRUCTIONS

Do not serve this application until the judge has signed it at the top of the first page.

No application may be filed (a) if Schedule 1 was selected on LBF 1305, (b) to request fees and expenses less than \$500 on a nonfinal LBF 1307, (c) sooner than six months after the last to be filed of the LBF 1305 or the most recent prior LBF 1307, if any, (d) after filing a final LBF 1307, or (e) after 28 days after service of the trustee's notice of plan completion (Local Bankruptcy Rule (LBR) 2016-1(e)(3)(A)).

If Schedule 2.(b) was selected—and even if an LBF 1306 was filed—the first LBF 1307 must include an itemized statement of all services rendered and expenses incurred in contemplation of or in connection with the case, both before and after the petition date, and it must reflect the paid amounts listed in the LBF 1305 and amounts allowed in the confirmation order (LBR 2016-1(e)(3)(B)).

The presumptively reasonable compensation for preparation of each LBF 1307 is \$100 (LBR 2016-1(e)(3)(C)).

If allowance of the compensation requested in an LBF 1307 will require a plan modification, the debtor must, within 28 days after allowance of this application, file either a Notice of Postconfirmation Amendment of Plan on LBF 1355.10 and a proposed amended plan on the appropriate LBF or a statement why none has been filed. (LBR 2016-1(e)(3)(D)).

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Confirmation Hearing Date: _____

Debtor(s)

**ORDER CONFIRMING PLAN AND
RESOLVING MOTIONS**

The debtor's plan having been provided to creditors and the court having found that it complies with 11 U.S.C. § 1325, now, therefore **IT IS ORDERED**:

1. Debtor's plan (Docket # _____) is confirmed, and all relief requested in the plan is granted. All references to the plan are to the plan as modified by any amendment shown in paragraph 4 below.
2. Pursuant to 11 U.S.C. § 522(f)(1), the following liens are avoided [*list alphabetically, and only one per line, including each creditor's name, service address, and lien type (for example, judicial lien or non-purchase money security interest)*]:

- 3. Per the filed *Chapter 13 Debtor's Attorney's Compensation Disclosure and Application* ([Local Bankruptcy Form \(LBF\) 1305](#)) and, if applicable, the *Chapter 13 Debtor's Attorney's Schedule 2.(b) Itemization* ([LBF 1306](#)), compensation to debtor's counsel of attorney fees of \$_____ and expenses of \$_____, of which \$_____ has been paid, leaving \$ _____ to be paid as funds become available per plan paragraph 4(c).

- 4. Debtor has moved to amend the plan by interlineation as follows, which amendments are allowed and become part of the confirmed plan:

- 5. The terms of this order are subject to any objection filed within 21 days by [*list alphabetically, and only one per line, including each creditor's name, service address*]:

- 6. Additional provisions, if any:

###

I certify that on _____ I provided this order to the trustee for submission to the court.

Debtor or Debtor's Attorney

Approved: _____
Trustee

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor(s)

**NOTICE OF POSTCONFIRMATION
AMENDMENT OF PLAN**

The proponent, _____, who is _____
[state role in case; if creditor, also state type of claim and any business name] and whose
address is _____
certifies by and through the undersigned that:

1. An amended plan dated _____ was attached to this notice and filed with the clerk.
2. The confirmed plan (Docket # _____) remains in full force and effect unless the amended plan becomes the plan.
3. The trustee's name and address are:

4. [If proponent is the debtor, check one of the following two options]:

Attached, and verified as true and correct, are updated versions of Schedules A/B including present amount of any secured debt on property, Schedules I and J, and a copy of the latest real property tax assessment statement.

The trustee has waived the requirement of updated Schedules A/B, I and J, and a copy of the latest real property tax assessment. Debtor will provide those documents promptly upon request by any interested party or the court.

5. Prior to filing this plan with the clerk, a separate summary of the amendments, the plan, all schedules and statements required by paragraph 4 above, and any other pertinent information were served on the trustee who: (a) approved the plan, either affirmatively or by failure to notify proponent of an objection within 14 days of the date the plan was served, or (b) requested amendments which were unacceptable to the proponent.

6. I certify that, on _____, this notice and the amended plan described above were served on the debtor(s), any debtor's attorney, the trustee, the U.S. trustee, and all creditors (or if FRBP 2002(h) applies, only on each entity that is listed in FRBP 2002(h)). A list of the names, addresses, and methods for service on all parties served using paper is attached. The notice served on creditors did not include the attachment, but any creditor may obtain a copy of the attachment upon request.

Date

Signature

Relation to Proponent, Phone #, and OSB# (if any)

Last 4 Digits of Debtor's Tax ID#(s) [*If proponent is the debtor*]

NOTICE IS GIVEN THAT the amended plan described above will become the plan pursuant to 11 U.S.C. § 1329(b) (if a chapter 13 case) or 11 U.S.C. § 1229(b) (if a chapter 12 case) unless, within 21 days of the service date in paragraph 6 above, the trustee or other interested party:

- (1) files a written objection, setting forth the specific grounds for the objection, with the clerk at 1050 S.W. 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401; and
- (2) serves the objection on the proponent and the trustee named in paragraph 3 above.

The terms of the previously entered confirmation order continue to apply except to the extent such terms are inconsistent with the amended plan.

PROCEDURES RE: FILING AN ADVERSARY PROCEEDING COMPLAINT

What the Plaintiff Needs to File

1. A complaint (see below) or stipulated judgment
2. An [Adversary Cover Sheet](#) if filed on paper
3. A filing fee for each complaint unless the plaintiff is:
 - a debtor not acting as a debtor in possession
 - a child-support creditor or representative who has filed [Official Form B 2810](#)
 - a debtor in possession or a trustee who certifies that there are insufficient funds in the estate to pay the filing fee (the fee must be paid later if funds are available)Current fees are found at <https://www.orb.uscourts.gov/court-fees>. Any check or money order for the filing fee must be payable to "Clerk, U.S. Bankruptcy Court."
4. If filed by a nongovernmental corporation that is not the debtor, a corporate ownership statement per Federal Rule of Bankruptcy Procedure (FRBP) 7007.1.

Complaint

The complaint must state the applicable sections of the Bankruptcy Code upon which the complaint is based and comply with FRBP 7008 and Local Bankruptcy Rule 7008-1. The heading and caption must be formatted as follows:

In re	Case No. _____

Debtor(s)	Adv. Proc. No. _____

Plaintiff(s)	COMPLAINT
v.	[A jury trial demand, if any, must be shown here.]

Defendant(s)	

When filing the complaint on paper, leave the Adv. Proc. No. blank. The clerk will assign a number, which will appear on the summons. This number, as well as the bankruptcy case number with which the adversary proceeding number is associated, must be listed on all documents filed in the adversary proceeding.

Summons

The court will issue a summons to the plaintiff.

The court will mail the summons to the plaintiff for service on the defendants unless the complaint is electronically filed in CM/ECF, in which case the plaintiff will receive the summons via a Notice of Electronic Filing. The plaintiff must make a copy for each party to be served.

Service of the Summons

Within 7 days after the issuance of the summons, the plaintiff must serve a copy of the summons and complaint on all defendants and, if the debtor is a defendant and is represented by an attorney in the bankruptcy case, the debtor's attorney. If the 7-day deadline is not met, the plaintiff must file a request for a replacement summons.

Service by mail may be made within the United States by first-class mail, postage prepaid. In some situations, certified mail is required. See FRBP 7004(h).

The plaintiff must then file a certificate of service ([Local Bankruptcy Form 305](#)) with the court. The certificate must:

- (1) be signed by the person who served the documents,
- (2) show the exact name and title of each person on whom the documents were served,
- (3) show compliance with FRBP 7004,
- (4) be attached to the summons, and
- (5) be promptly filed with the clerk.

Service of the summons and complaint is governed by FRBP 7004. This rule specifies what type of service is required based on the identity and location of the defendant being served.