



MSSB PLAN INSTRUCTIONS

Amended Checkbox:

This Check box is selected by clicking Plan Manager and checking the Amended checkbox. This will make a new field visible, "Reason for Amending" where you can enter the reason.

1.1 - A limit on the amount of a secured claim:

This will be checked if creditors are listed in section 3.2 of the plan. These are secured creditors that you have decided to pay the value and not the full claim amount.

1.2 – Avoidance:

This will be checked if creditors are listed in section 3.4 of the plan. These are secured creditors that you are Avoiding the Lien which you can set by going to petition, creditors selecting your creditor, selecting plan options and checking the box for Claim Exempt and Avoid Lien.

1.3 - Nonstandard provisions:

To check the box, you must have entered a Plan Provision to do so go to Plan Manager, click tab for Plan Provision and click New to add a provision.

2.1 – Length of Plan:

The program will display the number of months it takes to pay plan in full, to set the length go to Plan Manager and click the Calculator button. The plan length can be adjusted on the slider bar. You must click save and recalculate after adjusting the length.

2.2 – Debtor(s) will make regular payments to the trustee as follows:

By default, the program will use the Regular Monthly Plan Payment amount and select the frequency as monthly (This amount will be split 50/50 in Joint Cases). To make any changes to this it will be done by going to the Pay Orders tab within the plan manager.

2.3 Income Tax Refunds:

To indicate the treatment for income tax returns you will need to go to Plan Manager, Detail tab and click on Plan Options. Here you will be able to indicate your selection.

2.4 – Additional Payments:

To indicate an additional payment, you would need to add the payment under the additional payment tab located under Plan Manager on the detail tab click on “Additional” tab you will then click the add button.

3.1 Mortgages:

3.1a – Principle Residence Mortgages

This is a Secured Creditor that the Debtor’s Principle Residence has been attached as security for the claim, you must have checked the box for principle residence on the property tab.

Beginning Month:

By default, we will use the date of the first plan payment. This can be overridden by going to Petition, Creditors, selecting the Mortgage Creditor and clicking Plan options and entering the date in the Plan Summary Remarks.

Escrow Included:

To check the box to indicate that escrow is included you will need to go to Petition, Creditors, select the Mortgage creditor and on the Details tab. You will see the checkboxes under Included in Monthly Payments, if any box is checked we will indicate “yes”. If left unchecked we will indicate “no” in which the Debtor will be making payments directly, you must go to petition, creditors, secured creditors and click the Plan Option tab within the creditor, select the button that says, “Direct Pay”.

Through Month:

If the Mortgage Creditor has an arrearage claim you can indicate the date that the arrearage claim is through by going to Petition, Creditors, selecting the Mortgage Creditor and clicking Plan options, you will then click the Arrearage tab and enter the date in the Plan Summary Remarks on that tab.

3.1(b) – Non-Principle Residence Mortgages:

This is a Secured Creditor that is secured by Real Property and that property has been attached as security for the claim. This will not be the Debtor's principle residence.

Beginning Month:

By default, we will use the date of the first plan payment. This can be overridden by going to Petition, Creditors, selecting the Mortgage Creditor and clicking Plan options and entering the date in the Plan Summary Remarks.

Escrow Included:

To check the box to indicate that escrow is included you will need to go to Petition, Creditors, select the Mortgage creditor and on the Details tab you will see the checkboxes under Included in Monthly Payments. If any box is checked, we will indicate "yes". If left unchecked we will indicate "no" in which the Debtor will be making payments directly, you must go to petition, creditors, secured creditors and click the Plan Option tab within the creditor, select the button that says, "Direct Pay".

Through Month:

If the Mortgage Creditor has an arrearage claim you can indicate the date that the arrearage claim is through by going to Petition, Creditors, selecting the Mortgage Creditor and clicking Plan options, you will then click the Arrearage tab and enter the date in the Plan Summary Remarks on that tab.

3.1(c) – Mortgage claim to be paid in full over the plan term:

This is a Secured Creditor that is secured by Real Property and that property has been attached as security for the claim. This will not be the Debtor's principle residence. On the creditors tab you will need to go to plan options, make sure the box that indicated that it will be paid within plan length is checked, you will also need to enter the Special Claims for taxes, this is located on the plan tab within the creditor under Additional Options.

3.2 – Request for Valuation:

This creditor will be secured and have an asset attached, you will also be paying the value of the asset within the term of the plan and have check the button to pay asset value on the plan tab within the creditor selected.

3.3 – Secured Claims excluded from 11 U.S.C. § 506:

This creditor will be secured and have an asset attached, you will also be paying the claim and not the value of the asset within the term of the plan.

3.4 – Motion to avoid lien pursuant to 11 U.S.C. § 522:

This creditor will be secured and have an asset attached, you will also be paying the value of the asset within the term of the plan and have check the button to pay asset value and the avoid claim box on the Plan Options tab within the creditor the amount to be avoided will be the difference of the claim and value of properties attached. You can enter the Lien Identification information in the Plan Summary Remarks on the Plan Options tab.

3.5 – Surrender of Collateral:

Secured creditors that have the surrender option on the plan options tab will print here.

4.1 – General:

This information is provided by the Court and cannot be changed in the program.

4.2 – Trustee fees:

This information is provided by the Court and cannot be changed in the program.

4.3 – Attorney fees:

No look fee:

This selection is for Flat fees, go to Petition, General Information and click on the fees tab select Flat Fee from the drop-down menu.

Hourly fee:

This selection is for Fee Applications, you will need to go to Petition, General Information and click on the fees tab select Hourly (set for Matters) selection from the drop-down menu and enter the Defaulted Hourly Rate for Matter.

4.4 – Priority Claims other than attorney fees and those treated in § 4.5:

These will be Priority Creditors and the priority type will be Taxes or Penalties Owed to Governmental Units. Go to Petition, Creditor, Priority Creditors, when entering the creditor, you must also select the check box for Federal (Internal Revenue Service), State (Mississippi Dept. of Revenue) or Other. If you have more than one creditor for any section, we will combine the amount and list the combined amount in this section.

4.5 – Priority Claims (DSO):

These will be Priority Creditors and the priority type will be Domestic Support Obligations. You must also click on the Plan Options tab to set how the claim will be paid under Plan intentions. If it will be payroll deductions you will need to scroll down and check the box labeled payroll deductions, the beginning month will be based on the start month for the payment (i.e. if the plan starts 10/28/2020 but you start making payments in month 3, your beginning month will be 12/28/2020. For arrearages you will need to click on the Arrearage tab in Plan Options within the creditor, the through date will be the plan date you can unless you enter a different date in the section “Arrearage through date”, to enter a different term to be paid you will need to enter the term in the plan summary remarks and you will enter how this is to be paid under Plan intentions. If it will be payroll deductions you will need to scroll down and check the box labeled payroll deductions.

5.1 – Nonpriority unsecured claims:

This information is automatically generated by the program, you must go to Plan Manager, Plan Options and select the box that applies (**leave data entry fields blank to use software calculations**), if you would like to override the software generated numbers you can enter them here.

5.2 – Other separately classified nonpriority unsecured claims:

The creditor that is displayed here is a special class unsecured creditor, you must go to the plan options tab within the unsecured creditor and select the box that says, “Specially Classify Unsecured Claim”. If you would like it to be a long-term debt, uncheck the box labeled, “Last payment made within the plan length”. You will also be able to enter the basis for the separate classification on this tab.

6.1 – Executory Contracts:

Assumed Executory Contracts will print here. You must go to petition, executory contracts, Plan Option tab within the creditor to indicate if payments will be paid directly or by trustee. If there is an arrearage claim you must select the arrearage tab to make your selection there you will also indicate the Treatment of Arrearage in the Plan summary remarks.

7.1 – Property of the estate will vest in the debtor(s) upon entry of discharge:

This information is provided by the Court and cannot be changed in the program.

8.1 – Nonstandard Plan Provisions:

This is entered as a Plan Provision, to do so go to Plan Manager, click tab for Plan Provision and click New to add a provision.