

United States Bankruptcy Court  
District of Arizona

Chapter 13 Confirmation Procedures

In Chapter 13 cases, the plan confirmation process is accomplished by bar date. Under this bar date procedure, the Chapter 13 plan can be confirmed without a hearing if the trustee recommends confirmation and if no objections to the plan are filed. Even if the trustee does not recommend confirmation or if an objection is filed, the plan may still be confirmed without a hearing by use of a stipulated order of confirmation. A confirmation hearing will not be automatically scheduled when the case is filed. All Chapter 13 cases will use the bar date procedure.

Attached are two forms of notice, one for initial plans and one for modified or amended plans and motions for moratoriums.

**PLEASE NOTE THAT THE CHAPTER 13 PLAN, PLAN ANALYSIS AND THE APPROPRIATE NOTICE MUST BE MAILED TO CREDITORS NO LATER THAN 30 DAYS AFTER THE FILING OF THE PETITION. THE TRUSTEE MAY LODGE A DISMISSAL ORDER IF THE PLAN IS NOT TIMELY NOTICED TO CREDITORS.**

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA**

IN RE:

	)	Chapter 13	
	)		
	)	Case No.	PHX
	)		
Debtor(s).	)	NOTICE OF DATE TO FILE	
	)	OBJECTIONS TO PLAN (AND	
	)	APPLICATION FOR PAYMENT	
	)	OF ADMINISTRATIVE	
	)	EXPENSE) & CERTIFICATE OF	
	)	MAILING	
_____	)		

Notice is given that debtor(s) have filed the enclosed plan (and application for administrative expense) and that pursuant to order of the court, plan confirmation is governed by the following requirements:

1. Any objections to the confirmation must be in writing, filed with the clerk and copies served on the following parties no later than (fill in date that is 60 days after the date of the meeting of creditors):

Clerk, U.S. Bankruptcy Court  
P.O. Box 34151  
Phoenix, AZ 85067

Trustee  
Address  
City, State, Zip

Debtor  
Address  
City, State, Zip

Debtor's Attorney  
Address  
City, State, Zip

2. The trustee's written recommendation is to be filed within 30 days after the above date to file objections to the plan.
3. If no objections are filed and the trustee recommends confirmation, the plan can be confirmed without a hearing.
4. If objections are filed and/or if the trustee does not recommend confirmation, the plan can be confirmed without a hearing provided that the trustee and all objecting creditors agree to a stipulated confirmation order. If unable to so agree and stipulate, a hearing will be set with notice to the debtor, debtor's attorney and each objecting party.
5. The failure of a party in interest to timely file an objection to confirmation shall constitute acceptance of the plan or motion pursuant to 11 U.S.C. Section 1325 (a)(5)(A).

DATED: \_\_\_\_\_

\_\_\_\_\_  
ATTORNEY FOR DEBTOR OR DEBTOR  
IF NOT REPRESENTED BY AN ATTORNEY

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA**

IN RE:

	)	Chapter 13
	)	
	)	Case No.                      PHX
	)	
Debtor(s).	)	NOTICE OF DATE TO FILE
	)	OBJECTIONS TO MODIFIED PLAN
	)	(AND APPLICATION FOR PAYMENT
	)	OF ADMINISTRATIVE EXPENSE) OR
	)	MOTION FOR MORATORIUM
	)	& CERTIFICATE OF MAILING

Notice is given that the debtor has filed the enclosed modified plan (and application for administrative expense) or motion for moratorium and that pursuant to order of the court, confirmation of the modified plan or approval of the motion for moratorium is governed by the following requirements:

1. Any objections to confirmation or to the motion must be in writing, filed with the clerk and copies served on the following parties no later than (fill in date that is at least 25 days after the date of the mailing of this notice):

Clerk, U.S. Bankruptcy Court  
P.O. Box 34151  
Phoenix, AZ 85067

Trustee  
Address  
City, State, Zip

Debtor  
Address  
City, State, Zip

Debtor's Attorney  
Address  
City, State, Zip

2. The trustee's written recommendation is to be filed within 20 days after the above date to file objections to the confirmation or to the motion for moratorium.
3. If no objections are filed and the trustee recommends confirmation, the modified plan can be confirmed or the motion for moratorium approved without a hearing.
4. If objections are filed and/or if the trustee does not recommend confirmation, the modified plan can be confirmed or the motion for moratorium granted without a hearing provided that the trustee and all objecting creditors agree to a stipulated order. If unable to so agree and stipulate, a hearing will be set with notice to the debtor, debtor's attorney and each objecting party.
5. The failure of a party in interest to timely file an objection to confirmation or to the motion for moratorium shall constitute acceptance of the modified plan or motion pursuant to 11 U.S.C. Section 1325 (a)(5)(A).

DATED: \_\_\_\_\_

\_\_\_\_\_  
ATTORNEY FOR DEBTOR OR DEBTOR  
IF NOT REPRESENTED BY AN ATTORNEY

**CERTIFICATE OF MAILING**

\_\_\_\_\_, I, \_\_\_\_\_, hereby certify that copies of this notice and copies of the debtor(s)' Chapter 13 Plan<sup>1</sup> and Application for Payment of Administrative Expense were mailed on the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, to all creditors and interested parties as set forth on the attached list.<sup>2</sup>

DATED: \_\_\_\_\_

\_\_\_\_\_  
Attorney for Debtor (s)

\_\_\_\_\_

<sup>1</sup> If other than original plan, so indicate.

<sup>2</sup> Unless the list is attached, it is impossible for the Court to determine whether appropriate notice has been given.

**ATTACH**

**MAILING LIST OBTAINED  
FROM COURT'S PACER SYSTEM  
AND COPY OF PLAN, AMENDED PLAN,  
MODIFIED PLAN, PLAN ANALYSIS, OR  
MOTION FOR MORATORIUM MAILED**