# Notice of Pre-Confirmation Amendment of Plan in Chapter 12 & 13 Cases Table of Contents

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# Notice of Pre-Confirmation Amendment of Plan in Chapter 12 & 13 Cases

#### **Introduction**

This document contains information and filing procedures for e-filing notices of proposed amendments to plans made prior to confirmation.

Plan amendments are governed locally by Local Bankruptcy Rule (LBR) 3015-2.

#### Timing Limitation

As stated in LBR 3015-2(b), an amended plan may not be filed fewer than 28 days before the next scheduled confirmation hearing.

#### **Required Forms**

A notice of pre-confirmation plan amendment must be filed on Local Bankruptcy Form (LBF) 1355.05, *Notice of Pre-Confirmation Amendment of Plan and Confirmation Hearing*, attached as a single document to the amended plan on the proper local form per chapter and petition-filing date (LBF 1200.05, LBF 1300.17, LBF 1300.21, LBF 1300.22, or 1300.24) with the notice as the first page of the document.

<u>Click here</u> to access the local forms. See below for information about completing required forms.

#### Notice form (LBF 1355.05)

The notice of pre-confirmation amendment to a plan in a chapter 12 or chapter 13 case must be filed on a completed LBF 1355.05 including the date, time, and location of the confirmation hearing.

If a new confirmation hearing date is to be set and has not been noticed by the court, call the case judge's calendar clerk to obtain the new date before filing. <u>Click here</u> for contact information.

#### Plan form (LBF 1200.05, LBF 1300.17, LBF 1300.21, LBF 1300.22, or LBF 1300.24)

The table below provides the correct local form to use for the amended plan:

Form	When to Use		
LBF 1200.05	All chapter 12 cases (regardless of petition filing date)		
LBF 1300.17	Chapter 13 cases in which the petition was filed on or after 12/1/17 and prior to 12/1/21		
LBF 1300.21	Chapter 13 cases in which the petition was filed on or after 12/1/21 and prior to 12/1/22		
LBF 1300.22 Chapter 13 cases in which the petition was filed on or after 1			
LBF 1300.24 Chapter 13 cases in which the petition was filed on or after 12/1,			

Regardless of which form is used, use the drop-down box in the caption of the form to select as shown here:

In re	Case	No	
			-
Debtor(s)	CHAF	First Amended	ED
NOTICE: Your rights may be affected: terms of a confirmed plan. Creditors' obligations and duties on the debtor and discuss them with your attorney.	all parties claims n and other If you do	Second Amended Third Amended Fourth Amended Fifth Amended Sixth Amended	d creditors) are l minated. The p read these pap y wish to consu
f you oppose the plan treatment of your objection. <b>Failure of a creditor to file a w</b>	claim or a v <b>ritten obj</b> e	Seventh Amended ection to this plan will	ipter 13 plan, you constitute accei

## Filing Procedures<sup>1</sup>

After completing the notice and amended plan and combining them into a single PDF with the notice as the first two pages, use the following steps to e-file with the court:

Step	Action
1	Click on Bankruptcy on the ECF main menu bar
2	Select the <b>Notices</b> menu
3	Enter case number in YY-XXXXX format
4	Select the Notice of Pre-Confirmation Ch 12/13 Amendment of Plan [Requires LBF 1355.05 – 12/1/20] event
5	Select or add <sup>2</sup> represented party
6	Review instructional message and proceed

<sup>&</sup>lt;sup>1</sup> See the <u>next section</u> for procedures with screenshots.

<sup>&</sup>lt;sup>2</sup> See separate <u>ECF Filing Basics</u> procedures for instructions on adding parties.

7	Enter date of the amended plan in the field provided			
8	Check applicable boxes if the plan contains a motion to value collateral or motion to avoid liens (this option will not appear for chapter 12 cases)			
9	Use radio buttons to select whether the initial date set for the confirmation hearing will be used or whether an adjourned confirmation meeting has been set			
	Initial Confirmation Hearing	Initial Confirmation Hearing Adjourned Confirmation Hearing		
	Review instructional message and proce			
	Proceed to Step 10	Step 10Select the hearing from the Please select from the following hearings drop-down list <sup>3</sup>		
10	Click <b>Browse</b> button to attach LBF 1355.05 and amended plan as a single PDF			
11	Modify docket text with drop-down box as appropriate			
12	Review docket text and submit (the docket text will include information regarding the confirmation hearing if the adjourned hearing option was selected at Step 9)			

## **Filing Procedures with Screenshots**



<sup>&</sup>lt;sup>3</sup> This will auto-fill the "Date," "Hearing Time," and "Location" fields below. The "Chambers Presets" link will bring up a list of hearings for each judge.

3	Enter case number in YY-XXXXX format
5	File a Notice ECE Assistance Info LBEs
	Case Number
	20-34567 Find This Case
	Next Clear
4	Select the Notice of Pre-Confirmation Ch 12/13 Amendment of Plan [Requires LBF
	1355.05 – 12/1/20] event
	Start typing to find another event. Hold down Ctrl to add additional items.
	Available Events (click to select events)       Selected Events (click to remove events)         Invoice of workgage Followard and the select events (click to remove events)       Notice of the select events (click to remove events)
	Notice of Motion for Hardship Discharge [LBF 1378 - 12/1/12] Notice of Offer to Sell/Alternative Abandon [Requires LBF
	#751.2 - 12/1/18] Notice of Order Confirming Plan (Requires LBE 1190 - 12/1/20)
	Notice of Post-Confirmation Ch 12/13 Amendment of Plan
	Notice of Pre-Confirmation Ch 12/13 Amendment of Plan
	Notice of Rescheduled 341(a) Meeting of Creditors
	Notice of Substantial Consummation Notice of Voluntary Conversion from Chapter 12 to Chapter 07
	Notice of Voluntary Conversion from Chapter 13 to Chapter 07 Notice of Voluntary Conversion/Severance Filed by One
	Debtor in a Joint Case (Chpt 13 to 07) Notice to Debtor Under Section 342(b) IOE 119 - 12/15
-	Calact or add <sup>4</sup> represented party
5	Select of add Tepresented party
	Select the rarty:
	Godare, Wayne [Trustee] Add/Create New Party
	Sparagus, Abe [Debtor]
	US Trustee, Portland, [U.S. Trustee]
	(T) indicates a terminated party
	Nat
	Next Clear
6	Review instructional message and proceed
	Per LBR 3015-2(b), an amended plan may not be filed fewer than 28 days before the next scheduled
	confirmation hearing and must be attached to LBF 1355.05.
	Next Clear
7	Enter date of the amended plan in the field provided
	Enter Date of Amended Plan:
	Next Clear

<sup>&</sup>lt;sup>4</sup> See separate <u>ECF Filing Basics</u> procedures for instructions on adding parties.

8	Check applicable boxes if the plan contains a motion to value collateral or motion to avoid liens (this option will not appear for chapter 12 cases)		
	Select any of the following motions that are included in the Chapter 13 Plan. Click Next if no motions are included.		
	Motion to Volue Col	latoral	
	Motion to Avoid Lie	ns	
	Next Clear		
0	Use radio buttons to se	plact whather the initial date set for the confirmation bearing	
5	will be used or whether an adjourned confirmation meeting has been set		
	You must select one option	on below.	
	O The confirmation hearing date listed on LBF 1355.05 has been scheduled and appears under deadlines/schedule query. This amended plan is being filed 28 or more days before the confirmation hearing per LBR 3015-2(b).(If you mark this option, you will not be prompted to select a new confirmation hearing date, as one has already been scheduled.)		
	The confirmation hearing date listed on LBF 1355.05 is a date that has not yet been scheduled, does not appear under deadlines/schedules query, and was obtained by contacting a courtroom deputy. This amended plan is being filed 28 or more days before the confirmation hearing per LBR 3015-2(b).(If you mark this option, you must select the confirmation hearing date from the list on the following screen that matches the date on your notice so the hearing can be placed on the court calendar.)		
	Initial Confirmation Hearing	Adjourned Confirmation Hearing	
		Review instructional message and proceed	
		You must select a hearing date and time from the list on the following screen. Be sure to review the final docket text to verify all hearing information. Next Clear	
Proceed to Step 10		Select the hearing from the <b>Please select from the following</b> <b>hearings</b> drop-down list <sup>5</sup>	
		Please select from the following hearings Chamber Presets Confirmation Hearing Date: Hearing Time:	
		Location:	
1			

<sup>&</sup>lt;sup>5</sup> This will auto-fill the "Date," "Hearing Time," and "Location" fields below. The "Chambers Presets" link will bring up a list of hearings for each judge.

10	Click <b>Browse</b> button to attach LBF 1355.05 and amended plan as a single PDF		
_	File all documents (LBF's, motions, affidavits, certificates, etc.) in a single pdf, beginning with any LBF(s), unless otherwise instructed.		
	Select the <b>pdf</b> document (for example: C:\199cv501-21.pdf). <b>Filename</b>		
	Browse No file selected. Attachments to Document:		
	If the document(s) must be broken into multiple pdfs because a single pdf will exceed 50MB, click Yes and attach the remaining pdf(s).		
	• No O Yes		
	Next Clear		
11	Modify docket text with drop-down box as appropriate		
	Docket Text: Modify as Appropriate. Notice of Pre-Confirmation Amendment of Plan and Confirmation Hearing, and Amended Plan Dated 12/28/2020. Filed By Debtor Abe Sparagus Confirmation Hearing to be Held on 2/4/2021 at 01:30 PM in/by Video Hearing. Visit www.orb.uscourts.gov/video-hearings for connection information. (Attorney, Jeff)		
	Next Clear		
12	Review docket text and submit (the docket text will include informat confirmation hearing if the adjourned hearing option was selected at	ion regarding t t Step 9)	he
	Docket Text: Final Text Notice of Pre-Confirmation Amendment of Plan and Confirmation Hearing, and Amended 12/28/2020. Filed By Debtor Abe Sparagus Confirmation Hearing to be Held on 2/4/2021 a Video Hearing. Visit www.orb.uscourts.gov/video-hearings for connection information. (A	l Plan Dated t 01:30 PM in/by Attorney, Jeff)	
	Attention!! Submitting this screen commits this transaction. You will have no further opportunity to submission if you continue. Have you redacted?	o modify this	

02/04/202	1 - 01:30 PM - Ch.13 Adjourned Confirmation [Slots: 60]	<ul> <li><u>Chamber Presets</u></li> </ul>	
Confirma	tion Hearing Date: 02/04/2021 🔢 Hearing Time: 01:30 PM 🕔		
	- , ,		
Location: Video Hearing. Visit www.orb.uscourts.gov/video-hearings for connection information			
Next	Clear		