

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA

**EFFECTIVE**  
**December 1, 2017**

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In re:

AMENDMENT OF LOCAL RULE 3015

ADMINISTRATIVE ORDER 2017-04

Pursuant to LR 1001(c), the bankruptcy judges of the District of Nevada hereby adopt this Administrative Order and amend LR 3015 to read as follows:

**LR 3015. CHAPTER 13 PLAN AND CONFIRMATION.**

(a) Mandatory Form Plan. The Local Form Chapter 13 Plan, NVB 113, must be used without alteration for all plans filed in Chapter 13 cases. This form will be available on the court's website.

(b) Chapter 13 plan guidelines. Each chapter 13 standing trustee may issue guidelines for the administration of chapter 13 plans. The guidelines will set forth positions that the trustee will generally follow in administering plans. The guidelines may also set procedures for scheduling confirmation hearings, filing objections to confirmation, and submitting orders confirming chapter 13 plans. The standing trustees may, from time to time, revise the guidelines. The trustees will reissue any revised guidelines with a notation of the effective date of the revision.

(c) Extension of time. A motion to extend the time to file a plan must be filed within the fourteen (14) day time period provided by Fed. R. Bankr. P. 3015(b), and will be set on a hearing date of not less than fourteen (14) days' notice.

(d) Service of plan. Upon the filing of a plan or an amended plan, the debtor shall serve a copy of the plan, or a summary thereof, along with a notice setting the date, time and location of the confirmation hearing and the deadline to file objections to the plan on the chapter 13 trustee, all creditors, and other parties in interest who do not receive copies by electronic filing. The debtor shall file with the plan or amended plan a certificate of service certifying that a copy of the plan or summary of the plan, and the notice of confirmation hearing has been served upon the trustee, all creditors and parties in interest, in accordance with Fed. R. Bankr. P. 2002(b).

(e) Service of modification of a chapter 13 plan. Upon the filing of a request to modify the chapter 13 plan, the filing party shall serve a copy of the modified plan, or a chapter 13 plan summary, on the chapter 13 trustee, all creditors, and other parties in interest who do not receive copies by electronic filing. The debtor shall file with the modified plan a Certificate of Service

certifying that a copy of the chapter 13 plan or chapter 13 plan summary and the time fixed for filing objections pursuant to Fed. R. Bankr. P. 3015(f) has been served upon the trustee, all creditors and parties in interest, in accordance with Fed. R. Bankr. P. 2002 and LR 9014 (b)(1) and (2).

(f) Direct payments to lessors and creditors. As authorized by 11 U.S.C. § 1326(a)(1), all payments that the debtor is obligated to make under Section 1326(a)(1)(B) or 1326(a)(1)(C) must be made to the lessor or creditor only if the debtor's plan so provides. In all other cases, the payments must be made to the chapter 13 trustee together with all payments made to the trustee under Section 1326(a)(1)(A). Chapter 13 trustees must separately account to each lessor or creditor for all payments received either (i) in the same way that they account for all other payments received under Section 1326(a); or (ii) as the court approves in accordance with separate agreements with each lessor or creditor.

Payments tendered to the trustee that are intended as lease or adequate protection payments pursuant to the express terms of a court order may be disbursed to the applicable lessor or secured creditor by the trustee prior to confirmation of the debtor's chapter 13 plan along with the trustee's regular monthly disbursements.

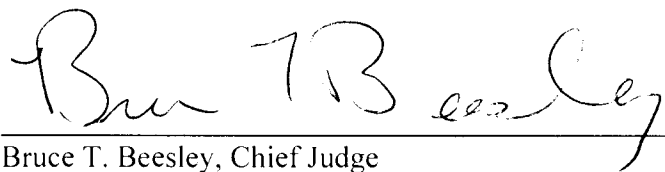
(g) Conduit payments on secured claims in chapter 13 cases.

(1) For all chapter 13 cases filed on or after October 1, 2013, if there is a pre-petition arrearage on a claim secured by real property or a vehicle of the debtor, or if the debtor becomes more than one month delinquent on any post-petition installment payments to such a creditor, then all post-petition installment payments to the creditor shall be made through the chapter 13 trustee as conduit payments. A debtor may be excused from this mandatory conduit payment requirement upon a showing of good cause. An increase in trustee's fees as a result of the conduit payment requirement shall not constitute good cause.

(2) Each chapter 13 standing trustee may issue guidelines for the administration of conduit payments. Unless otherwise ordered, the guidelines issued by the chapter 13 standing trustee assigned to a specific case must be observed. The standing trustees may revise the guidelines and shall re-issue any revised guidelines with a notation of the effective date of the revision.

(3) Where the debtor's proposed chapter 13 plan provides for conduit payments to be made by the trustee to a creditor, the chapter 13 trustee may disburse such conduit payments prior to confirmation of the debtor's plan. The filing of an amended chapter 13 plan may not recharacterize any conduit payments received or disbursed by the chapter 13 trustee prior to the date that the amended plan was filed. Creditors receiving conduit payments shall not report a payment as late or charge a late fee unless the untimely disbursement of the conduit payment was caused by the debtor's failure to make a full or timely payment under the chapter 13 plan.

**IT IS SO ORDERED.**

A handwritten signature in cursive script that reads "Bruce T. Beesley". The signature is written in black ink and is positioned above a horizontal line.

Bruce T. Beesley, Chief Judge  
United States Bankruptcy Court  
District of Nevada