


Below is an order of the court.


THOMAS M. RENN
U.S. Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF OREGON

In re

LOCAL BANKRUPTCY RULES AND
FORM AMENDMENTS

GENERAL ORDER NO. 24-1

Pursuant to 28 U.S.C. § 2071, Federal Rule of Bankruptcy Procedure 9029(a), and Federal Rule of Civil Procedure 83(a), and as authorized by the United States District Court for the District of Oregon through LR 2100-2(b), I certify that the judges of this court have, effective December 1, 2024—

ADOPTED the attached amendments to the local bankruptcy rules and local bankruptcy forms of this district.

###

2024 Local Rule Changes

Rule 1001-1. Local Rules—Title, Numbering Sequence, Scope, & Effective Date.

[...]

- (d) **Effective Date.** These LBRs supersede all prior LBRs and general orders of the court pertaining to local rules and take effect on December 1, 202~~3~~4.
-

Rule 1007-2. Mailing—List or Matrix.

[...]

- ~~(b) — **Chapter 11.** The debtor must attach a certificate of service to the initial list of creditors filed under FRBP 1007(d) certifying the debtor separately provided the UST with:~~

~~(1) — A copy of the list.~~

~~(2) — A self-adhesive label with the name and service address for each of the following: the debtor (or party designated to perform the debtor's duties), any joint debtor, any debtor's attorney, and each creditor on the list.~~

- ~~(b~~e~~)~~ **Amendment.** LBR 1009-1 applies.
-

Rule 1009-1. Amendment—Voluntary Petition, Lists, or Schedules.

(a) **Amendment to a Voluntary Petition.** An amendment to a voluntary petition must be filed with a certificate of service stating that the notice required by FRBP 1009(a) was served on the trustee and any entity that may be affected by the amendment. If the notice was given other than by serving the amended petition itself, the notice must be attached to the certificate of service.

(b) **Amendment to a List or Schedule of Creditors, Equity Security Holders, Codebtors, or Other Interested Entities.** An amendment to a list or schedule of creditors, equity security holders, codebtors, or other interested entities must be filed under LBF 728.

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

- (a) In the event of the death of an individual debtor or party in an open case, a joint debtor or ~~counsel~~ attorney for the decedent must file a notice of the death as soon as practicable, and include a redacted copy of the death certificate, if available. Any ~~party in~~ interested person, including the personal representative of the decedent's estate, may file a notice of death. In a case under chapter 11, 12, or 13, the decedent's case may be dismissed after notice and an opportunity for a hearing unless an interested ~~party~~ person files a motion to continue the case, supported by a declaration, seeking appropriate findings under FRBP 1016 and any appropriate waiver of ~~other requirements applicable to~~ the decedent's obligations, including to file LBF 525 ~~(1) the domestic support obligation certificate required by § 1328(a) and (2)~~ proof of completion of the financial-management course required by § 1328(g). If the movant requests a waiver of the requirement to file LBF 525, the movant must either file an LBF 525 signed by the movant or other person providing the information for that form or the portion of that information known to the signer, or the movant must state in the declaration that, after making reasonable inquiry, the movant lacks that information and does not know that any other person, including any surviving spouse, former spouse, or adult child of the decedent, has that information.
- (b) The declaration required by (a) must discuss how plan payments will be made and how parties will be affected by allowing the case to proceed.
- ~~(bc)~~ 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 any probate proceeding.

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

- (a) **Entity Responsible for Giving Notice.**

[...]

- (3) **Chapter 11.**

[...]

- (B) **Plan or Amended Plan.** The proponent must give a notice required by:

[...]

- (ii) FRBP 2002(a)(5), (b)(2), (d)(6) or (d)(7), together with the documents required by FRBP 3017(d)(1), using the order approving disclosure statement prepared by the court.

[...]

- (4) **Chapter 12.** The entity making a request for relief or proposing an action of which notice is required by FRBP 2002 must give the notice, unless the notice is required by FRBP 2002(a)(1), (a)(7), (f)(1)(A), (f)(1)(2B), (f)(1)(C), (f)(1)(3D), (f)(1)(5F), or (f)(1)(6G).

[...]

- (6) Chapter 15. A foreign representative filing a petition for recognition must serve the notices required under ~~FRBP 2002(q)(1), and any notice required under FRBP 2002(q)(2).~~

(b) Notice of Intent to Take Proposed Action.

(1) Template. [...]

In re) Case No.** [Insert case number]
)
 [NOTE: Insertion of “other names used” included)
 on the petition under LBR 1005-1 is not)
 required, except on notices under FRBP 2002(11)) NOTICE OF INTENT TO [DESCRIPTION
) OF PROPOSED ACTION]
)
 Debtor(s))

[...]

(c) Notice of Hearing Template. [...]

In re) Case No.** [Insert case number]
)
 [NOTE: Insertion of “other names used” included) Adv. Proc. No. ***[Insert case number]
 on the petition under LBR 1005-1 is not)
 required, except on notices under FRBP 2002(11)) NOTICE OF INTENT TO [DESCRIPTION
) OF PROPOSED ACTION]
)
 Debtor(s))

[...]

(g) **Change of Mailing Address, and Returned Document.**

[...]

- (2) **Returned Document.** The clerk must use the address of debtor’s attorney; or of a pro-se self-represented debtor’s ~~address~~ as the return address ~~of record~~ on a notice the clerk sends, ~~to help ensure mailing accuracy~~, unless documents from different cases are sent in a single envelope. Except as provided in (f), the debtor must file LBF 101C, LBF 101D, or the BNC Bypass Notice to correct any address errors regarding entities that were listed on the mailing list. The clerk will ~~not~~ neither maintain a permanent record of; nor retain; a document returned to the clerk.

[...]

Rule 3007-1. Claim—Objection.

[...]

(b) ~~Chapter 11.~~

- (4) **Timing of Objections and Effect on Confirmation in a Chapter 11 Case.** A claim objection filed more than seven days after service of notice of the initial disclosure statement hearing does not affect the amount of the claim for the purpose of voting on, objecting to, determining creditor acceptance of, or otherwise determining whether to confirm, the plan to which the notice referred or any amendments to the plan.

- (2) ~~**Prefiling Conference Certification.** In a chapter 11 case, the signature on a claim objection certifies that one of the LBR 7007-1(a)(1) statements is true (but no description is required); LBR 7007-1(a)(2) applies.~~

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

LBR 2002-1(a)(1) applies to a requests under FRBP 3019(b) or (c) ~~to modify a confirmed plan in an individual chapter 11 case.~~

Rule 5078-1. Copy—Document.

- (a) **General.** A conventional, certified, or exemplified paper copy of an electronically filed document may be obtained at the clerk’s office. An appropriately sized SASE self-addressed, stamped envelope must accompany each request unless the requesting party picks up the document at the clerk’s office no later than 4:00 p.m. on the business day after it is prepared.
- (b) **Conformed Copy.** The entity filing a paper document may request a conformed copy of that document by simultaneously providing the clerk: (1) a copy of the document; (2) a declaration that the copy is identical to the filed document; and (3) a SASE self-addressed, stamped envelope. A declaration may be a separate document or a signed notation on the first page of the copy.

Rule 7001-1. Adversary Proceedings—General.

[...]

(c) **Documents.**

[...]

- (2) **Cover Sheet on Paper.** ~~To file an adversary proceeding, or a stipulated judgment if no complaint has been filed, a party filing on paper must file an adversary proceeding cover sheet (on OF 1040) with the complaint or proposed judgment. An adversary proceeding cover sheet on OF 1040 must be filed on paper with a complaint, stipulated judgment in lieu of a complaint, or notice of removal filed on paper.~~

[...]

Rule 7004-1. Service of Process.

[...]

- (c) On the day of the first filing by a party in an adversary proceeding, the party must also file an LBF ADV-A. If the party’s address changes, the party must file an updated LBF ADV-A.

Rule 9001-1. Rules of Construction & Definitions.

[...]

~~(y) —“Pro se” means a party not represented by an attorney of record.~~

(zy) “Request,” when used in reference to a request for the court to take some action, means a requirement to file a formal motion.

~~(aa) —“SASE” means an adequately sized, self-addressed, envelope bearing adequate postage for return to the addressee. Submission of self-adhesive labels is not acceptable.~~

(bbz) “UST” means the United States trustee.

Rule 9004-2. Documents—Captions.

[...]

(b) Case Template. [...]

In re) Case No.** [Insert case number]
)
[NOTE: Insertion of “other names used” included)
on the petition under [LBR 1005-1](#) is not) TITLE [Insert description of the document]
required, except on notices under FRBP 2002~~(n)~~)
) [NOTE: Add the following if filed in
Debtor(s)) response to a notice hearing:]

[...]

(c) Adversary Proceeding Template. [...]

In re) Case No.** [Insert case number]
)
) Adv. Proc. No.*** [Insert Adv. Proc. No.]
[NOTE: Insertion of “other names used” included)
on the petition under [LBR 1005-1](#) is not) TITLE [Insert description of the document]
required, except on notices under FRBP 2002~~(n)~~)
) [NOTE: Add the following if filed in
Debtor(s)) response to a notice hearing:]

[...]

Rule 9009-1. Forms—Local (LBF) & Official (OF).

- (a) **Availability.** The LBFs and OFs (forms) are available on the court’s website at www.orb.uscourts.gov. In response to a written request at a clerk’s office location, accompanied by a 9"x 12" SASE self-addressed stamped envelope bearing that includes sufficient first-class postage to mail a two-pound package if the request is mailed, the clerk will provide, without cost, one master copy of all LBFs required for use. A request of the clerk’s office must be accompanied by a written certification that the requestor does not have access to the Internet.
- (b) **Applicable Version.** When ~~an LBF or OF form is filed, it~~ must be on the most current version available at the time of filing. If a trustee is specifically identified in an LBF’s preprinted text as the filer, the trustee must use that LBF and, if applicable, lodge any proposed order on the corresponding LBF.
- (c) **Preparation.** If ~~an LBF or OF form~~ is prepared ~~on a form~~ other than using the ~~one form~~ available on the court’s website, the document must be identical in both format and text (i.e., a “mirror” image) to the most current version of the LBF or OF form available on the applicable court’s website ~~that is applicable at the time when~~ the form is filed. ~~The clerk need not serve any document or notice that cannot readily and legibly be converted into PDF format. In completing a form, the filer may add language that changes the effect of the form text, but the addition must be conspicuous, such as by making it in bold or underlined typeface, by using highlighting or an alternate color, or by adding pages to the form. A form may not be altered except as permitted by this rule.~~
- (d) **Contents; Instructions; Certifications.** A form must contain all information and attach all documents called for by the form. The filer must comply with all the form’s instructions and ensure that all statements in a form’s certifications are true.

Rule 9010-1. Attorney—Notice of Appearance; Withdrawal.

[...]

- (c) **Representation of an Organization.** An organization, other than a corporate standing or panel trustee, must be represented by an attorney except to ~~prepare and~~ file a proof of claim or file a document electronically via ePOC or the “Creditor Claimant” menu in ECF. In this subdivision, “organization” includes a corporation, partnership, association, trust,

limited liability company, limited liability partnership, conservator, guardian, and any other entity that is not an individual.

[...]

Rule 9017-1. Exhibits and Equipment; Use of Electronically Recorded Testimony.

[...]

- (e) **Return or Disposal of Exhibits upon Finality.** Thirty days after a matter is no longer subject to appellate review, the party that offered an exhibit may have it returned without order upon a written request stating that no appeal is pending and the case or proceeding is final. The requestor must furnish the clerk with a **SASE self-addressed, stamped envelope** or make other appropriate arrangements for delivery of the exhibit. If a party does not request that an exhibit be returned within 60 days after a matter is no longer subject to appellate review, the clerk may destroy or otherwise dispose of it without further notice.

Rule 9018-1. Documents Filed Under Seal or Submitted Unfiled for Review in Chambers.

- (a) **General.** The court will seal only an entire document; it will not seal parts of a document. Documents permitted to be filed on paper will be scanned, entered into ECF, and then promptly destroyed unless filed with a **SASE self-addressed, stamped envelope** for return to the filer after entry.

[...]

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

[...]

- (b) **Lodging of Proposed Order or Judgment.**

[...]

- (4) **Form.**

- (A) **General.** [...] A proposed order or judgment must:

[...]

- (v) Unless on an LBF, have the three-pound (###) symbols centered on the line immediately after the last line of the order or judgment text.

[...]

- (viii) Include the following after the three-pound (###) symbols:

[...]

- (II) A list of names and addresses of all contesting parties who are not, and whose attorneys are not, ECF Participants or a statement that there are no such parties.

[...]

(C) Stipulated Order or Judgment. [...]

- (i) **General.** A statement that the order or judgment is a stipulation, and signatures, must only be placed below the three-pound signs (###) symbol denoting the end of the order or judgment text.

[...]

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

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 personal financial-management course 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 (OF B 108)
- 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)

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 1300.24)

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

PROCEDURES RE: FILING A NON-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 pages 3-5 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.

Attorney Representation Required for Most Non-Individual Debtors

Per Local Bankruptcy Rule 9010-1(c), an organization other than corporate standing or panel trustee must be represented by an attorney to file any document with the court—including bankruptcy petitions—other than proofs of claim or other documents filed electronically via ePOC or the “Creditor Claimant” menu in ECF see the [Electronic Filing](#) page of the court’s website for more information).

Legal Advice

Federal law prohibits the bankruptcy court from giving any type of legal advice or instruction.

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

After You File

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

A “Notice of Bankruptcy Case” will be mailed to you and to 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.” **You are required to attend this hearing.**

At the “Meeting of Creditors” 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
- A mailing list prepared following LBF 104 instructions [the mailing list does not require a signature]
- Petition (OF B 201)
- Attorney's Disclosure Statement
- Summary of Assets & Liabilities (OF B 206Sum)
- Schedules A/B, D, E/F, G, H (OF B 206A-H)
- Declaration Under Penalty of Perjury for Non-Individual Debtor (OF B 202Dec)
- Statement of Financial Affairs for Non-Individual (OF B 207)
- Corporate Ownership Statement (FRBP 1007) [only if debtor is a non-governmental corporation]

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
- A mailing list prepared following LBF 104 instructions [the mailing list does not require a signature]
- Petition (OF B 201)
- Attorney's Disclosure Statement
- Summary of Assets & Liabilities (OF B 206Sum)
- Schedules A/B, D, E/F, G, H (OF B 206A-H)
- Declaration Under Penalty of Perjury for Non-Individual Debtor (OF B 202Dec)
- Statement of Financial Affairs for Non-Individual (OF B 207)
- Attachments to Voluntary Petition (OF B 201A) [only if debtor files periodic reports]
- List of Creditors Who Have the 20 Largest Unsecured Claims (OF B 204), 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:
- Corporate Ownership Statement (FRBP 1007) [only if debtor is a non-governmental corporation]
- Documents required by 11 U.S.C. § 1116(1) [only if debtor is proceeding under subchapter V or is a small business]

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
- A mailing list prepared following LBF 104 instructions [the mailing list does not require a signature]
- Petition (OF B 201)
- Attorney's Disclosure Statement
- 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 Assets & Liabilities (OF B 206Sum)
- Schedules A/B, D, E/F, G, H (OFs B 206A-H)
- Declaration Under Penalty of Perjury for Non-Individual Debtor (OF B 202Dec)
- Statement of Financial Affairs for Non-Individual (OF B 207)
- Corporate Ownership Statement (FRBP 1007) [only if debtor is a non-governmental corporation]
- Chapter 12 Plan (LBF 1200.05)

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

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor

**ORDER AVOIDING JUDICIAL LIEN
PURSUANT TO 11 U.S.C § 522(f)(1)(A)**

This matter came before the court on debtor's motion to avoid judicial lien on real property pursuant to § 522(f)(1)(A) (ECF No. _____).

IT IS ORDERED that, under § 522(f)(1)(A), the judicial lien of _____

arising from [*include case name, number, county, state, date on which judgment was docketed, and any other information identifying the judgment*] _____

against debtor's real property at _____

the legal description of which is _____

_____ [*attach as exhibit, if necessary*]

is avoided and no longer a lien against debtor's interest in the property.

is partially avoided and remains a lien against debtor's interest in the property for
\$_____.

PRESENTED BY:

Signature of Debtor or Debtor's Attorney OSB#, if attorney

Typed Name

cc: Debtor, lienholder, any other party named in the motion [*insert addresses*]:

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor

**MOTION TO AVOID JUDICIAL LIEN ON
REAL PROPERTY PURSUANT TO
11 U.S.C. § 522(f)(1)(A)**

Notice to lienholder: _____ [*enter name of lienholder*]

If you oppose the proposed course of action or relief sought in this motion, you must file a written objection with the bankruptcy court no later than 14 days after the date listed in the certificate of service below. If you do not file an objection, the court may grant the motion without further notice.

Your objection must set forth the specific grounds for objection and your relation to the case. The objection must be received by the clerk of court at 1050 SW 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401 by the deadline specified above or it may not be considered.

[*Check one:*]

Within that same time, you must also serve the objection on [*enter name, address, and phone number of movant or movant's attorney*]:

You need not serve the objection because the movant's counsel is an ECF participant and will receive notice electronically.

If the court sets a hearing, you will receive a separate notice listing the hearing date, time, and other relevant information.

Motion

Debtor moves to avoid the judicial lien on real property referenced below and alleges as follows—

1. Name and Federal Rule of Bankruptcy Procedure 7004 service address of lienholder whose lien is to be avoided:

2. The nature of the judicial lien, the present balance owing under it, and the date when it was obtained [*include case name, number, county, state, date on which judgment was docketed, and any transcription information*]:

3. Street address and legal description [*attach exhibit if necessary*] of real property to which judicial lien attaches:

4. Date petition filed: _____

5. Fair market value of real property on the petition date: \$_____

6. Names of and amounts due to all senior lienholders:

7. Present balance owing to senior lienholders plus junior consensual liens on petition date excluding any precomputed interest or other unearned charges:

8. The description of statutory authority for and amount of impaired exemptions:

9. Other relevant facts:

10. Debtor is therefore entitled to avoid the lien referenced in paragraph 2 above [*check one*]

in full so that it no longer remains a lien against debtor's interest in the real property.

in the amount of \$_____ so that it remains a lien against debtor's interest in the real property in the amount of \$_____.

Debtor's or Debtor's Attorney's Signature

OSB#, if attorney

Address

Phone #

Debtor's address if not provided above and last 4 digits of Taxpayer ID#

Certificate of Service

I certify that on _____, copies of this motion and all attachments thereto were served on the debtor, lienholder, and any other party named in this motion. A list of the names, addresses, and methods for service on all parties served using paper is attached.

Signature

OSB# (if attorney)

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

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 Official Form B 108 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)(4) 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](#) 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.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

**NOTICE OF INTENT TO SELL REAL OR
PERSONAL PROPERTY, COMPENSATE
REAL ESTATE BROKER, AND/OR PAY
ANY SECURED CREDITOR'S FEES AND
COSTS; MOTION FOR AUTHORITY TO
SELL PROPERTY FREE AND CLEAR OF
LIENS; AND NOTICE OF HEARING**

Debtor

[Do not use to sell personally identifiable
information about individuals]

Notice

NOTICE IS GIVEN that _____ (movant),
the _____ [*enter movant's role in the
case (for example, debtor or trustee)*], intends to sell the property described below and
moves for authority to sell the property free and clear of liens under 11 U.S.C. § 363(f).
Movant's address and phone number are:

The holders of liens of which the movant requests the property be sold free and clear are
[*list lienholders*]:

If you wish to object to any aspect of the sale or fees disclosed in paragraph 7 or 15, you
must--

1. Attend the hearing set in paragraph 3 below; and
2. Within 21 days after the service date in paragraph 17 below, file with the clerk at
1050 SW 6th Ave. #700, Portland OR 97204 or 405 E 8th Ave. #2600, Eugene OR
97401:

- a. a written objection stating the specific facts upon which the objection is based, and
 - b. a certificate of service of the objection on the movant.
3. A hearing on the motion and any objections to the sale or fees, which
is [*check this box only if directed to do so by the court*]
is not
an evidentiary hearing at which witnesses may testify, is scheduled as follows:

Date: _____ **Time:** _____

Location: Courtroom # _____, _____

Telephone Hearing [See [Local Bankruptcy Form \(LBF\) 888](#), *Telephone Hearing Requirements.*]

Call In Number: (855) 244-8681

Access Code: 2319 850 1446 for Judge David W. Hercher (dwh)
2303 266 2453 for Judge Peter C. McKittrick (pcm)
2305 356 8654 for Judge Teresa H. Pearson (thp)
2316 942 9358 for Judge Thomas M. Renn (tmr)

Video Hearing. To connect, see www.orb.uscourts.gov/video-hearings.

If no timely objection is filed, an order may be lodged and the hearing may be canceled. Parties are encouraged to check the hearing calendar at <https://www.orb.uscourts.gov> after the objection deadline has passed.

Motion

The movant moves for authority to sell the property free and clear of liens under § 363(f) as follows--

- 1. The specific subsections of § 363(f) movant relies on for authority to sell the property free and clear of liens are [*specify for each lienholder*]:

2. Buyer's name and relation or other connection to debtor:

3. General description of the property [*if real property, state street address here and attach legal description as an exhibit to the notice filed with the court*]:

4. A copy of the full property description or inventory may be examined or obtained at:

5. The property may be previewed at [*include time and place*]:

6. Other parties to the transaction and their relationship to the debtor are:

7. The gross sale price is: \$ _____.

All liens on the property total \$ _____, of which movant believes a total of \$ _____ need not be paid as secured claims (because the lien is invalid, avoidable, etc., the lienholder consents to less than full payment, or part or all of the underlying debt is not allowable).

Secured creditor also seeks reimbursement of \$ _____ for fees and costs.
Total sales costs will be: \$ _____.

All tax consequences have been considered, and it presently appears that the sale will result in net proceeds to the estate after payment of valid liens, fees, costs, and taxes of approximately: \$ _____.

8. The sale is not [*check one*] of substantially all of the debtor's assets. Terms and conditions of sale:

9. Competing bids must be submitted to the movant no later than _____ and must exceed the above offer by at least _____ and be on the same or more favorable terms to the estate.

10. Summary of all available information regarding valuation, including any independent appraisals:

11. If paragraph 7 indicates little or no equity for the estate, the reason for the sale is:

and expenses and taxes resulting from the sale will be paid as follows:

12. (Chapter 11 cases only) The reason for proposing the sale before confirmation of a plan of reorganization is:

13. The following information relates to liens on the property which are listed in priority order:

Name	Service Address [See Federal Rule of Bankruptcy Procedure (FRBP) 7004]	Approx. Lien Amount	Indicate Treatment at Closing (Fully Paid, Partially Paid, or Not Paid.)

Of the liens listed in this paragraph designated to be fully paid, movant does not request that the sale be free and clear but moves for authority to pay them in full.

14. Any liens not fully paid at closing will attach to the sale proceeds in the priority they attach to the property. Any proceeds remaining after paying liens, expenses, taxes, commissions, fees, costs, or other charges as provided in this motion, must be held in trust until the court orders payment.

15. (If real property) The court appointed real estate broker, _____ will be paid _____.

16. If this is a chapter 11 case, this motion complies with the guidelines set forth in [LBF 363](#), *Procedures re: Motions for Sale of All or Substantially All Assets*.

17. I certify that on _____ this document was served--

[check this box if movant is chapter 7 trustee] under FRBP 7004 on debtor, U.S. trustee, each named lienholder at the address listed above, the creditors' committee chairperson (if any), and their attorneys.

[check this box if movant is not chapter 7 trustee] under FRBP 7004 on debtor, trustee (if any), U.S. trustee, each named lienholder at the address listed above, the creditors' committee chairperson (if any), and their attorneys, and that it was also sent on that date, pursuant to FRBP 2002(a), to all creditors and all parties as listed in the court's records that were obtained on _____, a copy of which is attached to the document filed with the court.

18. For further information, contact:

Date

Signature & Relation to Movant

(If debtor is movant) Debtor's Address & Last 4 Digits of Taxpayer ID#

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor

**NOTICE OF ORDER CONFIRMING
CHAPTER 11 PLAN AND
COMPENSATION APPLICATIONS**

1. The court entered an order on _____ as ECF No. _____ confirming a chapter 11 plan of reorganization. The order is enclosed.

If the plan was proposed by debtor, the debtor's address and taxpayer ID# (last 4 digits) are:

2. The entity who has the primary responsibility for performing the plan [*enter name, role in case, and, if not debtor, service address*]:

3. Unless a written objection, setting forth specific grounds for objections, is filed with the clerk at 1050 SW 6th Ave. #700, Portland, OR 97204 or 405 E 8th Ave. #2600, Eugene OR 97401, within 21 days of this notice's service date in paragraph 3, the court will consider the following applications for compensation or administrative expenses, if any, without further notice:

Applicant	Total Amount of Final Request	Total Amount Paid to Date Including Retainers	Balance Due	Estimate of Case Related Post-Confirmation Compensation <i>[Indicate if Included in Total Amount of Final Request]</i>

4. On _____ this notice was served by mail on the debtor, all creditors, any trustee, equity security holders, other parties in interest, and, if known, any identified entity subject to an injunction provided for in the plan against conduct not otherwise enjoined under the Bankruptcy Code. A list of the names, addresses, and methods for service of all parties served on paper is attached.

Signature Date

Name

Relationship to Case

Service Address

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:

2. 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).

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

completed a personal financial-management course and has separately filed the certification pertaining thereto.

is not required to complete a a personal financial-management course.

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

CHAPTER 13 PLAN

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 debtor and other parties. You should read this plan carefully and discuss it with your attorney. If you do not have an attorney, you may wish to consult one.

If you oppose the plan treatment of your claim or any provision of this 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 hearing or 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 added below starting with paragraph 15.

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

Includes	Items
	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: Set out starting in paragraph 15.

2. **Applicable Commitment Period.** The applicable commitment period of this plan is [*check one*] 36 60 months. Debtor must make plan payments for that period unless debtor first pays 100% of all allowed claims with appropriate interest.

If the 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 time it will take debtor to complete the plan is _____ months. Cause to extend longer than 36 months is as follows:

3. **Payments to the Trustee.**

(a) Debtor must pay to the trustee a monthly payment of \$_____.

(b) Debtor must pay to the trustee all non-exempt proceeds from avoided transfers, including those from transfers avoided by the trustee.

(c) With respect to tax years _____, debtor must pay to the trustee [check only one]

net tax refunds attributable to those tax years upon receipt.

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 tax credits; and (4) if checked, _____.

(d) Debtor must pay to the trustee a lump sum payment of \$_____ on or before _____.

(e) Debtor must pay to the trustee _____.

4. **Trustee Disbursements and Treatment of Claims.** Before confirmation, the trustee must commence disbursements required by paragraph 4(b)(3), unless a nonstandard provision of this plan expressly provides otherwise (see paragraph 14); upon confirmation, the trustee must commence other 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 Federal Rule of Bankruptcy Proceeding (FRBP) 7004 or the allowed amount of the secured claim is fixed

by consent of the secured creditor. Secured creditors retain their liens in accordance with 11 U.S.C. § 1325(a)(5)(B)(i), and the creditors must release the liens 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 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.** Unless a nonstandard provision of this plan expressly provides otherwise (see paragraph 14), 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 this plan for creditors whose claims are secured by personal property. If this case is dismissed before confirmation, debtor waives the right to require the trustee to return any funds previously paid to those secured creditors and the trustee’s commissions thereon. Adequate-protection payments by the trustee before confirmation will be deducted from the amount of the allowed secured claim. Unless a creditor receiving adequate-protection payments is oversecured under § 506 or fully secured under the unnumbered paragraph after § 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 Local Bankruptcy Form (LBF) 1307.]* Third, to debtor's attorney, fees of \$ _____ and expenses of \$ _____, of which \$ _____ had been paid as of the date the 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). These claims must be paid in full.
- (e) **Administrative Expenses.** Fifth, to allowed administrative expenses under § 507(a)(2). These claims must be paid in full.
- (f) **Priority Claims.** Sixth, to allowed priority claims in the order stated in § 507(a)(3)-(10). These claims must be paid in full.
- (g) **Unsecured Claims.** Seventh, to allowed nonpriority unsecured claims, the amounts required by § 1325(b)(1). Creditors will receive [*check only one*]:
- (1) Approximately _____% of their claims. Payment of any dividend will depend on the amounts of allowed secured, priority (including costs of administration and debtor's attorney fees), and nonpriority unsecured claims.
 - (2) Full payment of their claims.
- (h) **Best Interest of Creditors.** The amount that must be paid under § 1325(a)(4) is \$ _____. Not less than that amount must be disbursed 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) **Section 1305 Claims.** Unless a nonstandard provision of this plan expressly provides otherwise (see paragraph 14), claims filed under § 1305 will not be paid.
- (k) **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.** Debtor assumes the following executory contracts and leases:

Creditor	Amount of Default <i>[state if none]</i>	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 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. **Reporting Requirements.** Unless waived by the trustee in writing, if debtor's actual or projected gross annual income exceeds by more than 10% the gross income projected by debtor in the most recently filed Schedule I, debtor must report that change to the trustee immediately upon learning of the change. 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.**
 - (a) Scheduled estate property and debtor's postpetition earnings will vest in debtor upon entry of the confirmation order. Estate property not then scheduled will remain estate property. Unless a nonstandard provision of this plan expressly provides otherwise (see paragraph 14), a postconfirmation plan modification will not vest any estate property in debtor.
 - (b) This subparagraph applies to debtor property and property debtor acquires after the petition date and before discharge. Debtor must not buy, sell, use, lease, encumber, or otherwise dispose of any interest in real or noncash personal property worth \$10,000 or more out of the ordinary course of business unless (i) the trustee provides written consent, (ii) debtor obtains a court order using LBF 1301 or LBF 1302, as applicable, (iii) debtor is leasing, as lessee, real property where debtor will reside, or (iv) a nonstandard provision of this plan expressly provides otherwise (see paragraph 14).
 - (c) Except for regular monthly income from any source (including wages, salaries, income from the operation of a business, or Social Security payments), any postpetition distribution of funds to debtor, including any employment bonus, of \$2,500 or more must be held by debtor and not used unless (i) the trustee provides written consent, (ii) debtor moves for authorization of the use, serves the motion on the trustee, and obtains an order granting the motion, or (iii) a nonstandard provision of this plan expressly provides otherwise (see paragraph 14).
 - (d) Estate property that is not scheduled as of confirmation of this plan may be used only in accordance with §§ 363 and 1303.

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 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), and **6** (see FRBP 3012, 4003(d), and 9014). 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

**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 [*complete every blank*]

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 corresponding 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 \$_____ [*\$5,500 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 \$_____ [*\$3,750 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. plus the portion of the amount in paragraph 3.a that applicant received for expenses*].
- 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 \$_____. The earliest date of the services for which applicant seeks compensation is _____.

- ii. The unpaid estimated compensation and expenses is \$_____ [*enter 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. Applicant authorizes the trustee to disburse all compensation and expense reimbursement to applicant in the amounts allowed by the court by mailing payments to the address listed in applicant's service address below unless alternative payee information is provided here:

7. 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 1300.24 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 \$3,750, 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)).

If applicant has a separate agreement to perform legal services to debtor in related matters such as adversary proceedings or appeals, applicant must use only Schedule 3 for the complete disclosure of all agreements.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Case No. _____
Amended

Debtor

**NOTICE OF MOTION AND CHAPTER 12 OR
CHAPTER 13 DEBTOR'S MOTION FOR
ALLOWANCE OF AND FUTURE PAYMENT
ON UNTIMELY FILED CLAIMS**

Notice of Motion

If you oppose the relief sought in this motion, you must file a written objection with the bankruptcy court no later than 14 days after the date listed in the certificate of service below. If you do not file an objection, the court may grant the motion without further notice. Your objection must set forth the specific grounds for objection and your relation to the case. The objection must be received by the clerk of court at 1050 SW 6th Ave #700, Portland, OR 97204 or 405 E 8th Ave #2600, Eugene, OR 97401 by the deadline specified above or it may not be considered.

[Check one]:

Within that same time, you must also serve the objection on *[insert name, address, and phone number of movant]*:

You need not serve the objection because the movant's counsel is an ECF participant and will receive notice electronically.

Motion

1. The debtor moves the court for an order allowing and providing for future payments on the untimely claims filed by the debtor on behalf of the following creditors with the status (priority, secured, or unsecured) and amount shown as if such claims were timely filed:

<u>Creditor Name and Service Address</u>	<u>Claim No.</u>	<u>Status</u>	<u>Amount</u>
--	------------------	---------------	---------------

Any creditor listed above that does not timely object to this motion may have its claim allowed and will share in payments as provided in the debtor's plan for that type of claim as if such claim had been timely filed. If the debtor completes the plan or seeks a hardship discharge, the debtor may contend that any balance owing upon the claim will be discharged.

2. The debtor's failure to timely file claims for the above creditors was due to the following excusable neglect [see *Federal Rules of Bankruptcy Procedure (FRBPs) 3004 and 9006(b)(1)*]:

3. Allowance and future payment of the claims as if such claims were timely filed will benefit the debtor, for any listed creditor who was scheduled in time to file a claim before expiration of the bar date, as follows [*if applicable, explain each separately*]:

4. Allowance and future payment of the claims as if such claims were timely filed will affect general unsecured creditors (other than those creditors listed in paragraph 1) as follows [*choose one option*]:

The plan provides that general unsecured creditors will receive a fixed percentage on their claims. Dividends payable on allowed unsecured claims will not be affected by this motion.

The plan provides that debtor must make plan payments for a fixed period of time. Allowance of this motion and future payment of the additional claims as if they were timely filed will result in a reduction of the dividend paid to other general unsecured creditors.

Other:

Date Signature OSB#, if attorney

Debtor's Address and Last 4 Digits of Taxpayer ID#

Phone #

Certificate of Service

I certify that on _____

(1) copies of (a) this motion, (b) the notice of any pending confirmation hearing plus all documents required to be attached thereto indicating any proposed plan under consideration, (c) the latest, if any, confirmed or approved plan and the order confirming that plan, (d) any pending notice of modification of plan and all required attachments thereto, and (e) the applicable proof of claim were served on each creditor listed in paragraph 1 above;

(2) copies of (a) this motion and (b) all applicable proofs of claim were served on the trustee; and,

(3) this motion was served on all creditors or, per Local Bankruptcy Rule (LBR) 2002-1(j), if the applicable time period described in FRBP 2002(h) has passed, 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 movant.

Signature OSB#, if attorney

UNITED STATES BANKRUPTCY COURT
DISTRICT OF OREGON

In re

Debtor

Plaintiff

v.

Defendant

Case No. _____
Amended

Adv. Proc. No. _____

STATEMENT RE PARTY'S ADDRESS

If the party is represented by an attorney who is not an ECF participant, the name and preferred service address of the attorney are:

The party's address is [*do not use attorney's address here*]:

This address is the party's—

Office.

Home, dwelling house, or place of abode.

Other: _____.

Date

Signature

OSB#, if attorney