

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION.

In re

CASE NO. 90-01-BKC-MISC-JAX

GENERAL ORDER CONCERNING CONFIRMATION  
IN CHAPTER 13 CASES, TIME LIMITATIONS,  
CERTIFICATIONS BY TRUSTEE AND DEBTOR(S),  
AND IMPOSITION OF PENALTY

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**GENERAL ORDER IMPOSING TIME LIMITATIONS  
REQUIRING CERTIFICATIONS BY TRUSTEE AND DEBTOR(S)  
AND IMPOSITION OF PENALTY IN CHAPTER 13 CASES**

The undersigned as presiding judge of the Jacksonville Division of this Court declares the general policy of the Court concerning Chapter 13 cases to be as follows:

1. Present confirmation time periods which now amount to as much as one year from the date of filing of the petition are unacceptable.

2. Continuances requested in Chapter 13 cases are excessive and prejudicial to the rights of creditors and deter the Court from carrying out its legal responsibility in confirming plans in Chapter 13 cases at an early time.

3. A reasonable time period is 140 days from the date of filing of the petition for debtor(s) to propose a confirmable Chapter 13 plan.

4. Chapter 13 confirmation hearings should not be placed upon the calendar without joint certifications of the debtor(s) and Trustee that the plan is confirmable under the requirements of 11 U.S.C. § 1325.

5. The failure to file joint certifications by the Trustee and the debtor(s) within the 140-day time period is sufficient grounds for the dismissal of the case without notice or hearing unless a conversion is requested in writing.

6. Continuances should be granted only for matters personal in nature such as debtor's illness or hospitalization supported by doctor's certificate or death of a close family member.

7. Continuances for the purpose of dealing with late filed claims, amendments to claims, need to file amended plan and the like will not be considered as sufficient grounds.

8. To the extent a continuance is granted, it will be limited to one and will require that the continued confirmation hearing be scheduled at an early time, not to exceed sixty (60) days with hearings being scheduled at early or late times or on weekends or holidays if it is necessary to comply with this time period.

IN ORDER TO CARRY OUT THIS GENERAL POLICY, this Order is issued as follows:

1. This Order shall affect all cases filed on or after August 1, 1990.

2. Confirmation hearings in Chapter 13 cases will not be placed on the calendar until both the debtor(s) and Trustee on a single sheet of paper file a certification with the Court that the case is ready for confirmation and meet the standards of 11 U.S.C. § 1325.

3. The certification of the debtor(s) and Trustee described in Paragraph 2 shall be filed within 140 days of the filing of the petition and the failure to file such certification within that time period will result in a dismissal of the case without further notice or hearing.

4. In lieu of dismissal, the debtor(s) may request conversion if warranted under 11 U.S.C. § 1307.

5. Continuances will not be granted for purposes of dealing with late filed claims, amendments to claims, or need to file amended plan.

6. Continuances will be limited to one in number and will be granted solely for debtor's personal problems, including illness or hospitalization supported by a doctor's certification or death of a family member.

7. Granting of a continuance will be done only if calendar considerations permit the case to be placed on the calendar within sixty (60) days and all are advised that the Court expects to use early and late hours as well as weekends and holidays, if necessary.

ORDERED this 1 day of August, 1990, at Jacksonville, Florida.



GEORGE L. PROCTOR  
Bankruptcy Judge

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF FLORIDA,  
JACKSONVILLE DIVISION.

CASE NO.

In re

Debtor(s)

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**JOINT CERTIFICATION OF DEBTOR(S) AND STANDING TRUSTEE  
THAT CHAPTER 13 CASE IS READY FOR CONFIRMATION  
PURSUANT TO 11 U.S.C. § 1325**

The standing Chapter 13 Trustee and the debtor(s) certify to the Court:

1. This Chapter 13 case is ready for confirmation and can be confirmed as meeting requirements of 11 U.S.C. § 1325 when scheduled.

2. The undersigned understand that continuances will not be granted for a problem concerning the confirmation process but will be limited to debtor(s)' illness or hospitalization supported by a doctor's certification or death of an immediate family member.

3. The undersigned understand that if the plan is not confirmed, the case will be dismissed unless the debtor(s) in writing request a conversion to Chapter 7 pursuant to 11 U.S.C. § 1307.

4. The debtor(s) state they or their attorney have:

- (a) physically reviewed the claims in the court file
- (b) filed and properly served all motions for valuation and/or lien avoidances designated in the plan
- (c) assured that claims are provided for in the plan in proper amounts
- (d) verified all arrearage amounts with the respective creditors and are accurate and correct

- (e) all filed secured or priority claims are provided for in the plan in accordance with the requirements of the Bankruptcy Code
- (f) filed proofs of claim for those creditors who are provided for in the plan but have not filed claims
- (g) objected to the claims of the below-listed creditors:

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5. This certification must initially be signed by the debtor(s) who will then deliver it to the office of the Standing Trustee, Mamie L. Davis, 300 West Adams Street, Suite 300, Jacksonville, Florida 32202, who shall then have the responsibility of immediately filing it with the United States Bankruptcy Court.

<hr/> (Debtor)	<hr/> (Counsel if applicable)
<hr/> (Address)	<hr/> (Address)
<hr/> (Telephone Number)	<hr/> (Telephone Number)
<hr/> (Date)	<hr/> (Counsel's Bar Number)
<hr/> (Joint Debtor if applicable)	<hr/> (Date)
<hr/> (Address)	<hr/> (Standing Trustee)
<hr/> (Telephone Number)	<hr/> (Date)
<hr/> (Date)	