

LOCAL RULE 1007-1

Filing of Schedules and Statements

 A. — In the event that schedules and statements are not filed with the petition in a voluntary case, they shall be filed within fourteen (14) days thereafter, unless a motion to extend the time for filing is received prior to the expiration of the fourteen (14) days.

— Any motion to extend time to file schedules will not be granted without the consent of the Trustee or hearing held prior to the first date set for the meeting of creditors under 11 U.S.C. §341(a).

 B. Whenever the debtor(s) files schedules pursuant to this rule, the debtor(s) shall also complete and file the Certification Regarding Balance of Schedules [see Local Forms on the Court's website].

 C. Failure to comply with the provisions of this rule may result in the dismissal of the case without further notice or hearing.

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

In re:

Chapter _____

Debtor(s).

Case No.

CERTIFICATION REGARDING BALANCE OF SCHEDULES

On ___ Date ___, the Debtor(s) filed the balance of schedules pursuant to FRBP 1007(c) and Local Rule 1007-1. I have reviewed the balance of schedules and certify that (check the applicable box below):

___ These schedules do not list any creditors or parties not listed on the matrix originally filed with the petition in this case.

___ These schedules do list creditors who are not contained on the original matrix filed with the petition, and

I have filed a notice of amendment to debtor's schedules of creditors and/or matrix to add these creditors to the matrix; and

I have paid the filing fee to add these creditors to the matrix; and

I have sent a copy of the Notice of Bankruptcy and 341 Meeting to these creditors. The names and method of service are described as follows (add extra pages if necessary):

I hereby certify under penalty of perjury that the foregoing is true and correct.

Date: _____

Counsel for Debtor(s)

Debtor (if applicable)

Joint Debtor (if applicable)

LOCAL RULE 1009-1

Amendments to Petition, Lists, or Schedules

A. Amending a Petition, List, Schedule or Statement: Where the debtor(s) files any amendment to the petition, lists, schedules or statements previously filed, the debtor(s) shall send notice of the same to the United States Trustee, any trustee appointed, and to any and all entities affected by the amendment. Additionally the debtor(s) shall complete and file the Certification Regarding Amended Schedules [see Local Forms on the Court's website].

B. Adding Creditors: Where the debtor(s) adds creditors to the case by supplementing either the schedules or the list of creditors previously filed, the debtor(s) shall serve upon each newly-listed creditor a copy of the following:

1. the amendment, on the form designated by the Court;
2. the meeting of creditors notice;
3. the order granting discharge (if any); and
4. any other filed document affecting the rights of said creditor.

C. Proof of Service: All amendments of the kind specified in this rule shall be accompanied by the debtor's proof of service evidencing that the required notice was given.

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

In re:

Chapter _____

Debtor(s).

Case No.

CERTIFICATION REGARDING AMENDED SCHEDULES OR STATEMENTS

On _____ Date _____, the Debtor(s) filed amended schedules or statements (check the applicable box below):

_____ These amended schedules or statements do not list any creditors or parties not listed on the matrix originally filed with the petition in this case.

_____ These amended schedules or statements do add creditors but the creditors are listed on the mailing matrix previously filed with this Court. I have paid the related filing fee for adding these creditors. As of the date of this certification the mailing matrix in this case includes all creditors listed on the bankruptcy schedules, as amended.

_____ These amended schedules or statements do add creditors, and the creditors were not listed on the mailing matrix previously filed with this Court. Accordingly I have taken the following actions: (a) I have updated the mailing matrix to add all creditors not previously listed on the mailing matrix, and as of the date of this certification the mailing matrix in this case includes all creditors listed on the bankruptcy schedules, as amended, (b) I have paid the related filing fee for adding these creditors, and (c) on _____ Date _____, I sent the Notice of Bankruptcy and § 341(a) creditors' meeting notice to the following creditors in the manner described as follows (add extra pages if necessary):

I hereby certify under penalty of perjury that the foregoing is true and correct.

Date: _____

Counsel for Debtor(s)

Debtor (if applicable)

Joint Debtor (if applicable)

LOCAL RULE 3015-2

Chapter 13 - Amendments to Plan

A. Pre-Confirmation Amendments:

1. Filed with the Court thirty-five (35) or more days prior to confirmation: If an amended plan is filed with the Court thirty-five (35) days or more prior to the date first set for a confirmation hearing, the debtor shall file with said amended plan proof of service as set forth in section “D” of this rule. [See also *Local Form Certification of Mailing and/or Service of Chapter 13 Plan*]. The debtor shall also file a copy of the notice served with such plan advising all creditors and other parties in interest of the date for the confirmation hearing upon such plan and that any objection to its confirmation must be filed in writing at least seven (7) days in advance of such hearing in order to be heard.

2. Filed with the Court less than thirty-five (35) days prior to confirmation: If an amended plan is filed with the Court less than thirty-five (35) days prior to the date first set for a confirmation hearing, the debtor(s) is required to obtain a new confirmation hearing date [see Court’s website for hearing dates] and file the amended plan and the with *Local Form Amended Chapter 13 Plan Cover Sheet and Notice of Hearing with the Court.* ~~to allow the entry of an order setting a new date for the confirmation hearing.~~ The debtor(s) will then be required to serve a copy of the amended plan and the *Amended Chapter 13 Plan Cover Sheet and Notice of Hearings* ~~said order, along with the proposed plan as set forth~~ in section “C” of this rule.

B. Post-Confirmation Amendments: If an amended plan is filed after confirmation, the debtor(s) is required to obtain a confirmation hearing date [see Court’s website for hearing dates] and file the amended plan and the *Local Form Amended Chapter 13 Plan Cover Sheet and Notice of Hearing* with the Court. ~~to allow the entry of an order setting a date for hearing on the proposed modifications.~~ The debtor(s) will then be required to serve a copy of the amended plan and the *Amended Chapter 13 Plan Cover Sheet and Notice of Hearings* ~~said order, along with the proposed plan, as set forth in section “C” of this rule.~~

C. Distribution of Amended Plan: The debtor(s) shall serve any amended plan on:

1. the standing trustee, and
2. all creditors and interested parties on the mailing matrix unless otherwise ordered by the Court.

D. Proof of Service: Contemporaneous with the distribution of an amended plan, the debtor(s) shall file a proof of service certification [see *Local Form Certification of Mailing and/or Service of Chapter 13 Plan*] with the Court evidencing service on the standing trustee and all creditors on the debtor’s mailing matrix unless otherwise ordered by the Court. If the plan contains (i) a request under section 522(f) to avoid a lien or other transfer of property exempt under the Code or (ii) a request to determine the amount of a secured claim, the certificate of

service shall certify that the plan was served on the affected creditors in the manner provided for by Rule 7004 for service of a summons and complaint.

**UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

In re: Debtor(s).	Chapter 13 Case No.
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AMENDED CHAPTER 13 PLAN COVER SHEET AND NOTICE OF HEARING

The attached plan is an amended plan that replaces the confirmed or unconfirmed plan dated

The Court shall hold a hearing on confirmation of the attached plan and any timely filed objections on _____, at _____, at _____

The following describes the section(s) of the plan being amended, the change in treatment, the affected creditor(s), and the impact of the change:

<u>Section of Plan</u>	<u>Change in Treatment</u>	<u>Creditor</u>	<u>Impact of Change</u>

Counsel for the debtor shall file a separate certification of mailing and/or service of the amended chapter 13 plan and this cover sheet, unless the Court orders otherwise.