

## **Rule 3015-3. Chapter 13 Confirmation.**

### **(A) Valuation of Collateral Securing Claims.**

- (1) Valuation of Collateral.** A chapter 13 debtor seeking to value collateral securing a claim in a chapter 13 plan pursuant to 11 U.S.C. § 506(a) and Bankruptcy Rule 3012 must file the Local Form “Motion to Value Collateral in Plan and Notice of Hearing”. The movant shall insert in the form a hearing date which shall be one of the published chapter 13 hearing dates for the judge assigned to the case which permits the motion to be heard prior to or at the confirmation hearing date and allows for at least 20 days service of the motion and notice of hearing. The debtor must serve the motion and the chapter 13 plan on the affected creditor(s) in accordance with Bankruptcy Rule 7004.
- (2) Objections to Debtor’s Declared Valuation.** Any oral or written objections to the valuation of collateral contained in a chapter 13 plan and in a motion to value collateral must be raised at or before the date of the hearing on the motion to value collateral. If no oral or written objections to the proposed valuation are raised at or before the hearing on the motion to value collateral, the valuation specified in the plan will be binding upon the affected secured creditor.
- (3) Hearing on Objections to Valuation.** Oral or written objections to the debtor’s proposed valuation pursuant to 11 U.S.C. § 506(a) shall be heard at the hearing set on the motion to value collateral.

 2004 Amendment: Amended to incorporate the provisions of AO Order 04-5 which permits hearings on motions to value collateral in chapter 13 cases prior to the date set for the confirmation hearing. Local Form “Motion to Value Collateral in Plan and Notice of Hearing” was also revised to accommodate selection of hearing date by movant.

### **(B) Confirmation of Plan.**

- (1) Objections to Confirmation.** Except for objections to confirmation based on valuation of collateral in the plan, objections to confirmation of the plan must be raised at or before the § 341 meeting, and any written objection must be filed and served on the standing chapter 13 trustee at or before the meeting, or the objection is deemed waived.
- (2) Confirmation Process.** The court may, by administrative order, establish procedures for confirmation of chapter 13 plans.

- (3) **Order Confirming Plan.** Upon confirmation of a chapter 13 plan, the applicable local form chapter 13 plan confirmation order shall be served pursuant to Local Rule 2002-1(C)(11).

*[Comment: See also Local Rules 6006-1(B) (confirmation order shall contain language regarding status of executory contracts or unexpired leases of chapter 13 debtors.), 6007-1(B)(2) (notice of abandonment of property by the chapter 13 trustee will be provided in the confirmation order).]*