

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO

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NORTHERN DISTRICT OF OHIO
YOUNGSTOWN

IN RE:

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HONORABLE KAY WOODS

ALL PENDING CHAPTER 13 CASES,

SECOND AMENDED
ADMINISTRATIVE ORDER
NO. 05-10

ORDER ESTABLISHING PROCEDURES FOR DEBTORS' PLAN PAYMENTS AND
ADEQUATE PROTECTION PAYMENTS FOR ALLOWED CLAIMS SECURED BY
PERSONAL PROPERTY PURSUANT TO 11 U.S.C. § 1326(a) (1) (A) AND (C)

Dated at Youngstown, Ohio this 1st day of December, 2017.

This Administrative Order supersedes and replaces Administrative Order No. 05-10. This Administrative Order shall be applicable to all chapter 13 cases in which the debtors file the Youngstown Chapter 13 Plan attached to Amended Administrative Order No. 14-03. The Youngstown Chapter 13 Plan is currently posted on the Court's website - www.ohnb.uscourts.gov - under Forms, Local Forms: Youngstown, as a PDF fillable form.

This matter came on for hearing upon the Youngstown Standing Chapter 13 Trustee's Motion to Establish Procedures for Debtor's Plan Payments and Adequate Protection Payments for Allowed Claims Secured by Personal Property Pursuant to 11 U.S.C. § 1326(a) (1) (C) ("Motion"), Michael A. Gallo, Youngstown Standing Chapter 13 Trustee, appearing in support of the Motion (attached hereto as

Exhibit A), and no notices of said hearing having been given, as none is required.

It appearing to the Court that it would enable the Standing Chapter 13 Trustee to efficiently monitor debtors' plan payments, promote judicial economy, and be in the best interest of the administration of chapter 13 cases if this Court were to establish a procedure (i) by which debtors may comply with the requirements of § 1326(a)(1)(A) and (C) with respect to initiating payments to the Trustee; and (ii) determining adequate protection payments required to be made to creditors holding allowed claims secured by personal property of chapter 13 debtors.

Accordingly, the following procedures shall be applicable to all chapter 13 cases in which the debtors file the Youngstown Chapter 13 Plan:

1. From the debtor's plan payments, the Trustee shall accrue, for the benefit of all scheduled secured creditors entitled to adequate protection, to the extent of available funds, an amount equal to the secured value attributed to the personal property set forth in the debtor's Schedule B, divided by the number of months proposed for the term of the debtor's plan.
2. Within thirty (30) days after a secured creditor files a proof of claim, or upon confirmation of the debtor's plan, whichever is later, the Trustee shall pay to the secured creditor, consistent with normal administrative procedures, the amount

of the adequate protection payments accrued on its allowed claim.

It is further ordered that the within provisions with respect to payment to the Trustee and adequate protection payments to secured creditors are without prejudice to the right of any secured creditor or debtor, upon specific motion, to request an amendment or modification of the within Administrative Order as may be deemed necessary and appropriate.

IT IS SO ORDERED.

Kay Woods

KAY WOODS
UNITED STATES BANKRUPTCY JUDGE