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Standing Chapter 13 Trustee
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GUIDELINES FOR COMPLETING PLAN MODIFICATIONS AFTER CONFIRMATION

Please adhere to the following procedure when calculating a plan modification after confirmation:

INITIAL PAYMENT

1. Obtain a modification ledger sheet from the Trustee's website or office. If a ledger is obtained from the website, make certain to provide the Trustee with a copy of the ledger with the modified plan.

2. Determine the total amount the debtor paid to the Trustee.

3. Divide the total amount paid by the number of months that have passed since filing. Please be sure to use the month before modification begins, not the month after.

4. That amount becomes the monthly amount for the initial months.

MORTGAGE ARREARAGE

1. The arrearage amount for each credit or remains the same as in the original plan or proof of claim.

2. Determine the amount paid by the Trustee to each creditor and divide each by the total number of months that have passed since the time of filing.

3. That amount becomes the arrears amount for the initial months.

4. Subtract the total amount paid to date from the original arrearage amount for a new balance due.

5. Divide the new balance by the revised number of months left to cure under the modified plan.

6. That amount is the arrears amount for the modification period.

7. Calculate a new monthly arrears amount for each creditor.

REGULAR CONTINUING MONTHLY PAYMENTS

1. Determine the total number of months under the new cure period according to the modification.

2. Multiply the regular monthly payment by the total cure period.

3. Determine the amount paid by the Trustee to each creditor and divide by the-total number of months that have passed since the time of filing (month before modification begins).

4. That amount becomes the regular payment amount for the initial months.

5. Subtract the total amount paid to date from the new amount for the modification period to get the new balance due.

6. Divide the new balance by the number o f months left to cure.

7. That amount becomes the regular payment amount for the modification period.

8. Calculate a new regular payment amount for each creditor.

9. This new calculation does not change the regular monthly debt, it merely increases the original monthly amount by the post-confirmation arrearage during the modification period. At the end of the cure period, the debtor will resume making the original monthly payment directly to the secure creditor.

UNSECURED DEBT

Make certain the percentage paid to all unsecured creditors remains the same as in the originally confirmed plan. The Trustee will object to any plan in which unsecured creditors are prejudiced by the modification.

TOTAL MONTHLY AMOUNTS

1. Total each period and multiply by 10% (Trustee's Fee) in the same manner as in a regular plan.

2. Make certain all monthly payments in the modified plan fall within 90-100% of the debtor's current disposable income.

3. Make certain the debtor remits the first payment under the modification in a timely manner.

4. File amended Schedules I and J or an affidavit indicating that the debtor's income and expenses have not changed along with the proposed modification.

MOTION FOR MODIFICATION

Make certain the motion contains language to the effect that the debtor has failed to stay current under the confirmed plan and is asking the Court to allow the modified plan to cure both the prepetition arrearage and the post-confirmation delinquency during the modified plan term.

The Trustee will object to the modification unless all interested parties are advised of the delinquency and are given an opportunity to appear and be heard at the modification hearing.

The Trustee will object to the modification if the debtor is not current under the modified plan before the Modification hearing or if the manipulation of the amounts set forth in the modified plan causes the debtor to be "paid ahead."

The Trustee will immediately move to dismiss any case in which a debtor becomes delinquent under a modified plan and will not agree to any further continuances or payment arrangements.

SAMPLE MODIFIED PLAN AND LEDGER

Scenario: The debtor made reduced payments for five months and then proposed to modify the plan beginning with the sixth month. The total amount paid to the Trustee during the five initial months is $3,575. The secured lender received $1,000 towards the arrearage of $12,000 leaving a balance due of $11,000. The secured lender received $2,250 of regular payments based upon the original monthly payment of $500.

ORIGINAL PLAN

This plan uses 94% of the debtor's disposable income ($875)

A. $825 for months 1 to 48
B. $374 for months 49 to 55

ADMINISTRATIVE: Attorney's Fees - $__________ Total Paid $__________
Balance Due $__________ Payable $__________ /mo. (Mos. __ to __)

SECURED CREDITORS:

1. Creditor A — Arrearage $12,000
   Arrears Payment: $250 /mo. (Mos. 1 to 48)
   Regular Payment: $500 /mo. (Mos. 1 to 48)

Secured Creditor	Value of Collateral	Interest Rate	Plan Payments	Months of Pmt	Total Plan Pmts

PRIORITY CREDITORS:

1. __________ Total Due $__________
   Payable $__________ /mo. (Mos. __ to __)

UNSECURED CREDITORS:

Pay $340 /mo. (Mos. 49 to 55) Pro rata dividend will be calculated by the Trustee upon review of filed claims after the bar date.

MODIFICATION LEDGER

Case: 00-00001 - MR. & MRS. JOHN Q. DEBTOR

Debtor:		Date Petition Filed	06/01/2003
Mr. & Mrs. John Q. Debtor		341 Meeting Date	07/01/2003
123 Main Street		Claims Bar Date	09/01/2003
Fort Lauderdale, FL 33301		Conf Hrng Date	07/15/2003
		Balance on Hand	$0.00
		Total Paid In	$3,575.00
		Date Confirmed	10/15/2003
Attorney:		Atty Fee in Plan	$2,500.00
James J. Attorney, Esquire		Atty Arrears Amount	$0.00
123 Central Avenue		Atty Paid to Date	$2,500.00
Fort Lauderdale, FL 33301			

Credit or Name	Claim Type	Claim Amount	Prin Owed	Prin Paid
Creditor A	R- Regular Pmt	$24,000.00	$21,750.00	$2,250.00
Creditor A	M - Mtg Arrears	$12,000.00	$11,000.00	$1,000.00
Unsecured #1	U- Unsecured	$1,565.00	$156.50	$0.00
Unsecured #2	U - Unsecured	$1,815.00	$181.50	$0.00
Unsecured #3	U - Unsecured	$2,395.00	$239.50	$0.00
Unsecured #4	U - Unsecured	$5,932.00	$59320	$0.00
Unsecured #5	U - Unsecured	$8,256.00	$825.60	$0.00
Unsecured #6	U - Unsecured	$5,725.00	$572.50	$0.00

MODIFIED PLAN 1

This modified plan extends the cure period two months. It uses the same 94% of the debtor's disposable income.

A. $715.00 for months 1 to 5
B. $825.02 for months 6 to 50
C. $374.00 for months 51 to 57

ADMINISTRATIVE: Attorney's Fees - $__________ Total Paid $__________
Balance Due $__________ Payable $__________ /mo. (Mos. __ to __)

SECURED CREDITORS:

1. Creditor A — Arrearage $12,000
Arrears Payment: $250 /mo. (Mos. 1 to 5)
Regular Payment: $450 /mo. (Mos. 1 to 5)

Arrears Payment: $244.45 /mo. (Mos. 6 to 50)
Regular Payment: $505.56 /mo. (Mos. 6 to 50)

Secured Creditor	Value of Collateral	Interest Rate	Plan Payments	Months of Pmt	Total Plan Pmts

PRIORITY CREDITORS:

1. __________ Total Due $__________
Payable $__________ /mo. (Mos. __ to __)

UNSECURED CREDITORS:

Pay $340 /mo. (Mos. 51 to 57) Pro rata dividend will be calculated by the Trustee upon review of filed claims after the bar date.

MODIFIED PLAN 2

This modified plan increases payments without extending the cure period. It uses 96% of the debtor's disposable income.

D. $715.00 for months 1 to 5
E. $837.80 for months 6 to 48
F. $374.00 for months 49 to 55

ADMINISTRATIVE: Attorney's Fees - $__________ Total Paid $__________
Balance Due $__________ Payable $__________ /mo. (Mos. __ to __)

SECURED CREDITORS:

1. Creditor A
   Arrearage $12,000
   Arrears Payment: $200 /mo. (Mos. 1 to 5)
   Regular Payment: $450 /mo. (Mos. 1 to 5)

   Arrears Payment: $255.82 /mo. (Mos. 6 to 50)
   Regular Payment: $505.82 /mo. (Mos. 6 to 50)

Secured Creditor	Value of Collateral	Interest Rate	Plan Payments	Months of Pmt	Total Plan Pmts

PRIORITY CREDITORS:

1. __________ Total Due $__________
   Payable $__________ /mo. (Mos. __ to __)

UNSECURED CREDITORS: ****** Remain the same as in original plan ******

Pay $340 /mo. (Mos. 49 to 55) Pro rata dividend will be calculated by the Trustee upon review of filed claims after the bar date.