District Wide Mandatory Chapter 13 Form Plan

1. Download the District Wide Mandatory Chapter 13 Form Plan to your computer (Open these files **in Adobe Reader 8 (or greater)** or **Acrobat 8 Professional (or greater)**. To get **Adobe Reader** (for free), go to: http://www.adobe.com/products/acrobat/readstep2.html). Access the Mandatory Form Plan via the Courts' website.

    a. https://www.ohsb.uscourts.gov/ ⟶ Rules and Forms ⟶ Mandatory Chapter 13 Form Plan

2. Save the *.pdf document and give it a file name that is meaningful to the case. You may need to modify this *.pdf document and submit it later as an amended plan.

3. Completing the Plan:

Page 1:

    a. Division – Using the drop-down list, select the division where the case is pending.
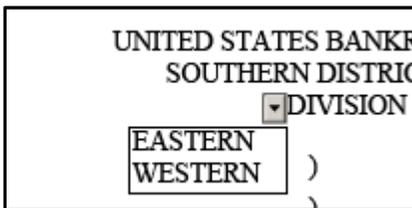
    b. Office – Using the drop down list, select the appropriate office.
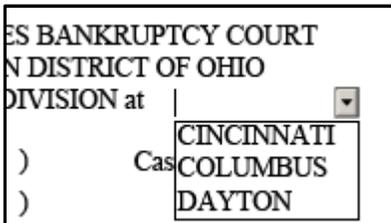
    c. Debtor – Enter the name of each Debtor, including fkas, nkas, dbas, fdbas, etc. The form will accommodate up to five names. When you enter a sixth name, a scroll bar will automatically appear.

    d. Case Number – Enter the case number (if you know it).

    e. Judge's Name – Select the Judge's name (if you know it) from the drop down list.
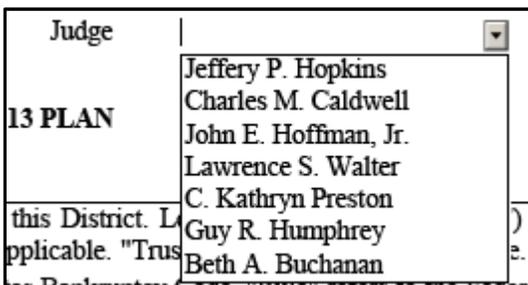
f. Discharge Box – If a Debtor **is not** eligible for a discharge, check the appropriate box and enter the name of the Debtor/Joint Debtor.

Unless otherwise checked below, the Debtor is eligible for a discharge under § 1328(f).

☐ Debtor _____ is **not eligible** for a discharge.

☒ Joint Debtor _____Jane Doe_____ is **not eligible** for a discharge.

Throughout the Plan:

a. Check Boxes – Some sections have only one Check Box and some have multiple Check Boxes. Please Check or Select the item(s) in each section that is appropriate.

b. Dates – Should be entered in either MM/DD/YY or MM/DD/YYYY format or use the popup calendar by clicking the arrow button at the right of the date field.

Purchase/ Transaction Date	Value of Property

◄	November, 2016					►
Sun	Mon	Tue	Wed	Thu	Fri	Sat
30	31	1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	1	2	3
4	5	6	7	8	9	10

Today: 11/28/2016

c. Tables – There are several tables which, if applicable to your case, require the entry of data. There are four buttons associated with each table:

The **[+]** button adds another row to the table.

+	Name of Creditor	Property Description	Purchase Date	Estimated Claim Amount	Interest Rate	Minimum Monthly Payment Including Interest	
X	ABC Bank, Inc.	2013 Automobile Model	6/1/2014	17,995.00	4.75	319.00	S C
X							S C

The **[X]** button deletes a row from the table.

+	Name of Creditor	Property Description	Purchase Date	Estimated Claim Amount	Interest Rate	Minimum Monthly Payment Including Interest	
X	ABC Bank, Inc.	2013 Automobile Model	6/1/2014	17,995.00	4.75	319.00	S C

The **[C]** button highlights the entry in yellow.

+	Name of Creditor	Property Description	Purchase Date	Estimated Claim Amount	Interest Rate	Minimum Monthly Payment Including Interest		
X	ABC Bank, Inc.	2013 Automobile Model	6/1/2014	17,995.00	4.75	319.00	S	C

The **[S]** button highlights the entry in yellow and strikes through any text in the line.

+	Name of Creditor	Property Description	Purchase Date	Estimated Claim Amount	Interest Rate	Minimum Monthly Payment Including Interest		
X	~~ABC Bank, Inc.~~	~~2013 Automobile Model~~	~~6/1/2014~~	~~17,995.00~~	~~4.75~~	~~319.00~~	S	C

d. <u>Indicating Changes in Amended Plans</u> – Any changes from the original plan must be highlighted. Click the **[C]** button on the form to highlight your changes. Clicking the **[C]** button again removes the highlighting. **<u>Only highlight items that are changes from the original plan (or the most recently amended plan).</u>**

e. <u>Indicating Removed Items in Amended Plans</u> – Any removed items from the original plan must be stricken. Click the **[S]** button on the form to highlight and strikethrough any items being removed from your original plan. Clicking the **[S]** button again removes the highlighting and strikethrough. **<u>Only strikethrough items being removed from your original plan (or the most recently amended plan).</u>**

f. <u>Certificate of Service</u> – You are responsible for completing the certificate of service and serving the plan.

Certificate of Service

I hereby certify that a copy of the foregoing Plan was served (i) **electronically** on the date of filing through the court's ECF System on all ECF participants registered in this case at the email address registered with the Court and (ii) by **ordinary U.S. Mail** on _____ addressed to:

[Name(s) and Mailing Address(s)]

and (iii) by method of service as required by Bankruptcy Rule 7004 (specify method)

[Name(s) and Mailing Address(s)]

/s/ (NAME) _____

Enter the date of service and the names and addresses of all parties that were served via U.S. Mail or by other method as required by Bankruptcy Rule 7004. Enter your name on the electronic signature line. *Note: A scroll bar will appear when entering multiple names and addresses; all names and addresses will display when the plan is printed.*

g. Printing the Plan – Once the plan is completely filled in, you must print the plan as an Adobe .pdf document to submit it to CM/ECF. Click the **[Print to PDF]** button on the form (located in the top right corner of every page. This accomplishes two things: it will open the Print Dialog box and it will ensure that all of the buttons (A, X, S and C) and drop-down boxes that appear on the form are eliminated in the final uploaded version. Choose "Adobe PDF" in the Name: drop-down box (see below). Click the OK Button. Give the file a unique name. This is the file you will upload to CM/ECF.
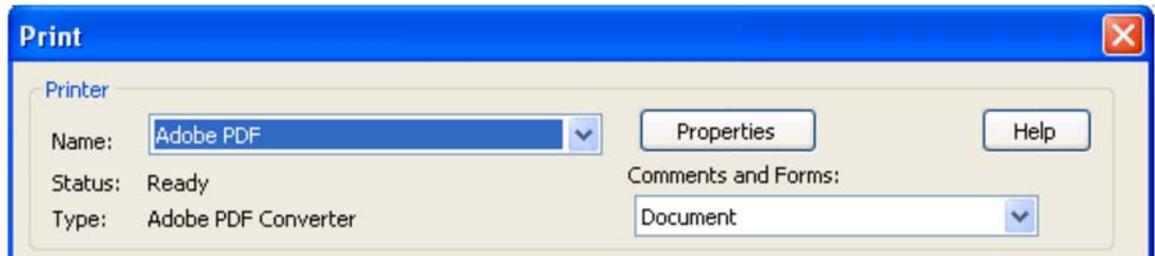
h. Saving the Plan **– Note that highlighting and strikethroughs will not save in the modifiable version of your plan. IF you have uploaded a plan with a STRIKETHROUGH, you MUST remember, after converting the document into a .pdf version to be uploaded, to go back and delete all rows in tables with strikethroughs.**

Below are some helpful tips on how to best save your plans:

Initial Plan:
1. Complete the fillable form. After the data has been entered, you should save a copy of the .pdf file. Should you need to amend this plan at a later time, you will want to start with this version of the file. **Warning: Do not upload this file to CM/ECF – if you can see buttons (i.e. the [Print to PDF] button) on the form, the form is not in the proper format for uploading to CM/ECF. If you upload this file in error, it will come back in the exception report. You will then be required to re-file the plan in the proper format.**

2. "Save As" (File > Save As > PDF) it with a meaningful name (i.e., "Smith Plan").
3. Click the **[Print to PDF]** button as outlined above to create a flat .pdf file suitable for uploading to CM/ECF. A flat .pdf means that you will no longer see any buttons on the form, the check boxes will no longer work, and the form will no longer be a dynamic, interactive fillable form. Be sure to save this version to be uploaded to CM/ECF (e.g., "Smith Plan ECF").
4. Upload the "Print to PDF" version (i.e., "Smith Plan ECF") to CM/ECF.

First Amended Plan:

1. Go back to saved "Smith Plan."
2. Make applicable changes, remembering to use the **[C]** button to highlight any amendments and the **[S]** button to indicate where you are removing rows from a table.
3. "Save As" with a meaningful name (i.e., "Smith Amended Plan").
4. Click the **[Print to PDF]** button as outlined above (to create a flat .pdf version to upload to CM/ECF). Be sure to save this version to be uploaded to CM/ECF (i.e., "Smith Amended Plan ECF").
5. Upload the "Print to PDF" version (i.e., "Smith Amended Plan ECF") to CM/ECF.
6. IF your changes included any strikethroughs, you will need to go back (in the modifiable version) and use the **[X]** button to delete any rows with stricken language (this is because Adobe will NOT save any strikethroughs or highlighting).
7. Save your modifiable version (i.e., "Smith Amended Plan Strikethrough Removed") to preserve your changes.

Second (or Subsequent) Amended Plan:

1. Go back to saved "Smith Amended Plan" or "Smith Amended Plan Strikethrough Removed" (as the case may be).
2. Make applicable changes, remembering to use the **[C]** button to highlight any amendments and the **[S]** button to indicate where you are removing rows from a table.
3. "Save As" with a meaningful name (i.e., "Smith Second Amended Plan").
4. Click the **[Print to PDF]** button as outlined above (to create a flat .pdf version to upload to CM/ECF). Be sure to save this version to be uploaded to CM/ECF (i.e., "Smith Second Amended Plan ECF").
5. Upload the "Print to PDF" version (i.e., "Smith Second Amended Plan ECF") to CM/ECF.
6. IF your changes included any strikethroughs, you will need to go back (in the modifiable version) and use the **[X]** button to delete any rows with stricken language (this is because Adobe will NOT save any strikethroughs or highlighting).
7. Save your modifiable version ("Smith Second Amended Plan Strikethroughs Removed") to preserve your changes.

i. Uploading Plans – Remember, you MUST upload the version of your plan that was printed to PDF. If you mistakenly upload the modifiable version, you will receive a Notification of Deficiency.

Entering Embedded Relief Requests in CM/ECF

If your plan contains any of the relief requests listed below, **for which you do not intend to file a separate document requesting the relief**, you must note the relief request when filing your plan in CM/ECF.

- Request to cramdown real property [Paragraph 5.1.2]
- Request to cramdown personal property [Paragraph 5.1.4]
- Request for rejection of executory contract or unexpired lease [Paragraph 5.1.6]
- Request for assumption of executory contract or unexpired lease [Paragraph 5.1.6]
- Request to eliminate wholly unsecured mortgage/lien [Paragraph 5.4.1]
- Request for lien avoidance [Paragraph 5.4.2 and/or 5.4.3]

When filing the Chapter 13 Plan in CM/ECF a requested relief screen will display. Check the applicable box for any of the reliefs that are being requested within the plan.