

**POST-CONFIRMATION MODIFIED PLANS AND
MOTION TO MODIFY CONFIRMED PLANS**

07/13/2018

Description: This process shows the steps required for an external user to file a Modified Plan and a Motion to Modify a Confirmed Plan. This process shows the steps for Post Confirmation only. *See* SC LBR 3015-2 for further information. If you need to modify a plan prior to confirmation, please refer to the Participant's Guide entitled Pre-Confirmation Modified Plans and Notice of Confirmation.

FILING A MODIFIED PLAN – POST CONFIRMATION

The Proposed Modified Plan and the Motion to Modify the Confirmed Chapter 13 Plan should be filed separately. The Proposed Modified Plan should be filed under Plan-Modified Plan. The Motion to Modify the Confirmed Chapter 13 Plan should be filed using the event Motion to Modify 12/13 Plan. The plan should not be attached to the Motion to Modify event.

STEP 1 – Click on the **Bankruptcy** hyperlink on the CM/ECF Main Menu Bar.

STEP 2 – The BANKRUPTCY EVENTS screen displays.

- Select the **Plan** hyperlink.
- Enter the case number for the appropriate case.
- Click the **[Next]** button.

The following screen appears:

If you will be entering a Chapter 13 Plan from the succeeding event list, please select the Plan or Modified Plan event FIRST, and using the CTRL key, select all additional motions included in this plan. Additional selections may include:

- **Plan-Lien Avoidance Included in Ch 13 Plan**
- **Plan-Valuation Included in Chapter 13 Plan**
- **Plan-Assume Included in Ch 13 Plan**
- **Plan-Reject Included in Ch 13 Plan**

- Click the **[Next]** button.
- For further information on each of these categories, click the yellow help (?) icon in the upper right hand corner.

STEP 3 – The AVAILABLE EVENTS screen displays.

- Scroll to select **Plan-Modified Plan** from the events list or start typing “Plan” in the text box to find the event.
- Click in the box if the document is a joint filing with other attorney(s).
- Click the **[Next]** button.

STEP 4 – The SELECT PARTY screen displays.

- Select the party that the filing attorney is representing from the list.
- If the correct party does not appear in the drop-down box, click **Add/Create New Party** and complete the information.
- Click the **[Next]** button.

STEP 5 – The SELECT PDF screen displays.

- Browse and select the .pdf file to associate with this event.
- Click the **[Next]** button.

STEP 6 – The TIME OF FILING PLAN MODIFICATION screen displays.

- Select the time of filing the plan modification – **Pre-Confirmation or Post-Confirmation.**
- Select **Post-Confirmation** and continue with this Participant’s Guide.
- If Pre-Confirmation is selected, stop and refer to the Participant’s Guide entitled Pre-Confirmation Modified Plans and Notice of Confirmation.
- Select the **[Next]** button.

STEP 7 – The CERTIFICATE OF SERVICE screen appears.

- Is the Certificate of Service Included? Select Yes or No from the list.
- Select the **[Next]** button.

STEP 8 – The MOTION TO MODIFY PLAN screen appears.

- Post-confirmation modifications to a chapter 13 plan now require a motion to modify, as set forth in SC LBR 3015-2(b).

- Select the [Next] button.

STEP 9 – The CONDUIT MORTGAGE screen displays.

- Are you including conduit mortgage payments in the Plan? Select Yes or No from the list.
- Click the [Next] button.

STEP 10 – The VERIFICATION screen displays.

- Verify that the case number and name are correct.
- Click the [Next] button.

STEP 11 – The FINAL DOCKET TEXT screen appears.

- This is the last opportunity to verify the accuracy of the information. Submission of this screen is final.
- If the final docket text is incorrect, click the browser [Back] button to find the screen needed to modify.

NOTE: If the [Back] button is used and case information is altered, you must use the [Next] button and resubmit for each screen or the changes will not take effect. In other words, do not use the [Forward] button on the browser if you alter information on a previous screen.

- To abort or restart the transaction, click the Bankruptcy hypertext link on the Menu Bar.
- Click the [Next] button if docket text is correct.

POST-CONFIRMATION

(with a Certificate of Service and Conduit Mortgage Payments in the Plan)

SAMPLE DOCKET TEXT: Final Text

Post-Confirmation Modified Ch. 13 Plan – Conduit with Certificate of Service. Objections due no later than 7 days prior to the Confirmation Hearing. Filed by Joe Debtor. (Attorney, Bill)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

NOTE: Following the filing of the Modified Plan, the Motion to Modify Confirmed Chapter 13 Plan should be filed separately using the event, Modify Confirmed Chapter 12/13 Plan.

STEP 12 – The NOTICE OF ELECTRONIC FILING screen appears.

- The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court’s database. It certifies that the document filed is now an official court document. It also includes the date and time of the transaction.

DOCKET THE MOTION TO MODIFY PLAN- POST-CONFIRMATION

The Motion to Modify the Confirmed Chapter 13 Plan and Proposed Modified Plan should be filed separately. The Motion to Modify the Confirmed Chapter 13 Plan should be filed using the event Motion to Modify 12/13 Plan. The Proposed Modified Plan should be filed under Plan-Modified Plan. The plan should not be attached to the Motion to Modify event.

STEP 1 – Click on the **Bankruptcy** hyperlink on the CM/ECF Main Menu Bar.

STEP 2 – The BANKRUPTCY EVENTS screen displays.

- Select the **Motions/Applications** hyperlink.
- Enter the case number for the appropriate case.
- Click the [Next] button.
- For further information on each of these categories, click the yellow help (?) icon in the upper right hand corner.

STEP 3 – The AVAILABLE EVENTS screen displays.

- Scroll to select **Modify Confirmed Chapter 12/13 Plan** from the events list or start typing “Modify” in the text box to find the event.
- Click the [Next] button.

STEP 4 – The ASSOCIATION screen appears.

- Click in the box if the document is being filed with another party.
- Click the [Next] button.

STEP 5 – The SELECT PARTY screen displays.

- Select the party that the filing attorney is representing from the list.
- If the correct party does not appear in the drop-down box, click **Add/Create New Party** and complete the information.
- Click the **[Next]** button.

STEP 6 – The VERIFICATION screen displays.

- Verify that the case number and name are correct.
- Click the **[Next]** button.

STEP 7 – The NOTICE screen displays.

NOTICE!!

- Confirm the following:
 - The filer understands that the Court may strike any document and deny relief for matters incorrectly scheduled, noticed, or docketed pursuant to SC LBR 9013.1.
 - The hearing date, time, and location on the notice match the date, time, and location docketed in CM/ECF.
 - The objection deadline on the notice is consistent with the minimum deadline set forth in the applicable exhibits to SC LBR 9013-4.
 - All parties entitled to service have been served by the movant.
- Click inside the radio button to certify that the filer has read and meet the above –listed requirements.
- Click the **[Next]** button.

STEP 8 – The SELECT PDF screen displays.

- Browse and select the .pdf file to associate with this event.
- Click the **[Next]** button.

STEP 9 – The HEARING INFORMATION screen displays.

- Insert the Possible Hearing Date, Time, Location, and Date Served. For this event, the hearing date should be at least 28 days following the service of the Motion and the Modified Plan.
- Click the **[Next]** button.

STEP 10 – The CERTIFICATE OF SERVICE screen appears.

- Is the Certificate of Service Included? Select Yes or No from the list.
- Click the **[Next]** button.

STEP 11 – The REFERENCE AMENDED MOTION screen appears.

- Is this amending a previous motion? Select Yes or No from the list.
- If No, continue to STEP 12. If Yes, SKIP to the section entitled **Amending a Previous Motion to Modify a Plan**.
- Click the **[Next]** button.

STEP 12 – The REFER TO EXISTING EVENT(S) screen appears.

- Place a check mark in the box to refer to an existing event(s).
- Click the **[Next]** button.

STEP 13 – The RELATED CATEGORY screen appears.

- Select the category to which your event relates. The category should be Plan.
- Click the **[Next]** button.

STEP 14 – The SELECT RELATED EVENT(S) screen displays.

- Place a check mark in the box to select the modified plan.
- Click the **[Next]** button.

STEP 15 – The VERIFICATION screen displays.

- Verify that the case number and name are correct.
- Click the **[Next]** button.

STEP 16 – The FINAL DOCKET TEXT screen appears.

- This is the last opportunity to verify the accuracy of the information. Submission of this screen is final.
- If the final docket text is incorrect, click the browser **[Back]** button to find the screen needed to modify.

NOTE: If the **[Back]** button is used and case information is altered, you must use the **[Next]** button and resubmit for each screen or the changes will not take effect. In other words,

do not use the **[Forward]** button on the browser if you alter information on a previous screen.

- To abort or restart the transaction, click the Bankruptcy hypertext link on the Menu Bar.
- Click the **[Next]** button if docket text is correct.

SAMPLE DOCKET TEXT: Final Text

Motion to Modify Confirmed Chapter 13 Plan with Certificate of Service. Objections due no later than seven (7) days prior to the hearing the date of which is shown below. Filed by Bill Attorney on behalf of Joe Debtor (related document(s)[5]). If a response, return, and/or objection is timely filed, a hearing will be held on 1/31/2018 at 10:00 AM at Spartanburg. (Attorney, Bill)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

STEP 17 – The NOTICE OF ELECTRONIC FILING screen appears.

- The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the document filed is now an official court document. It also includes the date and time of the transaction.

AMENDING A PREVIOUS MOTION TO MODIFY A PLAN

STEP 1 – The REFERENCE AMENDED MOTION screen appears.

- Is this amending a previous motion? Select Yes.
- Click the **[Next]** button.

STEP 2 – The SELECT RELATED EVENT(S) screen displays.

- Place a check mark in the box to select the document or event for which the filing relates to.
- Click the **[Next]** button.

STEP 3 – The VERIFICATION screen displays.

- Verify that the case number and name are correct.
- Click the **[Next]** button.

STEP 4 – The FINAL DOCKET TEXT screen appears.

- This is the last opportunity to verify the accuracy of the information. Submission of this screen is final.
- If the final docket text is incorrect, click the browser **[Back]** button to find the screen needed to modify.

NOTE: If the **[Back]** button is used and case information is altered, you must use the **[Next]** button and resubmit for each screen or the changes will not take effect. In other words, do not use the **[Forward]** button on the browser if you alter information on a previous screen.

- To abort or restart the transaction, click the Bankruptcy hypertext link on the Menu Bar.
- Click the **[Next]** button if docket text is correct.

SAMPLE DOCKET TEXT: Final Text

Amended Motion to Modify Confirmed Chapter 13 Plan with Certificate of Service. Objections due no later than seven (7) days prior to the hearing the date of which is shown below. Filed by Bill Attorney on behalf of Joe Debtor (related document(s)[15][5]). If a response, return, and/or objection is timely filed, a hearing will be held on 2/22/2018 at 10:00 AM at Spartanburg. (Attorney, Bill)

Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue.

STEP 5 – The NOTICE OF ELECTRONIC FILING screen appears.

- The Notice of Electronic Filing is the verification that the filing has been sent electronically to the court's database. It certifies that the document filed is now an official court document. It also includes the date and time of the transaction.