

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**IN RE: SUPPLEMENT TO
L.B.R. 3015-2(a)**

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MISC. NO. 17-

173013

ORDER

AND NOW WHEREAS:

- A. Effective December 1, 2017, Fed. R. Bankr. P. 3015(d) has been amended to require that the debtor serve a chapter 13 plan when it is filed with the court “[i]f the plan is not included with the notice of the hearing on confirmation mailed under Rule 2002.”
- B. Effective December 1, 2017, L.B.R. 3015-2(a) requires the debtor to serve an amended chapter 13 plan “as required under Fed. R. Bankr. P. 3015(d) and, if applicable, Fed. R. Bankr. P. 3012(b).”
- C. The court interprets both Fed. R. Bankr. P. 3015(d) and L.B.R. 3015-2(a) to refer to the initially filed chapter 13 plan only and not to subsequently amended chapter 13 plans filed prior to confirmation.
- D. As a result, no present rule addresses the service requirement for a pre-confirmation amended chapter 13 plan.
- E. In the interest of efficient case administration, it is appropriate to fill in this procedural gap with a Standing Order until such time as the Local Rules can be amended;

It is therefore **ORDERED** that, effective immediately in all chapter 13 cases, the debtor shall serve all amended chapter 13 plans, filed prior to the confirmation hearing, on:

- a. the chapter 13 trustee;
- b. all priority creditors;
- c. all secured creditors;
- d. all separately classified creditors whose interests are materially affected by the amendments in the plan;
- e. all creditors who have filed requests for notice under Fed. R. Bankr. P. 2002;
and
- f. any other entity as directed by the court.

Date: December 15, 2017



ERIC L. FRANK
CHIEF U.S. BANKRUPTCY JUDGE