

## Chapter 13 Model Plan

---

### **Docketing Event**

Bankruptcy > Plans, Disclosure Statements and Related Matters > Chapter 13 Plan (Original plan only)

---

**Negative Notice:** N/A

---

**Accompanying Orders:** N/A

---

### **Code and Rule References:**

[Fed. R. Bankr. P. 3015.1](#)

[Fed. R. Bankr. P. 9029](#)

[Administrative Order FLMB-2023-3](#)

---

**Fee:** N/A

---

**Applicable Chapters:** 13

---

**Implemented:** 2/23/2018

---

**Last Revision:** 12/4/2023 10:40:45 AM

---

### **Description**

The Official Plan form is required to be used in federal districts unless the district adopts a local form for Chapter 13 plans that meets the requirements listed in Federal Rule of Bankruptcy Procedure 3015.1. The Middle District of Florida has adopted a Model Chapter 13 Plan that is available on the Court's website and the various Chapter 13 Trustee websites.

A fillable PDF version of the Chapter 13 Model Plan has been developed to allow filers to easily prepare Chapter 13 Plans. The form permits filers to "collapse" inapplicable plan provisions and to add lines for additional information where needed. The PDF can be saved, revised, printed, and uploaded via CM/ECF. A non-fillable PDF version and a Word version are also available and are listed at the end of the procedure.

To ensure the accuracy of the form, data pull downs have been provided. It is important to read the entire form to ensure that all the necessary data fields are filled. Please contact our help desk if you need assistance with the form <mailto:ecfhelp@flmb.uscourts.gov>.

### **Step 1:**

Visit the Court's website and download the most recent form at:

<http://www.flmb.uscourts.gov/proguide/index.asp>.

If you do not already have Acrobat, please download the reader copy at:

<https://get.adobe.com/reader>.

**Note: The form may not display with early versions of Acrobat reader. It might be necessary to adjust your internet browser settings to ensure Adobe Acrobat is the default PDF program.**

**Step 2:**

The screen shots below describe the process of entering data into the form. Note: By design, some data objects on the form do not appear when the form is printed. All data is saved when the SAVE button is clicked in the top left corner of the form. The data pull down objects will fill selected text in the form as shown in red.

The pull-down boxes on the right allow the filer to select the Division, whether the Plan is Amended, Second Amended, etc., and the length of the Plan. This information is automatically uploaded on the form as shown by the red arrows. The pull-down boxes do not appear on the printed copy of the Plan.

Save

**UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

SECOND AMEN

IN RE:

Debtor(s) [red box] CASE NO.: [red box]

SECOND AMENDED CHAPTER 13 PLAN

A. **NOTICES.**

Debtor 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," if both boxes are checked, or if neither box is checked, the provision will be ineffective if set out later in the Plan.

A limit on the amount of a secured claim based on a valuation which may result in a partial payment or no payment at all to the secured creditor. See Sections C.5(d) and (e). A separate motion will be filed.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
Avoidance of a judicial lien or nonpossessory, nonpurchase money security interest under 11 U.S.C. § 522(f). A separate motion will be filed. See Section C.5(e).	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
Nonstandard provisions, set out in Section E.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included
THIS AMENDED PLAN PROVIDES FOR PAYMENTS TO CREDITOR/LESSOR [PLEASE ENTER NAME TO THE RIGHT] TO BE INCLUDED IN PLAN PAYMENTS; THE AUTOMATIC STAY IS REINSTATED AS TO THIS CREDITOR.	<input type="checkbox"/> Included	<input type="checkbox"/> Not included

**NOTICE TO DEBTOR: IF YOU ELECT TO MAKE DIRECT PAYMENTS TO A SECURED CREDITOR UNDER SECTION C.5(i) OF THIS PLAN, TO SURRENDER THE SECURED CREDITOR'S COLLATERAL UNDER SECTION C.5(j), TO NOT MAKE PAYMENTS TO THE SECURED CREDITOR UNDER SECTION C.5(k), OR IF PAYMENTS TO A SECURED CREDITOR ARE NOT SPECIFICALLY INCLUDED IN THE PLAN PAYMENTS, THE AUTOMATIC STAY DOES NOT APPLY, AND THE CREDITOR MAY TAKE ACTION TO FORECLOSE OR REPOSSESS THE COLLATERAL.**

**SECURED CREDITORS INCLUDE THE HOLDERS OF MORTGAGE LOANS, CAR LOANS, AND OTHER LOANS FOR WHICH THE SECURED CREDITOR HAS A SECURITY INTEREST IN PERSONAL OR REAL PROPERTY COLLATERAL.**

**B. MONTHLY PLAN PAYMENTS.**

Plan payments ("Plan Payments") include the Trustee's fee of 10% and shall begin 30 days from petition filing/conversion date. Debtor shall make Plan Payments to the Trustee for the period of [red box]. If the Trustee does not retain the full 10%, any portion not retained will be disbursed to allowed claims receiving payments under the Plan and may cause an increased distribution to the unsecured class of creditors.

**Red Arrow A** allows the filer to mark an inapplicable section as “NONE.” This collapses the section. **Red Arrow B** allows the filer to add additional creditors.

NONE **(a) Claims Secured by Debtor’s Principal Residence that Debtor Intends to Retain - Mortgage, HOA and Condominium Association Assessments, and Arrears, if any, Paid Through the Plan Under 11 U.S.C. § 1322(b)(5).** Debtor will cure prepetition arrearages and maintain regular monthly postpetition payments on the following claims secured by Debtor’s principal residence. Under 11 U.S.C. § 1328(a)(1), Debtor will not receive a discharge of personal liability on these claims.

Postpetition mortgage payments must be included in the Plan Payments. Mortgage payments are due on the first payment due date after the case is filed and continue monthly thereafter. The amount of postpetition mortgage payments may be adjusted as provided for under the loan documents. Postpetition ongoing homeowner’s association and condominium association assessments may be included in the Plan or may be paid direct. If Debtor intends to pay postpetition assessments through the Plan, list the Regular Monthly Payment. If Debtor intends to pay postpetition assessments direct, state “Direct” in the Regular Monthly Payment column.

	Last Four Digits of Acct. No.	Creditor	Collateral Address	Regular Monthly Payment	Gap Payment	Arrears
<input type="checkbox"/> 1.				\$0.00	\$0.00	\$0.00

**(b) Claims Secured by Other Real Property that Debtor Intends to Retain - Mortgage, HOA and Condominium Association Assessments, and Arrears, if any, Paid Through the Plan Under 11 U.S.C. § 1322(b)(5).** Debtor will cure prepetition arrearages and maintain regular monthly postpetition payments on the following claims secured by Debtor’s real property. Under 11 U.S.C. § 1328(a)(1), Debtor will not receive a discharge of personal liability on these claims.

Postpetition mortgage payments must be included in the Plan Payments. Mortgage payments are due on the first payment due date after the case is filed and continue monthly thereafter. The amount of postpetition mortgage payments may be adjusted as provided for under the loan documents. Postpetition ongoing homeowner’s association and condominium association assessments may be included in the Plan or may be paid direct. If Debtor intends to pay postpetition assessments through the Plan, list the Regular Monthly Payment. If Debtor intends to pay postpetition assessments direct, state “Direct” in the Regular Monthly Payment column.

	Last Four Digits of Acct. No.	Creditor	Collateral Address	Regular Monthly Payment	Gap Payment	Arrears
<input type="checkbox"/> 1.				\$0.00	\$0.00	\$0.00

---

**Related Links**