

1 UNITED STATES BANKRUPTCY COURT
2 NORTHERN DISTRICT OF CALIFORNIA

3
4 In re
5 CHAPTER 13 DEBT ADJUSTMENT
6 CASES
7

8 GENERAL ORDER 34

9 (a) Mandatory Form Plan. For chapter 13 cases filed or
10 converted to chapter 13 on or after December 1, 2017, all chapter 13
11 debtors, as well as the chapter 13 Trustee and holders of unsecured
12 claims, when proposing a plan or a plan modification pursuant to 11
13 U.S.C. §§ 1321, 1323 and 1329(a), shall utilize Form NDC 1-1, the
14 standard form chapter 13 plan.

15 (b) Chapter 13 Debtor's Duties. In addition to the duties
16 imposed on a chapter 13 debtor by the Bankruptcy Code, the Federal
17 Rules of Bankruptcy Procedure, applicable non-bankruptcy law and
18 elsewhere in the Bankruptcy Local Rules and General Orders, the
19 following duties are imposed on chapter 13 debtors:

20 (1) Documents Required by chapter 13 Trustee. Not later
21 than fourteen (14) days after the filing of the petition or
22 conversion of the case, Debtor shall provide to the chapter 13
23 Trustee:

24 (A) Form NDC 1-2 (Domestic Support Obligation
25 Checklist), or written notice of the name and address of
26 each person to whom debtor owes a domestic support

1 obligation, together with the name and address of the
2 relevant state child support enforcement agency (See, 42
3 U.S.C. §§ 464 and 466);

4 (B) Form NDC 1-3 (Class 1 Checklist) for each Class 1
5 claim; and

6 (C) Form NDC 1-4 (Authorization to Release Information
7 to Trustee Regarding Secured Claims Being Paid by the
8 Trustee).

9 (2) Periodic Reports.

10 (A) Upon the chapter 13 Trustee's request, debtor
11 shall provide the Trustee with a copy of any tax return,
12 W-2 and 1099 form filed or received while the case is
13 pending, and furnish the Trustee with periodic financial
14 information regarding the debtor's business or financial
15 affairs.

16 (B) Debtor shall file with the bankruptcy court a
17 declaration signed under penalty of perjury stating debtor
18 has made the post-petition payments debtor proposed to be
19 made directly to each applicable named Class 1 Creditor,
20 and attach to each declaration proper documentary evidence
21 of the payments made (the "Declaration"). **Prior to**
22 **confirmation** of the plan, such Declaration(s) shall be
23 filed five days before the original and all continued
24 meetings of creditors and any contested confirmation
25 hearings, or continued contested confirmation hearings.
26 The bankruptcy court will not confirm a Chapter 13 plan

1 (and may dismiss the Chapter 13 case) if the Debtor is not
2 current on these post-petition/pre-confirmation payments.
3 **Post confirmation** of each year the plan is pending, such
4 Declarations shall be filed on a quarterly basis no later
5 than January 20, April 20, July 20 and October 20. The
6 final Declaration, however, shall be filed within twenty-
7 one days of the last plan payment being received by the
8 Trustee. The bankruptcy court may dismiss the Chapter 13
9 case if the Debtor is not current on these post-
10 confirmation payments.

11 (C) Additional reports may be required by the court.
12

13 IT IS SO ORDERED.
14

15 Dated: November 6, 2017

16 _____
17 Roger L. Efremsky
18 Chief Bankruptcy Judge
19
20
21
22
23
24
25
26