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UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

CHAPTER 13 DEBT ADJUSTMENT  
CASES

AMENDED GENERAL ORDER 34  
(Effective January 1, 2023)

1. Prior Version Superseded

The prior version of General Order 34 (effective from November 6, 2017) is superseded by this General Order.

2. Mandatory Form Plan.

For chapter 13 cases filed or converted to chapter 13 on or after January 1, 2023, all chapter 13 debtors, as well as the chapter 13 Trustee and holders of unsecured claims, when proposing a plan or a plan modification pursuant to 11 U.S.C. §§ 1321, 1323 and 1329(a), shall utilize the standard form chapter 13 plan, Form NDC 1-1 (effective January 1, 2023).

For chapter 13 cases filed or converted to chapter 13 on or before December 31, 2022, all chapter 13 debtors, as well as the chapter 13 Trustee and holders of unsecured claims, when proposing a plan or a plan modification pursuant to 11 U.S.C. §§ 1321, 1323

1 and 1329(a), shall continue to utilize the version of Form NDC 1-1 that was effective on the  
2 date the chapter 13 debtor's case was filed or converted to chapter 13.

3 3. Chapter 13 Debtor's Duties.

4 In addition to the duties imposed on a chapter 13 debtor by the Bankruptcy Code,  
5 the Federal Rules of Bankruptcy Procedure, applicable non-bankruptcy law and elsewhere in  
6 the Bankruptcy Local Rules and General Orders, the following duties are imposed on all  
7 chapter 13 debtors:

8 a. Documents Required by chapter 13 Trustee:

9 Not later than fourteen (14) days after the filing of the petition or conversion  
10 of the case, Debtor shall provide to the chapter 13 Trustee:

- 11 i. Form NDC 1-2 (Domestic Support Obligation Checklist), or  
12 written notice of the name and address of each person to whom  
13 debtor owes a domestic support obligation, together with the  
14 name and address of the relevant state child support  
15 enforcement agency (See, 42 U.S.C. §§ 464 and 466);  
16 ii. Form NDC 1-3 (Class 1 Checklist) for each Class 1 claim;  
17 iii. Form NDC 1-4 (Authorization to Release Information to  
18 Trustee Regarding Secured Claims Being Paid by the Trustee),  
19 for each claim in Classes 1, 2, 3, 5 and 6;

20 b. Periodic Reports.

21 i. Tax Returns and Related Matters.

22 Upon the chapter 13 Trustee's request, debtor shall provide the  
23 Trustee with a copy of any tax return, W-2 and 1099 form filed  
24 or received while the case is pending and furnish the Trustee  
25 with periodic financial information regarding the debtor's  
26 business or financial affairs;

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ii. Proof of Direct Payments to Secured Creditors -- Cases filed prior to December 31, 2022.

Notwithstanding now superseded General Order 34 (effective from November 6, 2017) or a confirmation order previously entered, Debtor is not required to file and serve (a) reports of the status of direct post-petition payments to each secured creditor prior to the meetings of creditors or confirmation hearings; and (b) quarterly reports regarding the status of post-petition payments to each applicable secured creditor;

iii. Proof of Direct Payments to Secured Creditors – All Cases.

In chapter 13 cases filed and confirmed after January 1, 2017, every debtor shall file and serve on the chapter 13 Trustee a declaration under penalty of perjury stating that debtor has made the post-petition payments debtor proposed in the chapter 13 plan to be made directly to each Class 1 creditor (the “Declaration”). The Declaration shall be filed and served on the Trustee annually on the anniversary of the confirmation of the plan;

iv. Judge’s Discretion.

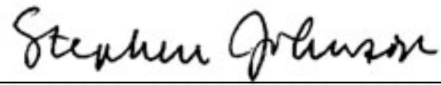
Any judge in this district may vary this procedure by posting their requirements on their procedures page on the court’s website. In the event a case is re-assigned to a different judge, Debtor shall adhere to the procedures of the newly assigned judge on a going-forward basis;

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- v. Failure to File Annual Declarations.  
The bankruptcy court may dismiss the chapter 13 case if the debtor is not current on the post-petition payments or the Declarations; and
- vi. Additional reports may be required by the court.

IT IS SO ORDERED.

January 1, 2023

  
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Stephen L. Johnson  
Chief Bankruptcy Judge