

**PRE-CONFIRMATION MODIFIED PLANS
AND NOTICE OF CONFIRMATION**

Updated 12/22/2022

Description: This process shows the steps required for an external user to process Pre-Confirmation Modified Plans and a Notice of Confirmation. This process shows the steps for Pre-Confirmation only. If Post Confirmation, please refer to the Participant's Guide entitled Post-Confirmation Modified Plans, Motion to Modify Confirmed Plans. **Please note that the Judges have varying procedures for the filing of Pre-Confirmation Plan Modifications. See SC LBR 3015-2 for further information.**

FILING A MODIFIED PLAN- PRE-CONFIRMATION

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/Reject Included in Ch 13 Plan**
- Click the **[Next]** button.
- For further information on each of these categories, click the **Help** button located on the CM/ECF menu bar.

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.
- Hold down the CTRL key and select all motions included in the plan.
- 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 TYPE OF FILING PLAN MODIFICATION screen displays.

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

PRE-CONFIRMATION:

If the Modified Plan is filed more than 28 days before the initial scheduled confirmation hearing date, a Notice of Confirmation Hearing is not required in cases assigned to Judge Burris. However, if filed, the Notice of Confirmation should contain the original confirmation hearing date and should be attached to the modified plan, not filed as a separate docket event. For Judge Duncan and Judge Gasparini, a Notice of Confirmation is required and also should be attached to the modified plan.

If the Modified Plan is filed less than 28 days before the scheduled Confirmation Hearing date, a Notice of Confirmation is required and should be filed separately using the event “Hearing Notice (Confirmation)” and a new Confirmation Hearing date is set, for cases assigned Judge Burris. See page 4 for processing the Hearing Notice.

For Judge Duncan and Judge Gasparini’s Chapter 13 cases, attorneys should NOT file modified plans if it is less than 28 days until the scheduled confirmation hearing. The attorney may or may not have to attend the first confirmation hearing, scheduled at 10:00 a.m., depending on whether the trustee has requested the attorney's presence. After the first scheduled confirmation hearing, the trustee will provide the attorney with a continued confirmation hearing date. The attorney should use that date for the notice of confirmation hearing that is filed with any modified plan filed after the hearing and more than 28 days before the continued confirmation hearing date.

STEP 6 – 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 7 – The CERTIFICATE OF SERVICE screen appears.

- Is the Certificate of Service Included? Select **Yes** or **No** from the list.
- 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 VERIFICATION screen displays.

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

STEP 10 – 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.

PRE-CONFIRMATION

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

SAMPLE DOCKET TEXT: Final Text

Pre-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.

STEP 11 – 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.

FILING A CONFIRMATION HEARING NOTICE

A Modified Plan may only be filed less than 28 days before the originally scheduled Confirmation Hearing in cases assigned to **Judge Burris**. **Do not file a pre-confirmation modified plan in cases assigned to Judge Duncan and Judge Gasparini if there is less than 28 days between the service of the modified plan and the original confirmation hearing date.** If the Modified Plan is filed less than 28 days before the scheduled Confirmation Hearing date, a Notice of Confirmation should be filed **separately** as follows:

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

STEP 2 – The BANKRUPTCY EVENTS screen displays.

- Select the **Notices** hyperlink.
- Enter the case number for the appropriate case.
- Click the **[Next]** button.
- For further information on each of these categories, click the **Help** button located on the CM/ECF menu bar.

STEP 3 – The AVAILABLE EVENTS screen displays.

- Scroll to select **Hearing Notice (Confirmation)** from the events list or start typing “Confirmation” 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 SELECT PDF screen displays.

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

STEP 7 – The CONFIRMATION HEARING INFORMATION screen displays.

- Insert the new Confirmation Hearing Date, Time and Location.

VERIFY THAT THERE ARE AT LEAST 28 DAYS FROM THE SERVICE DATE OF THE MODIFIED PLAN AND THE CONFIRMATION HEARING DATE.

- Click the **[Next]** button.

STEP 8 – The SELECT RELATED EVENT screen appears.

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

STEP 9 – The REFERENCE AMENDED NOTICE screen displays.

- Is this Notice Correcting a Previous Notice? Select **Yes** or **No**.
- If No, continue to STEP 10. If Yes, SKIP to the section below entitled Corrected Notice of Confirmation Hearing.
- 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.

SAMPLE DOCKET TEXT: Final Text

Notice of Confirmation Hearing Filed by Joe Debtor. (related document(s)[11]. Hearing scheduled for 1/31/2022 at 10:00 AM in Columbia. (Attorney, Bill)

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

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.

CORRECTED NOTICE OF CONFIRMATION HEARING

STEP 1 – The REFERENCE AMENDED NOTICE screen displays.

- Is this Notice Correcting a Previous Notice? Select **Yes**.
- Click the **[Next]** button.

STEP 2 – The VERIFICATION screen displays.

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

STEP 3 – 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

Corrected Notice of Confirmation Hearing Filed by Joe Debtor. (related document(s)[11]. Hearing scheduled for 1/31/2022 at 10:00 AM in Columbia. (Attorney, Bill)

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

STEP 4 – 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.