

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF FLORIDA
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In Re:

Administrative Order 2018-01

Amendment of Section (C)(1) of
Interim Local Rule 3070-1

Under this court's Administrative Order 16-06, Local Rule 3070-1 was amended as Interim Local Rule 3070-1. The Court has determined that further amendment to Interim Local Rule 3070-1 is necessary to clarify under section (C) of the Rule that, when a chapter 13 debtor files an amended plan prior to the meeting of creditors, the debtor must be current in plan payments under the amended plan at the meeting of creditors or the case may be dismissed without further notice of hearing.

Accordingly, it is **ORDERED** as follows:

- (1) Interim Local Rule 3070-1 is amended in section (C)(1) by substituting the following as Interim Local Rule 3070-1(C)(1):

(C) Dismissal of Case for Failure to Timely Remit Payments.

- (1) ***Dismissal at the Meeting of Creditors.*** *If, at the meeting of creditors, the debtor is not current in plan payments under the plan as originally filed or amended, the chapter 13 trustee is authorized by the court to docket in the case a virtual paperless entry titled "Trustee's Request for Entry of Order Dismissing Case" and the case may be dismissed without further notice or hearing. Dismissal shall be with prejudice to the debtor filing any bankruptcy case for a period of 180 days from entry of the order of dismissal, or the expiration of any prejudice period set in any previous order still in effect, whichever is later.*

- (2) The Clerk is directed to provide notice of entry of this Order and to update the Local Rules as published by this court to reflect amended Interim Local Rule 3070-1(C)(1).

ORDERED in the Southern District of Florida, this 23 day of January, 2018.



Laurel Myerson Isicoff
Chief U.S. Bankruptcy Judge

c: All SD Bankruptcy Judges
Clerk of Court