

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

IN RE: }
Sequence of Payments by the } Administrative Order No. 17-05
Chapter 13 Standing Trustee } (Eastern Division Only)
}

**ADMINISTRATIVE ORDER ESTABLISHING THE SEQUENCE OF PAYMENTS BY
THE CHAPTER 13 STANDING TRUSTEE**

This Order incorporates the distribution sequence as set out 11 U.S.C. § 1325(a)(5)(B)(iii)(I), as explained in *In re Kirk*, 465 B.R. 300 (Bankr. N.D. Ala. 2012). This order supplements but does not replace or repeal Administrative Order 10-04 entered on July 1, 2010. This Order applies only in Chapter 13 cases pending in the Eastern Division, and is incorporated by reference into the district-wide Chapter 13 Plan for Chapter 13 cases pending in the Eastern Division. The following sequence of payments is authorized for the Chapter 13 Standing Trustee's distribution of funds:

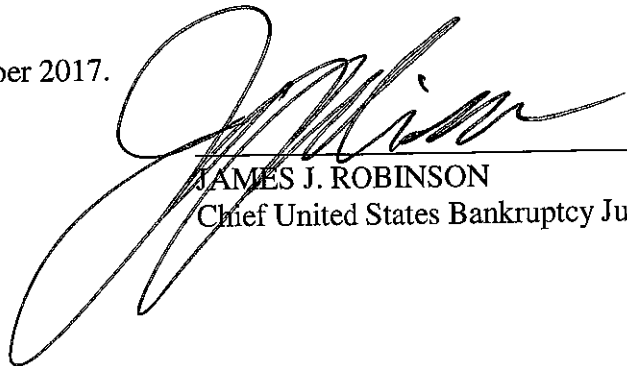
- I. From payments received by the Trustee, the Trustee shall collect her percentage fee currently due from all payments under the Plan.
- II. From pre- and post-confirmation payments made under the Plan, the Trustee shall distribute —
 - (A) Before any other distributions, any unpaid filing fees to the Clerk of the Court due under 28 U.S.C. § 1930(a)(1)(B);
 - (B) Commencing as soon as is practicable following confirmation, monthly payments on claims due under Code § 1326(b); provided that if secured claims are to be paid under the Plan, payments made pursuant to this paragraph shall be made concurrently with each monthly payment to secured claimholders; and provided further that if excess funds remain on hand after paying Trustee's fees, filing fees, all scheduled pass-through maintenance residential mortgage payments that have come due even if no proof of claim has been filed, pre-confirmation adequate protection payments due under the Plan, and the initial fixed monthly payments to secured creditors as set forth in the Plan, then, unless otherwise provided in the Plan or confirmation order, any excess funds on hand may be paid toward the attorney's fee due under the Plan;
 - (C) Commencing with the first distribution after confirmation and monthly thereafter, payments to the holder of each allowed secured claim (provided no objection is pending), in the respective amounts shown in the Plan as confirmed or as later modified, and pursuant to Code § 1325(a)(5)(B)(iii)(I), such payments shall continue for each consecutive month thereafter until said claim is paid in full.

(D) In the manner provided in the Plan, to holders of claims entitled to priority under Code § 507, provided that in any event payment of such claims shall comply with Code § 1322(a)(2) and (4);

(E) Any remaining funds, pro rata to holders of allowed non-priority, unsecured claims;
and

(F) Any debt or claim not addressed by the confirmation order shall be administered in accordance with the Plan and applicable laws.

Dated this 9th day of November 2017.



JAMES J. ROBINSON
Chief United States Bankruptcy Judge