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U.S. BANKRUPTCY COURT
MONTGOMERY, ALABAMA

**UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA**

**ORDER ON PAYMENT OF ADEQUATE PROTECTION AND
AND ATTORNEY'S FEES TO DEBTOR'S COUNSEL**

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 ("BAPCPA") amended 11 U.S.C. § 1325(a)(5)(B) to require that periodic payments on allowed secured claims be made in equal monthly amounts. The payments shall be in an amount sufficient to adequately protect the holders of claims secured by personal property. In addition, BAPCPA amended 11 U.S.C. § 1326(a)(1) to provide for pre-confirmation adequate protection payments to holders of allowed claims secured by a purchase-money security interest in personal property. To implement these amendments, it is hereby ORDERED that –

1. The Chapter 13 Plan attached to this order as Exhibit A is adopted as the official plan form for this district and is designated Local Form 3 (rev. 1/1/2007).

2. Unless the plan provides otherwise, the trustee is authorized to make the payments required by 11 U.S.C. § 1326(a)(1) pending confirmation of the plan. Subject to objection by a party in interest, the payments shall be in the amount specified by the plan.¹

3. After confirmation, the trustee is authorized to make adequate protection payments to holders of secured claims in the amounts specified by the plan.

4. When the fee to the debtor's attorney has been paid in full, the trustee is authorized to begin making the specified monthly payment to secured creditors as provided by the

¹ An advisory committee of debtor and creditor lawyers from this district has reached a consensus that a monthly payment in the amount of 1% of the value of the collateral securing a claim will, in most instances, adequately protect a creditor's interest in the collateral. The consensus was reached in an effort to avoid frequent litigation. The court encourages the use of this method of calculation realizing, however, that examination of adequate protection on a case-by-case basis may warrant a different result.

confirmed chapter 13 plan.

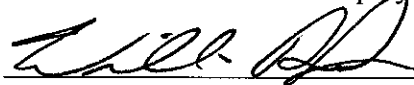
5. This order shall be effective for cases filed on or after January 1, 2007.

6. The prior standing "Order Directing Payment of Attorney Fees in Installments in Chapter 13 Cases" dated June 23, 1981 is VACATED.

Done this 8th day of November, 2006.



Dwight H. Williams, Jr.
Chief United States Bankruptcy Judge



William R. Sawyer
United States Bankruptcy Judge

c: Curtis C. Reding, Chapter 13 Trustee
Teresa R. Jacobs, Bankruptcy Administrator
Richard S. Oda, Clerk of Court
Attorneys for Chapter 13 Debtors

4. SURRENDERED PROPERTY

Debtor surrenders the following collateral. Upon confirmation, the automatic stay (including the co-debtor stay) is lifted as to surrendered collateral. Any claim filed by such creditor will receive no distribution under this Plan until an amended proof of claim is filed by such creditor, reflecting any deficiency balance remaining following surrender.

CREDITOR	COLLATERAL DESCRIPTION	AMOUNT OF DEBT	VALUE OF COLLATERAL

5. CURING DEFAULTS

Pursuant to §1322(b)(5) the debtor shall cure defaults with respect to the following creditors:

CREDITOR	COLLATERAL DESCRIPTION	AMOUNT OF ARREARAGE	INTEREST RATE	SPECIFIED MONTHLY PAYMENT AMOUNT

Trustee shall pay the allowed claims for arrearages at 100% through this Plan. The amount of default to be cured under this provision shall be the amount of the allowed claim filed by the creditor. The "amount of arrearage" listed herein is an estimate, and in no way shall this estimate limit what the Trustee shall distribute to said creditor under this plan to cure the default.

6. DIRECT PAYMENTS

The following secured creditors or holders of long-term debt will be paid directly by the debtor to the creditor. The debtor shall make all §1326 pre-confirmation adequate protection payments directly to the following creditors pursuant to the terms of the contract with the creditor. The debtor shall continue to make all payments to the creditor directly pursuant to the terms of the contract following the confirmation of the debtor's plan.

CREDITOR	COLLATERAL DESCRIPTION	DIRECT PAYMENT AMOUNT

7. DOMESTIC SUPPORT OBLIGATIONS

The Debtor proposes that following prepetition Domestic Support Obligation arrearage claims shall be paid in full through this plan pursuant to §507(a)(1) unless the claimant agrees to some other treatment or the Court orders otherwise:

CREDITOR	TOTAL ARREARAGE	SPECIFIED MONTHLY PAYMENT AMOUNT

The Debtor shall directly pay all ongoing Domestic Support Obligations that become due after filing of the petition.

8. PRIORITY CLAIMS (EXCLUDING DOMESTIC SUPPORT OBLIGATIONS)

The Debtor will pay all priority claims pursuant to § 507 unless claimant expressly agrees otherwise including the following:

CLAIMANT	TYPE OF PRIORITY	SCHEDULED AMOUNT	SPECIFIED MONTHLY PAYMENT AMOUNT

9. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Executory contracts and/or leases receive the following designated treatment. For all executory contracts or unexpired leases being assumed by the debtor pursuant to this plan, the debtor shall make all pre-confirmation §1326 adequate protection payments directly to the Lessors pursuant to the terms of the contract. For all contracts assumed, the debtor shall continue to make all payments directly to the creditor pursuant to the terms of the contract following the confirmation of the debtor's plan.

CREDITOR	COLLATERAL DESCRIPTION	REJECT	ASSUME

10. SPECIALLY CLASSIFIED UNSECURED CLAIMS

The following claims shall be paid as specially classified unsecured claims and shall receive the following designated treatment:

CREDITOR	AMOUNT OF DEBT TO BE SPECIALLY CLASSIFIED	INTEREST RATE	SPECIFIED MONTHLY PAYMENT AMOUNT

11. UNSECURED CLAIMS

Allowed non-priority unsecured claims shall be paid through the distribution of the debtor's chapter 13 plan at a rate of _____%, or pro rata participation in a "POT" Plan of \$_____ for the benefit of unsecured creditors, or until all allowed claims are paid in full. If this proposed dividend to unsecured creditors is less than 100%, debtors propose to pay to the Trustee all projected disposable income for the applicable commitment period for the benefit of unsecured creditors as required by §1325(b).

12. OTHER PLAN PROVISIONS

(a) Lien Retention: Allowed secured claim holders shall retain liens until liens are released or upon completion of all payments under this Plan.

(b) Vesting of Property of the Estate:

_____ Property of the Estate shall revert in the Debtor(s) upon confirmation of the debtor's plan.

_____ Property of the Estate shall remain property of the estate subsequent to confirmation of this plan.

All property of the Estate whether it remains in the estate or reverts with the debtor upon confirmation of the plan shall remain in the debtor's possession and control. The debtor shall have use of property of the estate, subject to the requirements of §363 of the Bankruptcy Code.

(c) Direct Payment by Debtor: Secured creditors and lessors to be paid directly by the Debtor(s) may continue to mail to Debtor(s) the customary monthly notices or coupons notwithstanding the automatic stay.

(d) Other Provisions of the Plan Not Elsewhere Described:

DEBTOR'S SIGNATURE

DATE

DEBTOR'S SIGNATURE

DATE

DEBTOR'S COUNSEL'S SIGNATURE

DATE