

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

IN RE:)	
)	
PROCEDURES IN AID OF PAYMENTS)	GENERAL ORDER
OF SECURED DEBTS AND / OR LONG)	SETTING PROCEDURES TO BE
TERM SECURED DEBTS IN CHAPTER 13)	FOLLOWED IN ALL CASES FILED
PLANS)	ON OR AFTER JANUARY 1, 2007

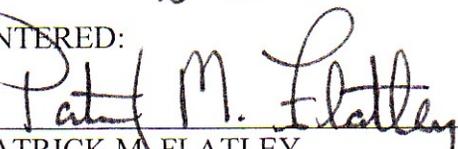
GENERAL ORDER 06-04

Having concluded that the following new procedures are needed to assist in the implementation of the model Chapter 13 plan for this district, it is hereby ORDERED that, with respect to all cases filed on or after January 1, 2007:

- (A) If a debtor files a Chapter 13 petition and seeks to cure an arrearage on a secured debt, including a long term secured debt, payments on the arrearage and payments on the secured debt shall be made by the Chapter 13 Trustee unless the debtor files a motion with the court that establishes good cause as to why the Chapter 13 Trustee should not be the disbursing agent.
- (B) If a debtor files a Chapter 13 petition and is not in arrears on a secured debt payment, then the debtor may, in the debtor's discretion, continue to act as the disbursing agent on the claim and pay the secured creditor directly.
- (C) If a debtor files a Chapter 13 petition and is not in arrears on a secured debt payment at the time of filing, and if the debtor later falls behind on the secured debt payment, and if the creditor files a motion to lift the automatic stay to repossess or foreclose on the secured collateral, and if the debtor proposes to cure the default on the secured debt, then the debtor shall lose the right to be the disbursing agent on the secured debt and both the post-petition cure and ongoing secured debt payments shall be made by the Trustee without the need to modify the terms of the confirmed plan pursuant to 11 U.S.C. § 1329. The debtor may file a motion with the court that establishes good cause as to why the debtor should continue to be the disbursing agent on the claim in lieu of the Chapter 13 Trustee.
- (D) The Chapter 13 Trustee shall receive from plan payments such expenses and compensation as provided by the Executive Office of the U.S. Trustee. Additional administrative compensation pursuant to 11 U.S.C. § 503 may be ordered by the Court upon appropriate motion as a result of extraordinary circumstances on a case by case basis.

12-06-06

ENTERED:

A handwritten signature in cursive script that reads "Patrick M. Flatley". The signature is written over a horizontal line.

PATRICK M. FLATLEY

United States Bankruptcy Judge