



## Opinion 501

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**Opinion Title:** 06/29/2006 PUBLISHED In re Fuger, 06-20801, Judge Thurman.

**Body:** The Court was called upon to determine the meaning of the phrase, “applicable commitment period” found in Section 1325(b)(1)(B) under the Bankruptcy Abuse Prevention and Consumer Protection Act (“BAPCPA”). Through an analysis of plain language of the statute and prior case law, the Court ruled that a chapter 13 Debtor may propose a plan which does not require a set length of time to be in a plan, but which pays a specific amount to unsecured creditors. This amount would normally be calculated and paid over the applicable commitment period. The ‘applicable commitment period,’ 3 or 5 years, serves to aid the Debtor in determining the amount he or she must return.

**File:**  [501.pdf](#) [1]

**Judge:** [Judge William T. Thurman](#) [2]

**Date:** Thursday, June 29, 2006

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