



Eastern District of Tennessee Chapter 13 Plan Instructions

Value Collateral

To check the “Included” box to include *Limits on the amount of secured claim* you must have a secured creditor, with attached property, subject to 11 U.S.C. sec 506. [See plan provision in Section 3.2.]

Avoid Lien

To check the “Included” box to include *avoidance of Judicial lien or security interest* you must have a secured creditor with attached property, in plan option tab check the box for Claim as Exempt & Avoid Lien. [See plan provision in Section 3.4.]

Nonstandard provisions

To check the “Included” box to include nonstandard provisions you must have entered a Plan Provision in the Plan Manager. Click tab for Plan Provision and click New to add a provision. [See plan provision in Section 8.1.]

Part 2: Plan Payments and Length of Plan

2.1 Debtor(s) will make regular payments to the trustee as follows: By default, the program will display the payments on a monthly basis in the Debtor 1 field of the plan. To enter an amount & frequency other than monthly, go to Plan Manager, Pay Order tab to specify the details.

2.2 Federal Income Tax Refunds - To check boxes, go to the Plan Manger, Details tab, Options button.

2.3 Additional Payments (Complete if applicable.) – additional payments can be added in the Additional tab within the Details tab of the Plan Manager.

Part 3: Treatment of Secured Claims

3.1 Maintenance of Payments and Cure of Default, If Any (Complete if applicable.) – Secured creditors that go beyond the length of the plan. In Plan Options, within the creditor menu, under Pay Method, you will select *Fixed Payment*, uncheck the box for Last payment made in the length of the plan.

3.2 Request for Valuation of Security, Payment of Fully Secured Claims, and Modification of Undersecured Claims - 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 menu, Plan Options you will select *Lessor of, Asset Value, or Secured Amount*.

3.3 Secured Claims Excluded from 11 U.S.C. § 506 (Complete if applicable.) - secured creditors **not** subject to cramdown. Attach the property and in Plan Options you will select *Claim Amount* under amount to be paid.

3.4 Lien Avoidance – secured creditor with collateral attached. Collateral would be entered in the Property schedule and exemption added. In Plan Options, in the secured creditor, under Secured Creditor Options, check *Claim Exempt & Avoid Lien*.

3.5 Surrender of Collateral (Complete if applicable.) - to mark the collateral 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.

3.6 Secured Claims Paid by Third Party (Complete if applicable.) – Secured creditor with attached property. In the Plan Options of the creditor menu, you will select *Pay Outside of Plan (Direct Pay)*. In Plan Summary Remarks enter the Third Party's Name.

Part 4: Treatment of Priority Claims

4.1 General

4.2 Attorney's Fees - To enter Attorney Fees, go to Petition, General Information and click on the Fees tab.

4.3 Domestic Support Obligations – Priority claim, Type of Priority will be Domestic Support Obligations.

Part 5: Treatment of Nonpriority Unsecured Claims

5.1 Nonpriority Unsecured Claims Not Separately Classified – all options can be checked in the Plan Manager in *Plan Options*

5.2 Postpetition Claims - all options can be checked in the Plan Manager in *Plan Options*

Part 6: Executory Contracts and Unexpired Leases

6.1 The executory contracts and unexpired leases listed below are assumed and will be treated as specified. – Executory contract will be marked with assumed.

Part 7: Vesting of Property of the Estate

Part 8: Nonstandard Plan Provisions - enter the provision in the Plan Manager, Plan Provisions Tab.