Local Rule 2082-1 Chapter 12 - General (2013)

(a) **Monthly Financial Reports**. Not later than 21 days after the end of each month, the debtor must file with the court a monthly financial report in the form approved by the United States trustee and serve a copy upon the chapter 12 trustee. The debtor's duty to file these reports terminates upon confirmation of a plan, or upon conversion or dismissal of the case.

(b) **Filing of Chapter 12 Plan**. The court may dismiss a chapter 12 case if the debtor fails to file a plan within the time provided in § 1221 of the Code. If the debtor does not file a plan timely, the chapter 12 trustee should file a notice of failure to comply and serve it on the debtor and debtor's attorney. If an objection to the trustee's notice is not filed within 21 days after notice is mailed, the clerk should enter an order dismissing the case. The objecting party must set a hearing and give notice to parties in interest as provided in Fed. R. Bankr. P. 2002(a). If a hearing on the objection is not held within 40 days after the objection is filed, the clerk must enter the order of dismissal, unless the court orders otherwise.

(c) **Payments**. Payments under a confirmed plan must be paid by certified funds or money orders made payable as directed by the chapter 12 trustee. The debtor may make and the trustee may accept payments in furtherance of a plan prior to confirmation. Such payments must be disbursed under a confirmed plan or further order of the court, and may be subject to a charge for the trustee's expenses upon conversion or dismissal of the case, or confirmation of a plan.

(d) **Attorney's Fees**. All chapter 12 plans must contain a statement of attorney's fees paid and to be paid.

(e) **Monthly Payments**. Beginning at the first meeting of creditors and continuing each month thereafter until confirmation of a plan, the debtor may be required to pay to the chapter 12 trustee the actual and necessary expenses of the administration of the case as allowed by the court, or a minimum court-approved dollar amount to be fixed by the trustee, whichever is greater.

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