

UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

In re: : Chapter 13
: :
DAVID D. DEBTOR : :
: :
Debtor : Bankruptcy No. 2X-99999 YYY

CHAPTER 13 STANDING TRUSTEE’S ANSWER TO MOTION TO MODIFY PLAN

William C. Miller, Chapter 13 standing trustee (“standing trustee”), answers the Motion to Modify Plan (“Motion”), with respect to the provisions of 11 U.S.C. § 1329(d), as follows:

1. Such provisions apply only to plans confirmed prior to March 27, 2020.
2. The Motion needs to explain the “material financial hardship” and how it was “due, directly or indirectly,” to the COVID 19 virus.
3. The modified plan may not provide for payments over a period that expires more than 7 years after the time that the first payment under the original confirmed plan was due.
4. 11 U.S.C. Sections 1322(a), 1322(b), 1323(c), and the requirements of section 1325(a) shall apply to any modification.
5. Amended Schedules I and J must be filed, showing that the modified plan is feasible.
6. Any supplemental attorneys’ fees, subject to an appropriate fee application (and the court’s approval), must be reasonable.
7. The payments originally designated to be paid to the unsecured creditors should not be reduced.

WHEREFORE, the standing trustee requests that any Order permitting the modification be consistent with the foregoing.

Respectfully submitted,

/s/ William C. Miller, Esquire

Date: Month ____, 202__

William C. Miller, Esquire
Chapter 13 Standing Trustee