

United States Bankruptcy Court
Southern District of Mississippi

New Procedures for Modification of Chapter 13 Plan

Effective **June 1, 2018**, new chapter 13 plan modification procedures are required for all cases (new and pending cases). See the attached Amended Standing Order.

New Requirements:

If you are modifying an unconfirmed plan:

1. Serve and file Modified Plan.
Event: [[Bankruptcy> Plan> Modified Chapter 13 Plan](#)]
2. Serve and file 30-day Notice and file Certificate of Service.
*New Event: [[Bankruptcy> Notices> Notice of Modified Plan \(30 day\)](#)]

The notice must provide a **30 day objection period** and include a certificate of service indicating that the trustee, US Trustee, and affected creditors were served.

If the original plan was not noticed as required by Miss. Bankr. L.R. 3015-1(c), notice must be given to **all creditors**.

If you are modifying a confirmed plan:

1. File Motion and Notice to modify plan; Certificate of Service; & Proposed Order.
Event: [[Bankruptcy> Motions/Applications> Modify Plan with 30 day notice](#)]

The motion must provide a **30 day objection period** and include a certificate of service indicating that the trustee, US Trustee, and affected creditors were served with a copy of the motion.

If you have questions, please contact Collette Derouen at 228-563-1793 or collette_derouen@mssb.uscourts.gov.

***Revised Date: May 23, 2018**

Danny L. Miller
Clerk of Court

UNITED STATES BANKRUPTCY COURT
NORTHERN AND SOUTHERN DISTRICTS OF MISSISSIPPI

MAY 11 2018

DANNY L. MILLER, CLERK
BY Deaven DEPUTY CLERK**AMENDED STANDING ORDER
PROCEDURE FOR MODIFICATION OF CHAPTER 13 PLAN**

This amended standing order establishes a procedure for modification of Chapter 13 plans and supplements Miss. Bankr. L.R. 3015-1.

Modification of Chapter 13 Plan Prior to Confirmation

The debtor may file a modification of a Chapter 13 plan with the clerk of court at any time before the plan is confirmed in accordance with 11 U.S.C. § 1323(a). The attorney for the debtor (or the debtor) shall send a notice of such modification to the trustee, United States Trustee, and all creditors affected by the modification. If the debtor has not provided notice of the original plan pursuant to Miss. Bankr. L.R. 3015-1(c), the attorney for the debtor (or the debtor) shall send notice of the modification to all creditors. The notice must include a statement that recipients have 30 days to object to the proposed modification by filing an objection with the court. The attorney for the debtor (or the debtor) shall file a certificate of service, including a copy of the modification and notice attached, indicating that the trustee, United States Trustee, and affected creditors were served with a copy of same. If an objection is timely filed, the court will schedule a hearing.

Modification of Chapter 13 Plan After Confirmation

The moving party shall file a Motion and Notice to Modify Confirmed Plan. The moving party shall issue a notice, with the response date, to the trustee, the United States Trustee, and all creditors affected by the modification. The motion shall include a statement that recipients have 30 days to file an objection to the proposed motion. The moving party shall attach a certificate

of service to the motion and notice, indicating that the trustee, United States Trustee, and affected creditors were served with a copy of same. If no objection is timely filed, the motion may be granted.

This Order amends and supersedes all previous standing orders establishing procedures for modification of Chapter 13 Plan.

SO ORDERED. Effective June 1, 2018.



Edward Ellington
United States Bankruptcy Judge



Neil P. Olack
United States Bankruptcy Judge



Katharine M. Samson
United States Bankruptcy Judge



Jason D. Woodard
United States Bankruptcy Judge