

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MISSOURI**

IN RE:

**REQUESTS TO MODIFY CHAPTER
13 PLANS UNDER 11 U.S.C. § 1329(d)**

GENERAL ORDER NO. 4

The Coronavirus Aid, Relief, and Economic Security Act (CARES Act), enacted March 27, 2020, added section 1329(d) to the Bankruptcy Code for the one-year period March 27, 2020 to March 26, 2021. Section 1329(d) permits debtors to request modifications to plans confirmed prior to March 27, 2020, in specified circumstances.

Any debtor wishing to modify under section 1329(d) a plan that was confirmed prior to March 27, 2020, shall file a request for such modification **with the proposed modified plan attached as an exhibit** using the designated CM/ECF event (Motion to Modify Chapter 13 Plan under 1329(d) – CARES Act). The proposed modified plan should not be filed separately on the docket. The request shall, at a minimum, provide the following information:

1. the ECF No. of the confirmed plan and the date it was filed;
2. the date the plan was confirmed (must be prior to March 27, 2020);
3. a description of the proposed plan modification(s);
4. an explanation of the circumstances supporting the allegation that the debtor is experiencing or has experienced a material financial hardship due, directly or indirectly, to the coronavirus disease 2019 (COVID-19) pandemic, for example, one or more of the situations set forth in Section 2102(a)(3) of the CARES Act; and
5. how the hardship supports the requested modification (*i.e.*, just because there is a hardship does not necessarily mean the debtor can or should stretch the payments out to 84 months).

Please note that FRBP 2002(a)(5) requires a 21-day notice of the request and proposed amended plan unless the proponent requests, and the court for cause enters, an order reducing the 21-day notice period under FRBP 9006(c).

Objections to the proposed plan modification(s) shall be filed as an objection to the request and clearly set forth the basis for the objection. There is no need to file a separate objection to confirmation or motion to deny confirmation.

IT IS SO ORDERED.

DATED: April 7, 2020

/s/ Brian T. Fenimore
Chief Bankruptcy Judge

/s/ Dennis R. Dow
Bankruptcy Judge

/s/ Cynthia A. Norton
Bankruptcy Judge