

**AMENDMENT TO CHAPTER 13 PLAN** -- is effective when deleting or changing amounts owed an unsecured creditor or adding an unsecured creditor which was initially omitted from the schedules and the added unsecured creditor is treated in the exact manner as all other unsecured creditors. This is one example of an amendment to a Chapter 13 plan and is not intended to be exclusive.

**USUALLY ANY OTHER CHANGES TO THE "PLAN" WILL REQUIRE A MODIFICATION**

**PROCEDURE FOR AMENDING CHAPTER 13 SCHEDULES**

**Prepare Amended Schedules**

- copy the original page(s) of schedules which are affected by the amendment (NOTE: debtor(s) original signature required on unsworn declaration)
- type "**AMENDED**" & **Debtor's Name & Case Number** at top of each page
- white out or add any information on these pages
- mark each change with asterisks (\*\*\*)
- **Unsworn Declaration Under Penalty of Perjury**  
in accordance with FRBP 1008, 28 USC § 1746 the following statement is required to be provided with each amendment: "I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct." and must contain the original signature of the debtor(s). If there are multiple pages of schedules being amended, the declaration under penalty of perjury is not required to be typed on each page, a declaration on the last page of the schedules listing all schedules amended with the original signature of the debtor(s) is all that is required. (see attached example)

**Prepare Amended Matrix**

- type "**AMENDED**" at the top of the matrix
- add or delete any creditor(s) (when deleting, place XXXX through address)
- file this matrix with the Clerks office
- mark additions with asterisks (\*\*\*)
- do not submit amended matrix on diskette

**Prepare a Notice of Amendment** (see attached sample notice)

- type correct **debtor's name, all other names used by the debtor(s) within the last six (6) years before filing the petition, social security number of the debtor(s), and case number**
- list the name and address of each affected party (include Case Trustee and U. S. Trustee)

**Distribute Amendment**

- mail to the affected creditor(s)
- (a) 1 copy of the Notice of Amendment with §341 meeting Notice attached
- (b) 1 copy of the Mini Plan mailed to added creditor(s) only
- (c) 1 copy of amended schedules
- mail to the Case Trustee and U. S. Trustee
- (a) 1 copy of the Notice of Amendment with §341 meeting notice attached
- (b) 1 copy of amended schedules
- (c) 1 copy of amended mailing matrix (master address list)  
(Case Trustee - Hattiesburg & Eastern Divisions only)
- file with the Clerk's Office
  - (original in Gulfport office)
  - (original + 1 copy in Jackson office)
- (a) Notice of Amendment with §341 meeting notice attached
- (b) amended schedules
- (c) amended mailing matrix (original only)
- (d) \$26.00 filing fee (When adding, deleting or changing the schedule of creditors) (If you require a FILED stamped copy returned to you by mail, include an extra copy plus a self-addressed, stamped envelope)

IT IS NOT NECESSARY TO FILE A MOTION AND ORDER WHEN YOU ARE AMENDING SCHEDULES ONLY THIS NOTICE TO BE USED ONLY WHEN A CHAPTER 13 IS AMENDED

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI

**IN RE:** "EXAMPLE" "EXAMPLE"  
(Debtor(s) name and all other names used by the debtor(s) within the last six (6) years) **BANKRUPTCY NUMBER** \_\_\_\_\_

(Debtor(s) Social Security No.)

**TO: TRUSTEE (list name and address)**  
**AFFECTED CREDITOR (list name and address of each affected creditor)**  
**U. S. TRUSTEE**

**NOTICE OF AMENDMENT TO SCHEDULES**

**YOU ARE HEREBY NOTIFIED** that the above named debtor(s) has filed with the Bankruptcy Court an Amendment of Schedules that will affect you as a creditor (see copy of §341 Meeting of Creditors notice attached).

**YOU ARE FURTHER NOTIFIED** that if you wish to examine the debtor(s) under oath, you must request of the U. S. Trustee an adjourned §341 Meeting of Creditors. Said request should be filed within twenty (20) days of the mailing of this notice.

**YOU ARE FURTHER NOTIFIED** that should you desire to file an objection to the plan, you should do so within twenty (20) days of the mailing of this notice in the form of a written pleading.

**YOU ARE FURTHER NOTIFIED** that any added creditor is given thirty (90) days from the date of mailing of this notice to file a proof of claim.

**DATED** this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Attorney for Debtor(s)

**CERTIFICATE OF SERVICE**

I, the undersigned attorney for the above listed debtor(s), do hereby certify that I have this date mailed a true and correct copy of the above Notice of Amendment to Schedules and copy of the §341 Meeting of Creditors notice to the affected creditor(s) at the above listed address and to the Case Trustee (name and address of Trustee) and to the U. S. Trustee.

**DATED THIS THE** \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

NAME OF ATTORNEY  
ADDRESS  
CITY, STATE & ZIP  
TELEPHONE NUMBER

\_\_\_\_\_  
Signature of Attorney for Debtor(s)