

United States Bankruptcy Court  
Eastern District of Michigan

Notice of Adoption of Guideline on Chapter 13  
Post-Confirmation Motions to Excuse Plan Payments or  
Tax Refunds in Chapter 13 Cases and Plan Modifications

The Court has adopted the following guideline for inclusion in its local rules, effective for the existing local rules and the amendments effective May 5, 2008:

Because post-confirmation motions to excuse plan payments or tax refunds in chapter 13 cases are actually plan modifications, for which the national and local rules establish a procedure, the Court will no longer consider such motions. Upon the filing of such a post-confirmation motion, the Court will enter an order denying it without prejudice to the debtor's right to file a proposed plan modification.

Any such proposed plan modification shall:

- (1) be served as required by F.R.Bankr.P. 3015(g);
- (2) comply with LBR 3015-2(b);
- (3) state with specificity the impact of the proposed plan modification on each class of creditors;
- (4) be accompanied by a form "Notice of Deadline to Object to Chapter 13 Plan Modification," available on the Court's website; and
- (5) be filed in ECF using the event, "Chapter 13 Post-Confirmation Plan Modification."

If a timely objection is filed, the Court will set the matter for hearing and give notice of the hearing to the debtor, the proponent of the plan modification, the trustee and any objecting parties.

Steven Rhodes  
Chief Bankruptcy Judge

May 1, 2008