**IN THE UNITED STATES BANKRUPTCY COURT**

**FOR THE NORTHERN DISTRICT OF ALABAMA**

**EASTERN DIVISION**

|  |  |  |
| --- | --- | --- |
| **In re:****Click to enter DEBTOR and JOINT DEBTOR,** **Debtor(s).** |  | **Case No. Case number-JJR****Chapter 13** |

**MOTION TO MODIFY PLAN TO USE INSURANCE PROCEEDS**

The Debtor(s)’ describe vehicle was wrecked OR totaled in an accident on or about date. Insurance proceeds in the amount of approximately $full amount will be paid by name of insurance company, which insured the other party OR debtor. The lienholder is lienholder's name as shown by proof of claim #claim #, and the secured claim balance is approximately $amount. The Debtor(s) move the Court to require the insurance company to pay the full amount of the insurance proceeds to the Trustee, who shall then disburse those funds toward the balance of the secured claim. The remaining balance of the secured claim, if any, shall be treated as unsecured OR continue to be paid as secured.

The insurance proceeds exceeding the secured claim balance, if any, shall be used as agreed between the Debtor(s) and Trustee (to replace the vehicle, as an additional plan payment, or as exempt to the extent allowed on Schedule C).

**Check at least one and check all that apply (failure to check the box will make the provision ineffective):**

[ ]  The plan shall otherwise remain unchanged.

[ ]  The plan payment shall increase OR decrease from $current payment amount paid frequency to $modified amount paid frequency.

[ ]  The plan term shall be modified to number of months months.

[ ]  Additional modifications to the plan include: specify here any change in approximate or actual percentage and state whether that is an increase or decrease, any changes in the base and whether that is an increase or decrease, cure delinquency language, etc.

Dated: Enter or select a date.

Signature of Attorney for Debtor

 Enter Name

 Enter Address

 Enter Telephone No.

 Enter Email Address

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, I served this Motion to Modify Plan to Use Insurance Proceeds on the official matrix (which is attached hereto showing today’s date), including the lienholder named above, by regular mail through the United States Postal Service with sufficient postage prepaid.

Dated: Enter or select a date.

Signature of Attorney for Debtor