

## LOCAL RULE 2082-1: CHAPTER 12- GENERAL

- (a) **Filing of Plan.** The chapter 12 plan, attached as Exhibit A, may be filed in a chapter 12 case in this District. Plans must be filed within the time limits set forth in 11 U.S.C. § 1221. If the form plan attached as Exhibit A is not used, the plan filed must state, conspicuously and in its first sentence, that the plan proposed is not presented in the format of the form plan.
- (b) **Liquidation Analysis.** The debtor must attach as an exhibit a liquidation analysis to the proposed plan.
- (c) **Feasibility Analysis.** The debtor must attach as an exhibit to the plan a feasibility analysis setting forth the feasibility of the plan which shall include, at a minimum, the following:
- (1) The projected income for the family farming operation during the year in which the debtor's first plan payment is due;
  - (2) An itemized list of the sources of such income including the amount of property to be sold and the anticipated price per unit;
  - (3) An itemized statement of the debtor's expenses of doing business and living costs;
  - (4) The amount available for payment to the trustee under the terms of the confirmed plan; and
  - (5) Any amount to be retained by the debtor for expenditure as operating capital in the ensuing year.
- (d) **Pre-Confirmation Conference.** A conference between the debtor, the attorney for the debtor, creditors, the trustee, equity security holders, and parties in interest shall be held at least fourteen (14) days before the hearing on confirmation of the debtor's plan. The purpose of the conference is to attempt to resolve objections to the plan and to narrow the issues for the Court. The trustee shall preside at the conference. Any amended plan resulting from the conference must be filed with the Court and served on the trustee and all creditors and equity security holders at least seven (7) days before the hearing on confirmation of the debtor's plan, in order to be considered at the confirmation hearing.
- (e) **Notice.** The Clerk's Office, or some other person as the Court may direct, shall provide to the debtor or attorney for the debtor a notice to be served on the trustee, all creditors and all equity security holders, setting forth the date and time fixed for the pre-confirmation conference, the deadline for filing objections to the plan, and the date and time of the hearing to consider confirmation of a plan. Unless the Court fixes a shorter period, the notice shall be served at least thirty (30) days before the confirmation hearing. A copy of the plan and all exhibits shall accompany the notice.
- (f) **Objections.** Objections to confirmation of the plan must be filed with the Court and served on the debtor, attorney for the debtor, the trustee, and on any other entity designated by the Court, at or before the time fixed for the pre-confirmation conference. Objections to the amended plan, if any, must be filed and served on the debtor, attorney for the debtor, and the trustee prior to the confirmation hearing to be considered at the confirmation hearing. An objection to confirmation is governed by Fed. R. Bankr. P. 9014 and SC LBR 9014-1. The Court may refuse to consider an objection that does not comply with these rules.
- (g) **Summary of Operations.** At least seven (7) days before the pre-confirmation conference, the debtor shall serve on the trustee a completed summary of operations in a form to be provided by the trustee to the debtor after commencement of the case.

### Notes:

(2008) Paragraphs (d), (e), (f), and (g) were reordered and portions of this rule were restyled.

(2009) The periods in paragraphs (d) and (g) were amended to multiples of seven as part of time computation amendments.

(2012) The time periods in paragraph (d) were each reduced by seven days.