

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF OHIO

FILED

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RICHARD JONES
CLERK OF COURT
U.S. BANKRUPTCY COURT
DAYTON, OHIO

IN RE

GENERAL ORDER NO. 42-1

TEMPORARY SUPPLEMENTAL
PROCEDURES FOR SUSPENSION OF
CHAPTER 13 PLAN PAYMENTS

This Court issues this General Order in response to the outbreak of Coronavirus Disease 2019 (COVID-19) in Ohio, the state of emergency declared by the Governor of the State of Ohio, Michael DeWine, and the interruption in employment that many Chapter 13 debtors are experiencing.

Effective immediately, and until further notice, Chapter 13 debtors who are experiencing a reduction or interruption in income due to COVID-19 may obtain the immediate suspension or reduction of Chapter 13 plan payments. Relief may be sought through either an agreed order or a motion and proposed order.

1. Agreed Order: Notwithstanding LBR 3015-2(e) (requiring the filing of a motion to initiate a request for a temporary suspension or reduction of Chapter 13 plan payments), debtor(s) counsel and the Chapter 13 Trustee may submit an agreed order temporarily reducing or suspending plan payments. The agreed order must include the following:

(a) A statement that the reduction or suspension in payments is necessary because of a change in financial conditions as a result of COVID-19;

(b) A provision that all creditors and parties in interest shall have 21 days from the date of service of the order within which to file objections.

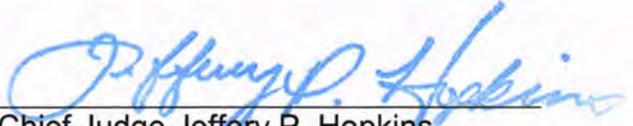
2. Motion: The debtor may file a motion to suspend or reduce plan payments. The motion must include a statement that the reduction or suspension in payments is required because of a change in financial conditions as a result of COVID-19. Notwithstanding

LBR 9013-1(a)(1)(C), a proposed order granting the motion may be uploaded simultaneously with the motion. The proposed order must include a provision that all creditors and parties in interest shall have 21 days from the date of service of the order within which to file objections.

IT IS SO ORDERED.

Dated: April 6, 2020

FOR THE COURT



Chief Judge Jeffery P. Hopkins
United States Bankruptcy Court
Southern District of Ohio