

**Fill in this information to identify your case:**

Debtor 1 \_\_\_\_\_  
 First Name Middle Name Last Name

Debtor 2 \_\_\_\_\_  
 (Spouse, if filing) First Name Middle Name Last Name

United States Bankruptcy Court for the: EASTERN District of KENTUCKY  
 (State)

Case number (if known) \_\_\_\_\_

Check if this is an amended plan, and list below the sections of the plan that have been changed.

\_\_\_\_\_  
 \_\_\_\_\_

Local Form 3015-1(a)

**Chapter 13 Plan**

12/23/21/21

**Part 1: Notices**

**To Debtors:** This form sets out options that may be appropriate in some cases, but the presence of an option on the form does not indicate that the option is appropriate in your circumstances or that it is permissible in your judicial district. Plans that do not comply with local rules and judicial rulings may not be confirmable.

*In the following notice to creditors, you must check each box that applies.*

**To Creditors:** Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated.

You should read this plan carefully and discuss it with your attorney if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you oppose the plan's treatment of your claim or any provision of this plan, you or your attorney must file an objection to confirmation at least 7 days before the date set for the hearing on confirmation, unless otherwise ordered by the Bankruptcy Court. The Bankruptcy Court may confirm this plan without further notice if no objection to confirmation is filed. See Bankruptcy Rule 3015. In addition, you may need to must timely file a timely proof of claim, or a proof of claim must be timely filed on your behalf, in order to be paid under any plan. See Section 3.7 of the plan.

The following matters may be of particular importance. Debtors must check one box on each line to state whether or not the plan includes each of the following items. If an item is checked as "Not Included," or if both boxes are checked, or if neither box is checked, the provision will be ineffective if set out later in the plan.

1.1	A limit on the amount of a secured claim, set out in Section 3.2, which may result in a partial payment or no payment at all to the secured creditor	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.2	Avoidance of a judicial lien or nonpossessory, nonpurchase-money security interest, set out in Section 3.4	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
1.3	Nonstandard provisions, set out in Part 8	<input type="checkbox"/> Included	<input type="checkbox"/> Not included

**Part 2: Plan Payments and Length of Plan**

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

\$	per		for		months
\$	per		for		months
\$	per		for		months

*Insert additional lines if needed.*

If fewer than 60 months of payments are specified, additional monthly payments will be made to the extent necessary to make the payments to creditors specified in this plan.

2.2 Regular payments to the trustee will be made from future income in a manner acceptable to the trustee or as ordered by the court. See KYEB-LBR 3070-1(a), the following manner: Check all that apply.

Debtor(s) will make payments pursuant to a payroll deduction order.

Debtor(s) will make payments directly to the trustee.

Other (specify method of payment):

**2.3 Income tax refunds.** will be retained by the debtor(s) except as otherwise set forth in a nonstandard provision, a separate plan amendment, or as ordered by the court. *Check one.*

Debtor(s) will retain any income tax refunds received during the plan term.

Debtor(s) will supply the trustee with a copy of each income tax return filed during the plan term within 14 days of filing the return and will turn over to the trustee all income tax refunds received during the plan term.

Debtor(s) will treat income tax refunds as follows:

**2.4 Additional payments**—, if any, will be made to the trustee as set forth in a nonstandard provision, a separate plan amendment, or as ordered by the court. *Check one.*

None. If "None" is checked, the rest of § 2.4 need not be completed or reproduced.

Debtor(s) will make additional payment(s) to the trustee from other sources, as specified below. Describe the source, estimated amount, and date of each anticipated payment.

**2.5** The total amount of estimated payments to the trustee provided for in §§ 2.1 and 2.4 is estimated to be \$ \_\_\_\_\_.

**Part 3: Treatment of Secured Claims**

Each holder of an allowed secured claim, which is paid in full during the life of the plan and for which the collateral is not surrendered, shall retain the lien securing the claim until the earlier of: (1) payment of the underlying debt as determined under non-bankruptcy law; or (2) discharge. Should this case be dismissed or converted before the plan is completed, the lien securing an allowed secured claim shall be retained by the holder to the extent recognized by non-bankruptcy law. If relief from the automatic stay is ordered as to any item of collateral listed below, then, unless otherwise ordered by the court, all payments under this plan as to that collateral will cease, all secured claims based on that collateral will no longer be treated by the plan, and the Trustee is authorized to cease all payments to the secured creditor.

**3.1 Maintenance of payments and cure of default, if any.** *Check one.*

None. If "None" is checked, the rest of § 3.1 need not be completed or reproduced.

The debtor(s) will maintain the current contractual installment payments on the secured claims listed below, with any changes required by the applicable contract and noticed in conformity with any applicable rules. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. If neither party is specified, the contractual installment payments will be disbursed directly by the debtor(s).

Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee, with interest, if any applicable, at the rate stated. Unless otherwise ordered by the court, the amounts listed on a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) control over any contrary amounts listed below as to the current installment payment and arrearage. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling.—The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Collateral	Estimated Current installment payment (including escrow)	Estimated Amount of arrearage (if any)	Interest rate on arrearage (if applicable)	Estimated Monthly plan payment on arrearage	Estimated total payments by trustee
		\$ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$	%	\$	\$
		\$ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$	%	\$	\$

Insert additional claims as needed.

**3.2 Request for valuation of security, payment of fully secured claims, and modification of undersecured claims.** *Check one.*

None. If "None" is checked, the rest of § 3.2 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable "Included" box in Part 1 of this plan is checked in § 1.1.

The debtor(s) requests that the court determine the value of the secured claims listed below. For each of the following non-governmental secured claims listed below, the debtor(s) state that the value of the secured claim should be as set out in paid the amount listed below in the column headed Value of collateral (Amount of secured claim) with interest at the rate stated below. For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below. For each listed claim, the value of the secured claim will be paid in full with interest at the rate stated below.

The Any remaining portion of any allowed claim that exceeds the amount of the secured claim will be treated as an unsecured claim under Part 5 of this plan.

If the amount of a creditor's secured claim Value of collateral (amount of secured claim) is listed below as having no value or a value of \$0, the creditor's allowed total amount of the claim will be treated in its entirety as an unsecured claim under Part 5 of this plan.

Unless otherwise ordered by the court, the amount of the creditor's total claim listed on the in a proof of claim controls over any contrary amounts listed below, in this paragraph.

For secured claims of governmental units, unless otherwise ordered by the court, the value of a secured claim listed in a proof of claim filed in accordance with the Bankruptcy Rules controls over any contrary amount listed below.

Unless a nonstandard provision expressly provides otherwise, an allowed secured tax claim shall be paid with interest at the applicable statutory rate in effect on the date on which the plan is confirmed, notwithstanding any contrary rate stated below.

Name of creditor	Collateral Estimated amount of creditor's total claim	Collateral Estimated amount of creditor's total claim	Value of collateral	Amount of claims senior to creditor's claim	Value of collateral (Amount of secured claim)	Interest rate *	Estimated Monthly payment to creditor	Estimated total of monthly payments by trustee
	\$		\$	\$	\$	%	\$	\$
	\$		\$	\$	\$	%	\$	\$

Insert additional claims as needed.

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\* If the interest rate above is blank, the interest rate shall be the WSJ Prime Rate on the date of confirmation plus 2 percentage points. An allowed secured tax claim shall be paid with interest at the applicable statutory rate in effect on the date on which the plan is confirmed, notwithstanding any contrary provision of the plan.

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**3.3 Secured claims excluded from 11 U.S.C. § 506 or paid in full secured claims. Check one.**

None. If "None" is checked, the rest of § 3.3 need not be completed or reproduced.

The claims listed below were either:

- (1) were incurred within 910 days before the petition date and secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or
- (2) were incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value, or
- (3) are fully secured claims to be paid in full.

These Each of the following claims will be paid in full under through the plan with interest at the rate stated below. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. Unless otherwise ordered by the court, the claim amount stated on listed in a proof of claim filed before the filing deadline under Bankruptcy Rule 3002(c) controls over any contrary amount listed below. In the absence of a contrary timely filed proof of claim, the amounts stated below are controlling. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Unless a nonstandard provision expressly provides otherwise, an allowed secured tax claim shall be paid with interest at the applicable statutory rate in effect on the date on which the plan is confirmed, notwithstanding any contrary rate stated below.

Name of creditor	Collateral	Estimated Amount of claim	Interest rate *	Estimated Monthly plan payment to creditor	Estimated total payments by trustee
		\$ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	%	\$	\$
		\$ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	%	\$	\$

Insert additional claims as needed.

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\* If the interest rate above is blank, the interest rate shall be the WSJ Prime Rate on the date of confirmation plus 2 percentage points. Unless a nonstandard provision expressly provides otherwise, an allowed secured tax claim shall be paid with interest at the applicable statutory rate in effect on the date on which the plan is confirmed, notwithstanding any contrary rate stated above.

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**3.4 Lien avoidance. Check one.**

None. If "None" is checked, the rest of § 3.4 need not be completed or reproduced.

The remainder of this paragraph will be effective only if the applicable-"Included" box in Part 4 of this plan is checked in § 1.2.

The judicial liens or nonpossessory, nonpurchase money security interests securing the claims listed below impair exemptions to which the debtor(s) would have been entitled under 11 U.S.C. § 522(b). Unless otherwise ordered by the court, a judicial lien or security interest securing a claim listed below will be avoided to the extent that it impairs such exemptions upon entry of the order confirming the plan. The amount of the judicial lien or security interest that is avoided will be treated as an unsecured claim in Part 5 to the extent allowed. The amount, if any, of the judicial lien or security interest that is not avoided will be paid in full as a secured claim under the plan. See 11 U.S.C. § 522(f) and Bankruptcy Rule 4003(d). If more than one lien is to be avoided, provide the information separately for each lien.

Information regarding judicial lien or security interest	Calculation of lien avoidance		Treatment of remaining secured claim
Name of creditor	a. Amount of lien	\$	Amount of secured claim after avoidance (line a minus line f) \$
	b. Amount of all other liens	\$	
Collateral	c. Value of claimed exemptions	+ \$	Interest rate (if applicable) %
	d. Total of adding lines a, b, and c	\$	
Lien identification (such as judgment date, date of lien recording, book and page number)	e. Value of debtor(s)' interest in property	- \$	Estimated Monthly payment on secured claim \$
	f. Subtract line e from line d.	\$	Estimated total payments on secured claim \$
Extent of exemption impairment (Check applicable box):			
<input type="checkbox"/> Line f is equal to or greater than line a. The entire lien is avoided. (Do not complete the next column.)			
<input type="checkbox"/> Line f is less than line a. A portion of the lien is avoided. (Complete the next column.)			

Insert additional claims as needed.

**3.5 Surrender of collateral. Check one.**

None. If "None" is checked, the rest of § 3.5 need not be completed or reproduced.

The debtor(s) elect to surrender to each creditor listed below the collateral that secures the creditor's claim. The debtor(s) request that upon confirmation of this plan the stay under 11 U.S.C. § 362(a) be terminated as to the collateral only and that the stay under § 1301 be terminated in all respects. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 5 below.

Name of creditor	Collateral

Insert additional claims as needed.

**3.6 All Other Secured Claims.**

An allowed secured claim not provided for in the plan shall be classified in a junior class of secured claims that will be paid through the plan on a pro rata basis with all other allowed secured claims in the class. Each allowed claim in the class will be paid to the extent of the value of the collateral set forth in the Creditor's proof of claim or the amount of the allowed claim, whichever is less, with interest at the WSJ Prime Rate on the date of confirmation or the date on which the proof of claim is filed, whichever is later, plus 2 percentage points, or if a secured tax claim with interest at the applicable statutory rate in effect on the date on which the plan is confirmed. Allowed administrative expenses shall be paid in full prior to distribution to this class of secured claims.

**3.7 Allowance of Secured Claims.**

- 1) Any creditor with a secured claim listed in the plan must have an allowed claim to be paid under the plan.
- 2) To have an allowed claim, a secured creditor must file a proof of claim in accordance with Bankruptcy Rule 3002, except as set out in paragraph 4 below.
- 3) If the plan lists a claim as a secured claim and the creditor files a proof of claim under Bankruptcy Rule 3002 as unsecured, the claim will be treated as unsecured, and the filing of such a claim will be treated as a waiver of the security interest by the creditor.
- 4) If a creditor with a listed secured claim fails to file a proof of claim before the deadline under Bankruptcy Rule 3002(c), the debtor(s) may file a proof of claim on behalf of the creditor pursuant to Bankruptcy Rule 3004, subject to the following:

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- a) If the debtor(s) chooses to file a proof of claim on behalf of a creditor, the debtor(s) and counsel shall use their best efforts to file such claim(s) before the deadline under Bankruptcy Rule 3004.
- b) A proof of claim filed by the debtor(s) under Bankruptcy Rule 3004 will nevertheless be timely as to any secured portion of the claim if it is filed no later than 14 days after the trustee files a Notice of Allowance of Claims.

**Part 4: Treatment of Fees and Priority Claims**

**4.1 General**

Trustee's fees and all allowed priority claims, including domestic support obligations other than those treated in § 4.6, will be paid in full without postpetition interest except as otherwise provided in a nonstandard provision or as ordered by the court.

**4.2 Trustee's fees**

Trustee's fees are governed by statute and may change during the course of the case but are estimated to be \_\_\_\_\_ % of plan payments; and during the plan term, they are estimated to total \$ \_\_\_\_\_.

**4.3 Attorney's fees**

1) Counsel for the debtor requests compensation as follows:

a)  Pursuant to KYEB LBR 2016-2(a) an attorney's fee for Debtor's counsel for the debtor(s) shall be allowed in the amount of \$ \_\_\_\_\_ (not to exceed \$4,000). Of this amount, the debtor(s) paid \$ \_\_\_\_\_ prior to the filing of the petition, leaving a balance of \$ \_\_\_\_\_ to be paid through the plan. (The Debtor(s)/Attorney for Debtor(s) have/has complied with KYEB LBR 2016-2(a) and this must match the Rule 2016(b) Disclosure of Compensation of Attorney For Debtor(s)). Any additional requests for fees or expenses will be requested by separate application.

OR

b)  An attorney's fee for Debtor's counsel for the debtor(s) will be requested by separate application and shall be paid as allowed by the Court.

2) Until the allowed attorney's fee is paid in full, creditors holding secured claims (including arrearage claims) shall be paid only adequate protection payments ordered by the Court.

**4.4 Priority claims other than attorney's fees and trustee's fees and those treated in § 4.6 are estimated to be \$ \_\_\_\_\_.** *Check one.*

None. *If "None" is checked, the rest of § 4.4 need not be completed or reproduced.*

The debtor(s) estimate the total amount of other priority claims to be \$ \_\_\_\_\_.

**4.5 Domestic support obligations will be paid in full, however, any claim based on a domestic support obligation that has been assigned to or is owed to a governmental unit may be paid less than the full amount of the claim under 11 U.S.C. § 1322(a)(4) as provided in a nonstandard provision or as ordered by the court, assigned or owed to a governmental unit and paid less than full amount.** *Check one.*

None. *If "None" is checked, the rest of § 4.5 need not be completed or reproduced.*

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim under 11 U.S.C. § 1322(a)(4). *This plan provision requires that payments in § 2.1 be for a term of 60 months; see 11 U.S.C. § 1322(a)(4).*

Name of creditor	Amount of claim to be paid

*Insert additional claims as needed.*

**Part 5: Treatment of Nonpriority Unsecured Claims**

**5.1 Nonpriority unsecured claims not separately classified.**

The minimum amount required for distribution to allowed priority and nonpriority unsecured claims shall be the greater of: (1) the projected disposable income for the applicable commitment period; or (2) the amount required to satisfy the liquidation test.

The trustee shall calculate the "pool" amount available for distribution to nonpriority unsecured creditors. Creditors holding allowed nonpriority unsecured claims shall be paid on a pro rata basis to the greatest extent possible. No interest accruing after the date of the filing of the petition shall be paid except as set forth in a nonstandard provision or as ordered by the court.

Allowed nonpriority unsecured claims that are not separately classified will be paid, pro rata. If more than one option is checked, the option providing the largest payment will be effective. Check all that apply.

The sum of \$ \_\_\_\_\_

\_\_\_\_\_% of the total amount of these claims, an estimated payment of \$ \_\_\_\_\_.

The funds remaining after disbursements have been made to all other creditors provided for in this plan.

If the estate of the debtor(s) were liquidated under chapter 7, nonpriority unsecured claims would be paid approximately \$ \_\_\_\_\_. Regardless of the options checked above, payments on allowed nonpriority unsecured claims will be made in at least this amount.

**5.2 Maintenance of payments and cure of any default on nonpriority unsecured claims. Check one.**

None. If "None" is checked, the rest of § 5.2 need not be completed or reproduced.

The debtor(s) will maintain the contractual installment payments and cure any default in payments on the unsecured claims listed below on which the last payment is due after the final plan payment. These contractual installment payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. The claim for the arrearage amount will be paid in full as specified below and disbursed by the trustee. Any existing arrearage on a listed claim will be paid in full through disbursements by the trustee. Unless otherwise ordered by the court, the amounts listed on a proof of claim control over any contrary amounts listed below as to the current installment payment and arrearage. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

Name of creditor	Estimated Current installment payment	Estimated Amount of arrearage to be paid by trustee	Estimated total payments by trustee
	\$ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	\$	\$

Insert additional claims as needed.

**5.3 Other separately classified nonpriority unsecured claims. Check one.**

None. If "None" is checked, the rest of § 5.3 need not be completed or reproduced.

The Allowed nonpriority unsecured allowed claims listed below are separately classified and will be treated as follows. These claims will be paid in full under the plan with interest, if applicable, at the rate stated below. Unless otherwise ordered by the court, the claim amount stated on a proof of claim controls over any contrary amount listed below.

Name of creditor	Basis for separate classification and treatment	Estimated Amount to be paid on the of claim	Interest rate (if applicable)	Estimated total amount of payments
		\$	%	\$

Insert additional claims as needed.

**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. All other executory contracts and unexpired leases are rejected. Check one.**

None. If "None" is checked, the rest of § 6.1 need not be completed or reproduced.

**Assumed items.** Current installment payments will be disbursed either by the trustee or directly by the debtor(s), as specified below, subject to any contrary court order or rule. Arrearage payments will be disbursed by the trustee. The final column includes only payments disbursed by the trustee rather than by the debtor(s).

The debtor(s) will maintain the current contractual installment payments on the leases or executory contracts listed below. These payments will be disbursed either by the trustee or directly by the debtor(s), as specified below. If neither party is specified, the contractual installment payments will be disbursed directly by the debtor(s).

Any existing arrearage on an allowed listed claim will be paid in full through disbursements by the trustee. Unless otherwise ordered by the court, the amounts listed on a proof of claim control over any contrary amounts listed below as to the current installment payment and arrearage. The final column includes only payments disbursed by the trustee rather than by the debtor(s). Arrearages under this section will be paid concurrently with arrearages on secured claims under Section 3.1.

Name of creditor	Description of leased property or executory contract	Estimated Current installment payment	Estimated Amount of arrearage to be paid	Treatment of arrearage (Refer to other plan section if applicable)	Estimated total payments by trustee
		\$	\$		\$

		Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)			
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Insert additional contracts or leases as needed.

**Part 7: Vesting of Property of the Estate**

7.1 Except as provided in Part 8, property of the estate in the possession of the debtor(s) and properly scheduled will vest in the debtor(s) upon Check the applicable box:

- plan confirmation.
- entry of discharge.
- other \_\_\_\_\_

7.2 Unless otherwise ordered, the trustee retains all lien avoidance rights provided by statute.

**Part 8: Nonstandard Plan Provisions**

8.1 Check "None" or List Nonstandard Plan Provisions

- None. If "None" is checked, the rest of Part 8 need not be completed or reproduced.

Under Bankruptcy Rule 3015(c), nonstandard provisions must be set forth below. A nonstandard provision is a provision not otherwise included in the Local Form 3015-1(a) or deviating from it. Nonstandard provisions set out elsewhere in this plan are ineffective.

The following plan provisions will be effective only if there is a check in the box the "Included" box is checked in § 1.3.

\_\_\_\_\_

**Part 9: Signature(s):**

9.1 Signatures of Debtor(s) and Debtor(s)' Attorney

The Debtor(s) and attorney for the Debtor(s), if any, must sign below.

X /s/ \_\_\_\_\_  
Signature of Debtor 1

X /s/ \_\_\_\_\_  
Signature of Debtor 2

Executed on \_\_\_\_\_  
MM / DD / YYYY

Executed on \_\_\_\_\_  
MM / DD / YYYY

X /s/ \_\_\_\_\_

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

Date \_\_\_\_\_  
MM / DD / YYYY

By filing this document, the Debtor(s), if not represented by an attorney, or the Attorney for Debtor(s) also certifies that the wording and order of the provisions in this Chapter 13 plan are identical to those contained in Local Form 3015-1(a), other than any nonstandard provisions included in Part 8.

## Exhibit: Total Amount of Estimated Trustee Payments

The following are the estimated payments that the plan requires the trustee to disburse. If there is any difference between the amounts set out below and the actual plan terms, the plan terms control.

a. Maintenance and cure payments on secured claims (Part 3, Section 3.1 total)	\$
b. Modified secured claims (Part 3, Section 3.2 total)	\$
c. Secured claims excluded from 11 U.S.C. § 506 (Part 3, Section 3.3 total)	\$
d. Judicial liens or security interests partially avoided (Part 3, Section 3.4 total)	\$
e. Fees and priority claims (Part 4 total)	\$
f. Nonpriority unsecured claims (Part 5, Section 5.1, highest stated amount)	\$
g. Maintenance and cure payments on unsecured claims (Part 5, Section 5.2 total)	\$
h. Separately classified unsecured claims (Part 5, Section 5.3 total)	\$
i. Trustee payments on executory contracts and unexpired leases (Part 6, Section 6.1 total)	\$
j. Nonstandard payments (Part 8, total)	\$
Total of lines a through j	\$