

**Attachment 4  
Text of Draft Forms and Rule Amendments**

**1. Draft Official Form Chapter 13 Plan**

**United States Bankruptcy Court for the \_\_\_\_\_ District of \_\_\_\_\_**

Check if this is an amended plan

Debtor: \_\_\_\_\_

Case No.: \_\_\_\_\_

Date: \_\_\_\_\_

**Official Form XXXX  
Chapter 13 Plan**

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*Check all that apply:*

- The plan seeks to limit the amount of a secured claim, as set out in Part 2, Section 7, which may result in a partial payment or no payment at all to the secured creditor.
- The plan requests the avoidance of a judicial lien as set out in Part 2, Section 9.
- The plan requests the avoidance of a nonpossessory, nonpurchase-money security interest as set out in Part 2, Section 10.
- The plan sets out non-standard provisions in Part 10.

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**Notice to Interested Parties: Your rights may be affected. Your claim may be reduced, modified, or eliminated.**

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You should read these papers carefully and discuss them 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 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 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.

**Part 1: Plan Payments and Length of Plan**

1. Debtor(s) will pay to the trustee \$ \_\_\_\_\_ per month for \_\_\_\_\_ months, and  
\$ \_\_\_\_\_ per month for \_\_\_\_\_ months.

2. Payments to the trustee will be made from future earnings in the following manner:

- Debtor(s) will make payments pursuant to a payroll deduction order.
- Debtor(s) will make payments directly to the trustee.

3. **Additional payments to the trustee will be made as follows:**

Check all that apply:

- Debtor(s) will turn over to the trustee:
  - any tax refunds received during the plan term
  - any tax refunds in excess of \$ \_\_\_\_\_ received during the plan term
- Other sources of funding, including the sale of property. Describe the source, amount, and date when available:

4. **The estimated total amount of plan payments is \$ \_\_\_\_\_.**

5. **The estimated term of the plan is \_\_\_\_\_ months.**

**Part 2: Treatment of Secured Claims**

6. **Cure of default and maintenance of payments**

The debtor(s) will cure the default and maintain the contractual installment payments on the secured claims listed below. The allowed claim for the arrearage amount, if any, will be paid under the plan, with interest if specified, at the rate stated. [For discussion: Unless otherwise ordered by the court, upon entry of an order granting relief from the automatic stay, payments under this paragraph will cease and the moving creditor's secured claim will be treated by surrender.]

Name of creditor	Collateral	Current installment payment (including escrow payment)	Amount of arrearage	Interest rate on arrearage (if applicable)	Monthly plan payment on arrearage or other payment arrangement	Total amount of arrearage
		Payment: \$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)				
		Payment: \$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)				

7. **Determination of allowed secured claims and claim modification**

The claims listed below are allowed secured claims only to the extent of the value of the creditor's interest in the collateral as provided under 11 U.S.C. § 506(a). Unless a creditor timely objects to confirmation, the value of the creditor's interest in the collateral will be the amount of the allowed secured claim listed below, and it will be paid in full under the plan with interest at the rate stated below.

The portion of any allowed claim that exceeds the amount of the allowed secured claim will be treated as an unsecured claim under Part 4 of this plan. If the amount of a creditor's allowed secured claim is listed below as having no value, the creditor's allowed claim will be treated in its entirety as an unsecured claim under Part 4 of this plan.

The holder of any allowed secured claim, other than a mortgage treated in Part 2, Section 6, will retain the lien until the earlier of:

- (a) payment of the underlying debt determined under nonbankruptcy law, or
- (b) discharge under 11 U.S.C. § 1328(a), at which time the lien will terminate and be released by the creditor. See Bankruptcy Rule 3015.

Name of creditor	Amount of creditor's claim	Collateral	Value of collateral	Amount of claims senior to creditor's claim	Amount of secured claim to be paid	Interest rate	Monthly plan payment	Total amount of secured claim

8. **Secured claims excluded from 11 U.S.C. § 506**

The claims listed below were either:

- (1) 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, or
- (2) incurred within 1 year of the petition date and secured by a purchase money security interest in any other thing of value.

These claims will be paid in full under the plan with interest at the rate stated below.

Name of creditor	Collateral	Amount of claim to be paid	Interest rate	Monthly plan payment	Total amount of secured claim

9. **Judicial lien avoidance**

The judicial liens securing the claims listed below impair exemptions to which the debtor(s) would have been entitled under 11 U. S. C. § 522(b). A judicial lien securing a claim listed below will be avoided to the extent that the lien impairs such exemptions upon entry of the order confirming the plan. The amount of the lien that is avoided will be treated as an unsecured claim in Part 4. The amount of the lien 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).

Name of creditor	Collateral	Judgment lien information (such as judgment date, date of lien recording, book and page number)	Calculation of lien avoidance	Interest rate (if applicable)	Monthly plan payment (if applicable)	Total amount of secured claim
			a. Amount of judicial lien \$ _____ b. Amount of all other liens \$ _____ c. Value of claimed exemptions \$ _____ d. Total: Lines a + b + c = line d \$ _____ e. Value of debtor's interest in property \$ _____ f. Subtract line e from line d \$ _____  Extent of exemption impairment (Check applicable box): <input type="checkbox"/> <b>Line f is equal to or greater than line a.</b> The entire lien is avoided. <input type="checkbox"/> <b>Line f is less than line a.</b> A portion of the lien is avoided.  <b>Amount of lien not avoided:</b> Subtract line f from line a \$ _____			
			a. Amount of judicial lien \$ _____ b. Amount of all other liens \$ _____ c. Value of claimed exemptions \$ _____ d. Total: Lines a + b + c = line d \$ _____ e. Value of debtor's interest in property \$ _____ f. Subtract line e from line d \$ _____  Extent of exemption impairment (Check applicable box): <input type="checkbox"/> <b>Line f is equal to or greater than line a.</b> The entire lien is avoided. <input type="checkbox"/> <b>Line f is less than line a.</b> A portion of the lien is avoided.  <b>Amount of lien not avoided:</b> Subtract line f from line a \$ _____			

10. **Nonpossessory, nonpurchase-money security interest avoidance**

The 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). A security interest securing a claim listed below shall be avoided to the extent that the security interest impairs such exemptions upon entry of the order confirming the plan. The amount of the security interest that is avoided will be treated as an unsecured claim in Part 4. The amount of the 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).

Name of creditor	Collateral	Amount of security interest not avoided and paid as secured claim	Interest rate (if applicable)	Monthly plan payment (if applicable)	Total amount of secured claim
		a. Amount of security interest \$ _____ b. Amount of all other liens \$ _____ c. Value of claimed exemptions + \$ _____ d. Total: Lines a + b + c = line d \$ _____ e. Value of debtor's interest in property \$ _____ f. Subtract line e from line d \$ _____  Extent of exemption impairment (Check applicable box): <input type="checkbox"/> <b>Line f is equal to or greater than line a.</b> The entire security interest is avoided. <input type="checkbox"/> <b>Line f is less than line a.</b> A portion of the security interest is avoided.  <b>Amount of security interest not avoided:</b> Subtract line f from line a \$ _____			
		a. Amount of security interest \$ _____ b. Amount of all other liens \$ _____ c. Value of claimed exemptions + \$ _____ d. Total: Lines a + b + c = line d \$ _____ e. Value of debtor's interest in property \$ _____ f. Subtract line e from line d \$ _____  Extent of exemption impairment (Check applicable box): <input type="checkbox"/> <b>Line f is equal to or greater than line a.</b> The entire security interest is avoided. <input type="checkbox"/> <b>Line f is less than line a.</b> A portion of the security interest is avoided.  <b>Amount of security interest not avoided:</b> Subtract line f from line a \$ _____			

**11. Surrender of collateral**

The debtor(s) elect to surrender to the creditors listed below the personal or real property that is collateral for the claim. The debtor(s) consent to termination of the stay with respect to the collateral upon confirmation of the plan. Any allowed unsecured claim resulting from the disposition of the collateral will be treated in Part 4 below.

Name of creditor	Collateral

**Part 3: Treatment of Administrative and Other Priority Claims**

**12. Trustee's fees**

Fees of the standing trustee will be paid in full, without interest.

These fees are estimated to be \_\_\_\_\_% of plan payments; and during plan term, they are estimated to total \$\_\_\_\_\_.

**13. Attorney's fees**

Fees of the attorney, in the amount of \$\_\_\_\_\_, will be paid in full, without interest.

**14. Other priority claims**

The allowed priority claims listed below will be paid in full.

Name of creditor	Basis for priority treatment	Amount of claim to be paid	Interest rate (if applicable)	Total amount of claim

**15. Domestic support obligations assigned to a governmental unit and paid less than full amount**

The allowed priority claims listed below are based on a domestic support obligation that has been assigned to a governmental unit and will be paid less than the full amount of the claim under 11 U.S.C. § 1322(a)(4).

Name of creditor	Amount of claim to be paid	Interest rate (if applicable)	Total amount of claim

**Part 4: Treatment of Nonpriority Unsecured Claims**

**16. Cure of default and maintenance of payments**

The debtor(s) will cure the default and maintain the contractual installment payments on the unsecured claims listed below on which the last payment is due after the final plan payment. The allowed claim for the arrearage amount will be paid under the plan.

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

Payment: \$ \_\_\_\_\_

Disbursed by:

- Trustee
- Debtor(s)

**17. Separately classified nonpriority unsecured claims**

The nonpriority unsecured allowed claims listed below are separately classified and will be treated as follows:

Name of creditor	Basis for separate classification and treatment	Amount of claim to be paid	Interest rate (if applicable)	Total amount of claim

**18. Nonpriority unsecured claims**

Nonpriority unsecured allowed claims that are not separately classified will be paid not less than:

Check the applicable box:

- The sum of \$ \_\_\_\_\_ to be distributed on a pro rata basis
- \_\_\_\_\_ % of allowed claims
- The funds remaining after disbursements have been made to all other creditors provided for in this plan, to be distributed on a pro rata basis.

**19. Interest**

Interest on allowed unsecured claims, other than separately classified nonpriority unsecured claims, will (check the applicable box):

- Not be paid
- Be paid at an annual percentage rate of \_\_\_\_\_ % under 11 U.S.C. § 1325(a)(4), and is estimated to total \$ \_\_\_\_\_.

**Part 5: Executory Contracts and Unexpired Leases**

**20. All executory contracts and unexpired leases are rejected, except those listed below, which are assumed and will be treated as provided for below or under another specified provision of the plan.**

Name of creditor	Property description	Treatment (Refer to other plan section if applicable)	Current installment payment	Amount of arrearage to be paid
			Payment: \$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	
			Payment: \$ _____ Disbursed by: <input type="checkbox"/> Trustee <input type="checkbox"/> Debtor(s)	

**Part 6: Order of Distribution**

21. The trustee will pay allowed claims in the following order:

- a. \_\_\_\_\_
- b. \_\_\_\_\_
- c. \_\_\_\_\_
- d. \_\_\_\_\_
- e. \_\_\_\_\_
- f. \_\_\_\_\_
- g. \_\_\_\_\_

**Part 7: Summary of Plan Disbursements by Trustee**

22. From the payments received from the debtor(s), the trustee will make the following estimated disbursements on allowed claims:

a. Current installment payments on secured claims (Part 2, Section 6 total):	\$ _____
b. Arrearage payments on secured claims (Part 2, Section 6 total)	\$ _____
c. Allowed secured claims (Part 2, Section 7 total):	\$ _____
d. Secured claims not subject to 11 U.S.C. § 506 (Part 2, Section 8 total):	\$ _____
e. Judicial liens not avoided (Part 2, Section 9 total):	\$ _____
f. Security interests not avoided (Part 2, Section 10 total):	\$ _____
g. Administrative and other priority claims (Part 3 total):	\$ _____
h. Current installment payments on unsecured debts (Part 4, Section 16 total):	\$ _____
i. Arrearage payments on unsecured debts (Part 4, Section 16 total):	\$ _____
j. Separately classified unsecured claims (Part 4, Section 17 total):	\$ _____
k. Nonpriority unsecured claims (Part 4, Section 18 total):	\$ _____
l. Interest on allowed unsecured claims (Part 4, Section 19 total)	\$ _____
m. Arrearage payments on executory contracts and unexpired leases (Part 4, Section 20 total):	+
	\$ _____
<b>Total of 22a through 22m .....</b>	\$ _____

**Part 8: Claims of Governmental Units**

23. This plan is not binding with respect to any claim of a governmental unit that is:

- (a) timely filed after confirmation of this plan, and
- (b) inconsistent with the treatment of such claim under this plan.



**Part 9: Vesting of Property of the Estate**

**24. Property of the estate shall re-vest in the debtor(s) upon**

*Check the applicable box:*

- Plan confirmation
- Closing of case
- Other: \_\_\_\_\_

**Part 10: Non-standard Plan Provisions**

*Under Bankruptcy Rule 3015(c), non-standard provisions are required to be set forth below.*

**Part 11: Signatures**

<b>Debtors (Sign only if not represented by an attorney)</b>	<b>X</b> _____ Signature of debtor	Date _____ MM / DD / YYYY
	<b>X</b> _____ Signature of debtor	Date _____ MM / DD / YYYY
<b>Debtors' Attorney</b>	<b>X</b> _____ Signature of debtor's attorney	Date _____ MM / DD / YYYY

**2. Preliminary Discussion Draft of Forms for Pre-confirmation Adequate Protection Payments**

**Notice of Proposed Adequate Protection Payments,  
Order for Adequate Protection Payments and Opportunity to Object**

The Debtor through Counsel, states as follows:

1. On \_\_\_\_\_, the Debtor(s) filed a petition under Title 11 commencing a Chapter 13 case.
2. The debtor proposes to make adequate protection payments, pursuant to § 1326 (a) (1) (c), beginning no later than 30 days after the order for relief, to the holders of the allowed secured claims and in the amounts specified below:

Secured Creditor	Collateral Description	Adequate Protection Payment

3. The proposed adequate protection payments shall be made, until the debtor’s plan is confirmed, in the following manner:
  - (a) The trustee will disburse the payments monthly from the plan payments received from the debtor.
  - (b) The debtor will disburse the payments monthly, and will (1) reduce the plan payments made to the Trustee and (2) provide evidence of such payment to the Trustee, such as a copy of a check or money order, that includes the date and amount of the payment.
  - (c) Other: \_\_\_\_\_.

Dated: \_\_\_\_\_

Debtor \_\_\_\_\_

Counsel

By: \_\_\_\_\_

Approved: \_\_\_\_\_

Chapter 13 Trustee

I, \_\_\_\_\_, Counsel for the Debtor, hereby certify that I have today, the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, mailed a copy of (this) (the foregoing) Notice of Adequate Protection and Order \_\_\_\_\_ to the following Creditor(s) in the following manner: (Name and address of creditors served)

**Order for Adequate Protection Payments and Opportunity to Object**

This case coming before the Court on the Debtor's Notice of Proposed Adequate Protection Payments, It is hereby ordered that the Debtor or Trustee is authorized to make the Adequate Protection Payment as set forth therein.

IF A CREDITOR OR OTHER PARTY IN INTEREST HAS ANY OBJECTION TO THE ADEQUATE PROTECTION PAYMENTS DETAILED IN THIS ORDER, A WRITTEN OBJECTION MUST BE FILED WITH THE U.S. BANKRUPTCY COURT CLERK WITHIN 21 DAYS OF THE DATE THIS ORDER IS ENTERED.

Dated: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge



1 **Rule 3007. Objections to Claims**

2  
3 (a) OBJECTIONS TO CLAIMS. An objection to the allowance of a claim shall  
4 be in writing and filed. ~~Except to the extent that a determination of the allowance~~  
5 ~~of a claim is made under Rule 3012 in connection with plan confirmation in a~~  
6 ~~chapter 12 or 13 case, a~~ A copy of the objection with notice of the hearing thereon  
7 shall be mailed or otherwise delivered to the claimant, the debtor or debtor in  
8 possession and the trustee at least 30 days prior to the hearing.

9 \* \* \*

1 **Rule 3012. ~~Valuation of Security~~ Determination of the Amount of Secured**  
2 **and Priority Claims**

3 ~~The court may determine the value of a claim secured by a lien on property in which the~~  
4 ~~estate has an interest on motion of any party in interest and after a hearing on notice to~~  
5 ~~the holder of the secured claim and any other entity as the court may direct.~~

6 On request of a party in interest and after notice—to the holder of the  
7 claim and any other entity designated by the court—and a hearing, the court may  
8 determine

- 9 (a) the amount of an allowed secured claim under § 506(a) of the Code,  
10 (b) the amount necessary to cure any default as of the date of the petition,  
11 or  
12 (c) the amount of a claim entitled to priority under § 507 of the Code.

13 The request may be made by motion, in a plan filed in a chapter 12 or 13  
14 case, or in a claim objection. The request shall be served on the holder of the  
15 claim and any other entity designated by the court in the manner provided for  
16 service of a summons and complaint by Rule 7004. Determinations under this  
17 rule may be made with respect to a claim of a governmental unit only after a proof  
18 of claim has been filed by the governmental unit or after the time for filing a proof  
19 of claim under Rule 3002(c)(1) has expired.

1 **Rule 3015. Filing, Objection to Confirmation, **Effect of Confirmation** and**  
2 **Modification of a Plan in a Chapter 12 ~~Family Farmer Debt Adjustment~~ or a**  
3 **Chapter 13 ~~Individual's Debt Adjustment~~ Case**

4 (a) **FILING OF** CHAPTER 12 PLAN. The debtor may file a chapter 12 plan with  
5 the petition. If a plan is not filed with the petition, it shall be filed within the time  
6 prescribed by § 1221 of the Code.

7 (b) **FILING OF** CHAPTER 13 PLAN. The debtor may file a chapter 13 plan with  
8 the petition. If a plan is not filed with the petition, it shall be filed within 14 days  
9 thereafter, and such time may not be further extended except for cause shown and  
10 on notice as the court may direct. If a case is converted to chapter 13, a plan shall  
11 be filed within 14 days thereafter, and such time may not be further extended  
12 except for cause shown and on notice as the court may direct.

13 (c) ~~DATING. Every proposed plan and any modification thereof shall be dated.~~  
14 **FORM OF CHAPTER 13 PLAN. The plan filed in a chapter 13 case shall be**  
15 **prepared as prescribed by the appropriate Official Form. Provisions not otherwise**  
16 **included in the Official Form or deviating from provisions of the Official Form**  
17 **shall not be effective unless they are included in a section of the Official Form**  
18 **that is designated for non-standard provisions and are also identified in**  
19 **accordance with any other requirements of the Official Form.**

20 (d) ~~NOTICE AND COPIES. If the plan~~ The plan or a summary of the plan shall  
21 ~~be~~ **is not** included with ~~the~~ **each** notice of the hearing on confirmation mailed  
22 pursuant to Rule 2002, **the debtor shall serve the plan on the trustee and all**  
23 **creditors when it is filed with the court.** ~~If required by the court, the debtor shall~~  
24 ~~furnish a sufficient number of copies to enable the clerk to include a copy of the~~  
25 ~~plan with the notice of the hearing.~~

26 (e) TRANSMISSION TO UNITED STATES TRUSTEE. The clerk shall  
27 forthwith transmit to the United States trustee a copy of the plan and any  
28 modification thereof filed pursuant to subdivision (a) or (b) of this rule.

29 (f) OBJECTION TO CONFIRMATION; DETERMINATION OF GOOD FAITH  
30 IN THE ABSENCE OF AN OBJECTION. An objection to confirmation of a plan  
31 shall be filed and served on the debtor, the trustee, and any other entity designated

32 by the court, and shall be transmitted to the United States trustee, ~~before~~  
33 ~~confirmation of the plan~~ **at least seven days before the hearing on confirmation,**  
34 **unless otherwise ordered by the court.** An objection to confirmation is governed  
35 by Rule 9014. If no objection is timely filed, the court may determine that the  
36 plan has been proposed in good faith and not by any means forbidden by law  
37 without receiving evidence on such issues.

38 **(g) EFFECT OF CONFIRMATION.** Any determination made under Rule 3012  
39 **of the validity, amount and treatment of a claim filed in a chapter 12 or 13 case**  
40 **shall be binding on the holder of the claim notwithstanding any contrary proof of**  
41 **claim filed by the holder in accordance with Rule 3001 or any scheduling of that**  
42 **claim by the debtor pursuant to § 521(a) of the Code, whether or not any objection**  
43 **has been filed to the claim under Rule 3007.**

44 ~~(g)~~ **(h) MODIFICATION OF PLAN AFTER CONFIRMATION.** A request to  
45 modify a plan pursuant to § 1229 or § 1329 of the Code shall identify the  
46 proponent and shall be filed together with the proposed modification. The clerk,  
47 or some other person as the court may direct, shall give the debtor, the trustee, and  
48 all creditors not less than 21 days' notice by mail of the time fixed for filing  
49 objections and, if an objection is filed, the hearing to consider the proposed  
50 modification, unless the court orders otherwise with respect to creditors who are  
51 not affected by the proposed modification. A copy of the notice shall be  
52 transmitted to the United States trustee. A copy of the proposed modification, or a  
53 summary thereof, shall be included with the notice. ~~If required by the court, the~~  
54 ~~proponent shall furnish a sufficient number of copies of the proposed~~  
55 ~~modification, or a summary thereof, to enable the clerk to include a copy with~~  
56 ~~each notice.~~ **If a copy is not included with the notice and the proposed**  
57 **modification is sought by the debtor, a copy shall be served on the trustee and all**  
58 **creditors in the manner provided for service of the plan by subdivision (d) of this**  
59 **rule.** Any objection to the proposed modification shall be filed and served on the  
60 debtor, the trustee, and any other entity designated by the court, and shall be  
61 transmitted to the United States trustee. An objection to a proposed modification  
62 is governed by Rule 9014.

1 **Rule 4003. Exemptions**

2 \* \* \*

3 (d) AVOIDANCE BY DEBTOR OF TRANSFERS OF EXEMPT PROPERTY.

4 A proceeding by the debtor to avoid a lien or other transfer of property exempt  
5 under § 522(f) of the Code shall be **commenced** by motion **in the manner provided**  
6 **for by** ~~in accordance with~~ Rule 9014 **or by a chapter 12 or 13 plan served in the**  
7 **manner provided by Rule 7004 for service of a summons and complaint.**

8 Notwithstanding the provisions of subdivision (b), a creditor may object to a  
9 motion or chapter 12 or 13 plan provision filed under § 522(f) by challenging the  
10 validity of the exemption asserted to be impaired by the lien.

1 **Rule 5009. Closing Chapter 7 Liquidation, Chapter 12 Family Farmer's Debt**  
2 **Adjustment, and Chapter 13 Individual's Debt Adjustment, and Chapter 15**  
3 **Ancillary and Cross-Border Cases; Order Declaring Lien Satisfied**

4 (a) **CLOSING OF CASES UNDER CHAPTERS 7, 12, AND 13.** ~~Cases under~~  
5 ~~chapters 7, 12, and 13.~~ If in a chapter 7, chapter 12, or chapter 13 case the trustee  
6 has filed a final report and final account and has certified that the estate has been  
7 fully administered, and if within 30 days no objection has been filed by the United  
8 States trustee or a party in interest, there shall be a presumption that the estate has  
9 been fully administered.

10 (b) **NOTICE OF FAILURE TO FILE RULE 1007(b)(7) STATEMENT.** ~~Notice of~~  
11 ~~failure to file Rule 100(b)(7) statement.~~

12 \* \* \*

13 (c) **CASES UNDER CHAPTER 15.** ~~Cases under chapter 15.~~

14 \* \* \*

15 (d) **ORDER DECLARING LIEN SATISFIED.** In a chapter 12 or chapter 13 case,  
16 if a claim is subject to a lien under applicable nonbankruptcy law, and the debtor  
17 contends that (1) any portion of the claim that is an allowed secured claim has been  
18 fully paid, and (2) any other portion of the claim has been discharged, the debtor  
19 may request entry of an order determining that the lien has been satisfied. The  
20 request shall be made by motion and shall be served on the holder of the claim and



21 any other entity designated by the court in the manner provided by Rule 7004 for  
22 service of a summons and complaint. An order entered under this subdivision  
23 shall be effective as a release of the lien.

1 **Rule 7001. Scope of Rules of Part VII**

2 An adversary proceeding is governed by the rules of this Part VII. The  
3 following are adversary proceedings:

4 \* \* \*

5 (2) a proceeding to determine the validity, priority, or extent of a lien or  
6 other interest in property, ~~other than~~ **not including** a proceeding under **Rule 3012**  
7 **or** Rule 4003(d);

8 \* \* \*

1 **Rule 9009. Forms**

2 **(a) OFFICIAL FORMS.** Except as otherwise provided in ~~Rule 3016(d)~~, **these**  
3 **rules, or on the Official Form itself**, the Official Forms prescribed by the Judicial  
4 Conference of the United States shall be ~~observed and used with alterations as may~~  
5 ~~be appropriate as prescribed~~, **although the filer may expand the space provided to**  
6 **permit complete responses, and may condense the form as appropriate, without**  
7 **changing the substance of the form.** ~~Forms may be combined and their contents~~  
8 ~~rearranged to permit economies in their use.~~

9 **(b) DIRECTOR'S FORMS.** The Director of the Administrative Office of the  
10 United States Courts may issue additional forms for use under the Code.

11 **(c) CONSTRUCTION.** The forms shall be construed to be consistent with these  
12 rules and the Code.