



Caryl E. Delano
Chief Judge

United States Bankruptcy Court
Middle District of Florida
810 North Florida Avenue, Suite 932
Tampa, Florida 33602



Sheryl L. Loesch
Clerk of Court

TO: Attorneys and Parties Appearing Before the Court

FROM: Caryl E. Delano, Chief United States Bankruptcy Judge

DATE: July 9, 2020

SUBJECT: Administrative Order FLMB 2020-7 Prescribing Procedures for Chapter 13
Cases Filed on or After August 1, 2020, and
Revised Model Chapter 13 Plan, effective August 1, 2020

The Judges of the United States Bankruptcy Court for the Middle District of Florida, in consultation with the District's Chapter 13 Trustees, have approved *Administrative Order No. FLMB-2020-7 Prescribing Procedures for Chapter 13 Cases Filed on or After August 1, 2020*, and revisions to the Model Chapter 13 Plan, effective August 1, 2020. A "fillable" PDF version of the Model Plan will be available.

Administrative Order FLMB-2020-7

Briefly, Administrative Order FLMB-2020-7 revises the prior Administrative Order Prescribing Procedures for Chapter 13 Cases, FLMB-2018-2, to

- clarify that debtors are to file the Middle District's Model Chapter 13 Plan and not the Official Chapter 13 Plan;
- revise paragraph 4(b) to include information on the Court's Mortgage Modification Mediation program ("MMM");
- revise paragraph 7 to authorize the Trustee to pay allowed administrative expenses, including debtor's attorney's fees, in cases that are dismissed or converted prior to being confirmed if an application for the administrative expense is filed no later than 14 days after entry of the dismissal or conversion order. This revision is consistent with the ruling in *In re Arnold*, 2020 WL 2462525 (Bankr. E.D. Mich. May 12, 2020); and

- to include new paragraph 10 “*Reimposition of the Automatic Stay,*” which provides for the reimposition of the automatic stay as to a secured creditor or lessor if the debtor files an amended or modified plan that includes payments to the creditor or lessor in the Plan payments, unless the secured creditor or lessor has concluded its state law foreclosure or repossession remedies.

[Click HERE](#) to see the Administrative Order.

Revisions to the Model Chapter 13 Plan

The revisions to the Model Chapter 13 Plan include:

- a checkbox in Section A for the debtor to state the Plan is an amended plan that provides for a secured creditor and the automatic stay is reinstated;
- clarifications to Sections 5(a) and (b) to provide, at debtor’s election, for postpetition homeowner’s and condominium association payments to be paid through the Plan; and
- revision to Section 5(c) to provide additional information regarding the MMM program.

[Click HERE](#) to see Model Chapter 13 Plan (PDF).

[Click HERE](#) to see Model Chapter 13 Plan (Word).