



Western District of Michigan Chapter 13 Plan Instructions

Value Collateral

To check the "Included" box to include *limited on the amount of secure claim* you must have a secured creditor subject to 11 U.S.C. sec 506 and/or Real Property Tax Escrow.

Avoid Lien

To check the "Included" box to include *avoidance of Judicial lien or nonpossessory, nonpurchase-money security interest* you must have a secured creditor with attached property and in the plan options tab check the box for Claim as Exempt & Avoid Lien.

Nonstandard provisions

To check the "Included" box to include nonstandard provisions you must have entered a Plan Provision by going to Plan Manager - tab for Plan Provision and click New to add the provision.

I. Plan Parameters

A. Applicable Commitment period 60 or 36 months will be selected from the Means Test determination.

B. Liquidation Analysis

1. Amount of nonexempt property
2. Amount of nonexempt property minus priority creditors

II. Funding

A. Plan payment – to enter the amount & frequency go to Plan Manager, Pay Order tab. If no pay order is required, amount will be entered in Plan Manager, Details tab, under Payments.

B. Future Plan Payment Increases - to enter the amount go to Plan Manager, Details tab, under Payments

C. Other Plan Payment provisions – to enter nonstandard provisions go to plan manager, Plan Provision tab.

III. Disbursements

A. Administrative Claims

3. **Attorney Fee** -To enter Attorney Fees, go to Petition, General Information and click on the Fees tab
 - a. To check the box and enter monthly amount, go to Plan Manager, Details tab, Plan Options button
 - b. To Check box go to Plan Manager, Details tab, Plan Options Button.
 4. **Expenses advance to the Debtor(s)** – to enter the amounts go to Plan Manager, Details tab, Plan Options button.
- B. Priority Claims**
1. **Domestic Support Obligation (DSO)** – to check the box “by the Trustee” the claim will be marked in plan option “Pay Through Plan”.
 2.
 - a. **Prepetition Priority Claims** - Priority claims (not DSO). To enter the Nature of Debt, go to the claim, Plan Options, enter in Plan Summary Remarks
- C. Secured Claims**
1. **Real Property**
 - b. **Principal Residence Post-Petition Mortgage Payments and Prepetition Arrears** – the secured creditor must have the property attached. The attached property needs to have Principal Residence checked in the Details tab of the property. The address entered under “Property Address”. Parcel number will be added in Plan Options tab of the property (Schedule a/b).

Mortgage principal and interest on one or more mortgages on the principal residence to be paid in full over the life of the plan – go to the secured creditor, principal residence attached as collateral, in Plan Option tab and select “Fixed Payment” and check “Last payment made within plan length”.
 - c. **Non-Residential Post-Petition Mortgage Payments and Prepetition Arrears** - property that is not listed as principal residence will be listed. To select “y” for Taxes & insurance Escrowed, go to the secured creditor, Details Tab, check both boxes “Taxes” and “Insurance” under “Included in Monthly Payment”.
 - d. **Condominium Association Dues**- in the secured creditor, Plan Options, under Plan Section, you must uncheck “Auto assign”, and from the drop-down menu select “C.1.d Condominium Association Dues”.
 - e. **Prepetition Real Property Tax Claims** - in the secured creditor, the amount owed will be entered in the “Amount of Arrearage” box. In Plan Options, Arrearage sub-tab, under Plan Section, you must uncheck “Auto assign”, and from the drop-down menu select “C.1.e Prepetition Real Property Tax Claims”.
 - f. **Real Property Tax Escrow** - in the secured mortgage creditor, Plan Option tab, Escrow subtab you will enter the amount of escrow. Within the attached property (Schedule a/b) in the Plan Options, you will enter the Parcel Number and Taxing Authority.

g. Wholly Unsecured Claim – the secured claim will be the last lien on a property that all the equity has been secured by senior liens.

2. Personal Property

b. Secured Claims Subject for Final Paragraph of 11.U.S.C. § 1325(a) – secured creditors **not** subject to cramdown. The Pre-Conf. APP will be entered in the Plan Options tab of the Secured creditor under Adequate Protection. Check the box next to “Pay Adequate Protection” and select to pay a Percentage of the value of the property check the box entering the percentage in the label box or enter a manual amount by check the box “Use Manual Amount” and enter the amount.

c. Secured Claims Subject to 11.U.S.C. §506 – secured claims subject to cramdown. The collateral value (FMV) and description of the property will be entered in the property schedule and attached to the creditor. In the creditor, Plan Options you will select “Lessor of,” “Asset Value” or “Secured Amount”

3. Secured Claim of Taxing Authorities – in the secured creditor, Plan Options, under Plan Section, you must uncheck “Auto assign”, and from the drop-down menu select “C.3 Secured Claim of Taxing Authorities”.

4. Collateral to Be Surrendered/Executory Contracts to be Rejected – to mark the collateral as surrendered, you will check the Asset Surrender box in Schedule A/B in the details tab of the property, and in the creditor you will select Surrender Asset in the Plan Options tab. The Executory Contract will be rejected from Executory Contract menu, details, and select the Reject radial button under Election.

5. Junior Lien Holders on Surrendered Property – all additional liens under the Senior liens will be listed and will include the amount of the senior lien

D. Assumed Executory Contracts and Unexpired Leases - From the Executory Contract menu, details, and select the Assume radial button under Election.

E. Direct Payment by the Debtor(s) of the Following Debts - any creditor that has in the Plan Options selected Pay Outside of Plan (Direct pay)

F. Unsecured Creditors

General Unsecured Creditors

Payment of a dividend of 100% and an amount listed in Plan Manager, Details tab, in the box label Interest Rate Pay to Unsecureds.

Payment of pro-rata – the amount paid will be listed. You can override this amount in the Plan Manager, Details tab, Plan Options button.

G. Special Unsecured Creditors – in the unsecured creditor, in the Plan Options tab, check the box labeled Specially Classified Unsecured Claim. The Reason for Special Treatment will be entered in the Details tab of the Unsecured Creditor under Type of Non-Priority Claim.

R. Nonstandard Provisions – enter the provision in the Plan Manager, Plan Provisions Tab.