

## **Practice Pointers for Filing a Motion to Modify Plan After Confirmation in a Chapter 13 Case**

December 15, 2022

The following practice pointers are offered as best filing practices for debtors' counsel in chapter 13 cases. When counsel does not follow the recommended steps, the Clerk's office may issue a Notice of Incorrect Event for the motion filed.

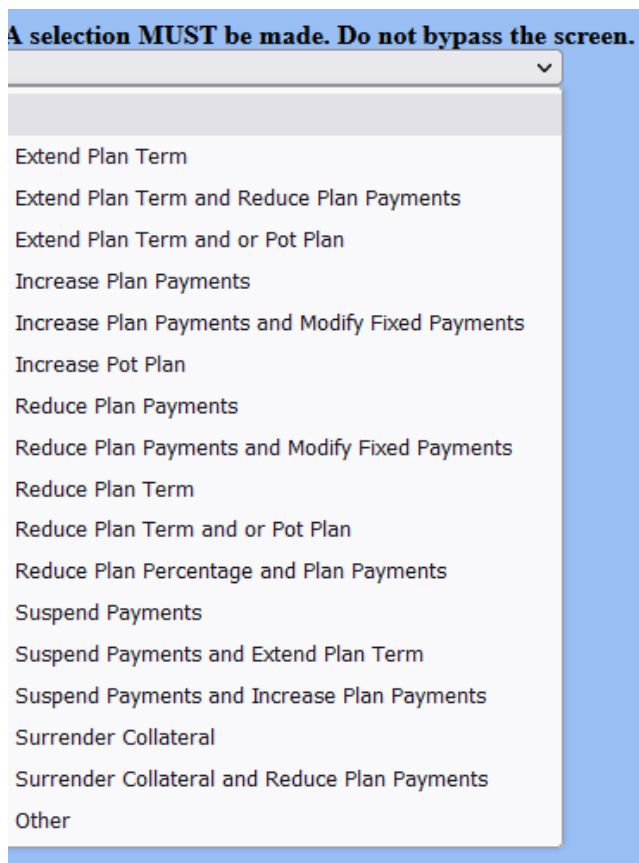
When filing a *Motion to Modify Plan after Confirmation in a Chapter 13 Case*, the filer should select:

**Bankruptcy > Motions/Applications > Modify Plan.**

All post-confirmation modifications of the plan should be docketed using *Motion to Modify Plan*.

The *Motion to Modify Plan* docket event has been updated so that the filer can include the specific modification requests in the final docket text. A drop-down list has been created and the filer **MUST** make a selection to proceed:

**A selection MUST be made. Do not bypass the screen.**

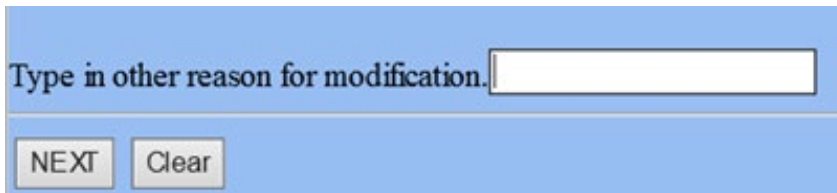


The image shows a screenshot of a web-based form. At the top, there is a blue header with the text "A selection MUST be made. Do not bypass the screen." Below this is a drop-down menu with a downward arrow. The menu is open, showing a list of 17 options for modifying a plan. The options are: Extend Plan Term, Extend Plan Term and Reduce Plan Payments, Extend Plan Term and or Pot Plan, Increase Plan Payments, Increase Plan Payments and Modify Fixed Payments, Increase Pot Plan, Reduce Plan Payments, Reduce Plan Payments and Modify Fixed Payments, Reduce Plan Term, Reduce Plan Term and or Pot Plan, Reduce Plan Percentage and Plan Payments, Suspend Payments, Suspend Payments and Extend Plan Term, Suspend Payments and Increase Plan Payments, Surrender Collateral, Surrender Collateral and Reduce Plan Payments, and Other.

- Extend Plan Term
- Extend Plan Term and Reduce Plan Payments
- Extend Plan Term and or Pot Plan
- Increase Plan Payments
- Increase Plan Payments and Modify Fixed Payments
- Increase Pot Plan
- Reduce Plan Payments
- Reduce Plan Payments and Modify Fixed Payments
- Reduce Plan Term
- Reduce Plan Term and or Pot Plan
- Reduce Plan Percentage and Plan Payments
- Suspend Payments
- Suspend Payments and Extend Plan Term
- Suspend Payments and Increase Plan Payments
- Surrender Collateral
- Surrender Collateral and Reduce Plan Payments
- Other

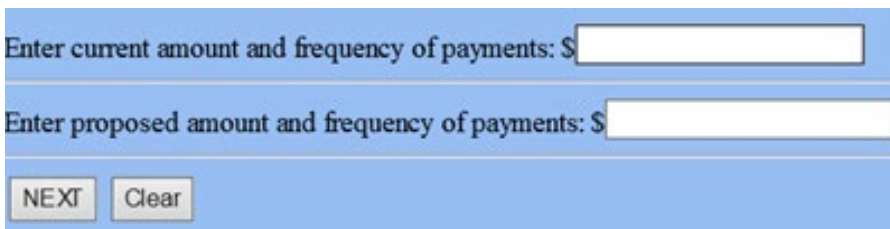
- If your client's motion seeks a combination of modifications and one or more of them is not listed in the drop-down list, then select the option that most accurately describes the modifications and add additional descriptions manually at the end of the docket text.

- If your client's motion seeks a single type of modification not described in the drop-down list, select "**Other**" and type in the reason for the modification, as shown below. The text entered manually will appear on the final docket text.



Type in other reason for modification.

- If a selection is made for increasing or reducing your client's plan payments, the screen below will appear:



Enter current amount and frequency of payments: \$

Enter proposed amount and frequency of payments: \$

The information inserted for the current payment amount and frequency, and the proposed payment amount and frequency, will appear in the final docket text.

A text box will also appear at the end of the docket text to include any other information that will help to accurately describe the modification your client seeks.

Motion to Modify Plan to Extend Plan Term and Reduce Plan Payments from \$406 monthly to \$302 monthly *Reduce % and/or Pot Plan* Filed by Debtor John Doe (Attorney, Kim) (Entered: 02/05/2021)

This additional information will appear in italics at the end of the docket text, as highlighted above, and it should be limited to the action requested in the motion to modify.