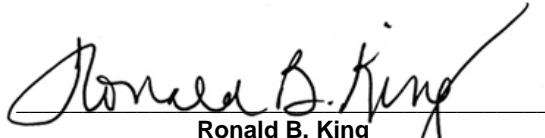


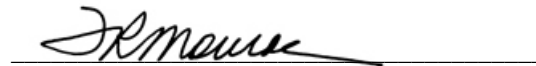
SIGNED this 28th day of February 2003.




Larry E. Kelly
Chief United States Bankruptcy Judge


Leif M. Clark
United States Bankruptcy Judge


Ronald B. King
United States Bankruptcy Judge


Frank R. Monroe
United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

STANDING ORDER FOR CHAPTER 13 CASE ADMINISTRATION
FOR AUSTIN DIVISION

The Bankruptcy Judges for the Western District of Texas for the Austin Division have determined that the Chapter 13 practice will be more efficiently administered if confirmation hearings are not scheduled until after the bar date for filing proofs of claim. In order to provide adequate protection for creditors and to assist debtors, attorneys and the Chapter 13 Trustee in the orderly administration of cases with this delayed confirmation process, the following procedures are determined to be necessary:

1. ADOPTION OF CHAPTER 13 PLAN FORMAT:

Attached as Exhibit-1 to this Standing Order is a Chapter 13 Plan Form which shall be used by all Chapter 13 debtors in cases filed after the effective date of this Order. ***The form plan may be revised periodically.*** The Clerk shall make available to the public the Chapter 13 Plan Form.

The current form plan is additionally a Motion to Value Collateral and a Motion to

Avoid Liens under 11 U.S.C. Section 522. Objections to the Valuation or Lien Avoidance feature of the Plan/Motion must be filed ninety (90) days after the original plan is served or twenty (20) days after an amended plan is served, whichever is later. All other confirmation objections must be filed no later than ten (10) days prior to the confirmation hearing date.

2. BAR DATE FOR FILING SECURED CLAIMS:

A proof of claim by a secured creditor, other than a governmental agency, is timely filed by the creditor not later than ninety (90) days after the first date set for the meeting of creditors called under Section 341 of the Code.

3. BAR DATE FOR FILING PROOFS OF CLAIM BY DEBTORS:

Pursuant to Rule 3004 and 9006(c), the time that a debtor has to file a proof of claim for creditors who fail to timely file a claim is reduced. After the effective date of this Order, debtors may file a proof of claim in the name of the creditor no later than ten (10) days prior to the first scheduled confirmation hearing. All other provisions of Rule 3004 remain unaffected by this Order.

4. OBJECTIONS TO CLAIMS:

Objections to proofs of claim must be in writing and filed no later than 30 days prior to the confirmation hearing date.

5. MOTIONS TO VALUE PROPERTY INDEPENDENT OF THE PLAN

Any request to value the property of the estate, independent of the plan, and including

motions to determine the value of a creditor's secured claim under Code § 506, must be in writing and filed no later than 30 days prior to the confirmation hearing date.

6. RESPONSES TO OBJECTIONS TO CLAIM;
RESPONSES TO MOTIONS TO VALUE PROPERTY;
OBJECTIONS TO THE DEBTOR'S PLAN OF REORGANIZATION
AND DATE FOR HEARING

Any response to an objection to proof of claim or to a motion to value property as well as any objection to the confirmation of the debtor's plan of reorganization must be in writing and filed no later than 10 days prior to the confirmation hearing date. All such timely filed objections to confirmation and responses shall be heard at the confirmation hearing.

7. AMENDMENTS TO THE PLAN OF REORGANIZATION:

The last date that a debtor may seek to amend its plan of reorganization is not later than 30 days prior to the date scheduled for hearing on the confirmation of the plan. The court will only consider de minimis, nonsubstantive, or technical amendments to the plan at the confirmation hearing.

8. INTERIM DISBURSEMENTS BY THE CHAPTER 13 TRUSTEE:

In order to see that funds paid to the Chapter 13 Trustee are distributed as rapidly as possible to creditors, and that the creditors receive the benefit of all such payments, the Chapter 13 Trustee shall be required to disburse, in the first regular disbursement following the §341 meeting, all funds received from the debtor in each case. For all disbursements made prior to the actual confirmation of the debtor's plan, the disbursement shall be made first to administrative expenses, including the Trustee's Fee and Expense Allowance and the debtor's attorney's fees as provided in the plan but not to exceed 25% of the plan payment or \$100/month, whichever is greater; and then to other priority and secured creditors pursuant to the debtor's pending plan of reorganization. However, before disbursements are made to other priority or secured claimants, certain conditions must be established: (1) the claim must be listed in the debtor's schedules and not reflect that it is contingent, unliquidated or disputed; (2) the claimant must have a timely proof of claim on file; and (3) the claim as filed must agree with the classification in the debtor's schedules. If there is a difference between amounts claimed and amounts scheduled by the debtor, for purposes of interim

distribution, the Trustee will use the lower amount. No pre-confirmation disbursement will be made to claimants until all conditions are met.

9. MOTIONS FOR RELIEF FROM THE AUTOMATIC STAY:

Unless the Court orders otherwise, the Trustee will cease disbursements on a claim sixty (60) days after an Order for Relief from the Stay or Notice of Termination of Stay is entered OR once the Trustee receives a Notice of Repossession or Foreclosure, whichever is earlier. The creditor retains the right to file an amended unsecured deficiency claim after the foreclosure has occurred.

10. APPLICATIONS TO INCUR CONSUMER DEBT:

The debtor shall not incur consumer debt without written approval of either the court or the trustee.

The debtor's attorney (or the debtor, if not represented by counsel) shall make written application to the Trustee for approval to incur consumer debt. The debtor's attorney shall not file the application with the Clerk. If approved by the Trustee, the Trustee shall file the approval and the application with the clerk. If not approved by the Trustee within ten days, the debtor's attorney may then file with the clerk a motion to incur consumer debt and the motion shall contain as an attachment the trustee's denial of the application to incur debt.

Additional attorney's fees incurred as a result of an application to incur debt may be paid through the Chapter 13 plan and the plan base shall be increased accordingly.

11. SUMMARY DISMISSAL OF CASE

A Chapter 13 case may be summarily dismissed upon submission of an order by the Trustee for any one of the following causes:

- (a) Failure of the Debtor to timely file a Plan.

- (b) Failure of the Debtor to timely file Schedules.
- (c) Unexcused failure of the Debtor to appear at the scheduled meeting of creditors.
- (d) The Debtor becomes sixty (60) days delinquent on payments under a confirmed plan.
- (e) Failure to comply with the provisions of a prior order which provides for such relief.

12. NOTICE

The substantive provisions of this Standing Order shall be noticed by the Chapter 13 Trustee.

13. SERVICE OF THE PLAN:

Notwithstanding any provision of the Local Rules, the debtor shall be responsible for serving a copy of the plan as filed with the Clerk of the court on the Chapter 13 Trustee, all creditors and other interested parties.

14. EFFECTIVE DATE:

The provisions of this Order become effective for all Chapter 13 cases where the order for relief was entered after March 1, 2003.

The above procedures are hereby adopted for the Bankruptcy Court for the Western District of Texas in the Austin Division.

The Clerk of the Court shall give notice of this Order by serving a copy on the Chapter 13 Trustee for the *Austin Division of the* Western District of Texas.

IT IS SO ORDERED.

###

Pursuant to 11 U.S.C. §1322(b)(7) of the Bankruptcy Code, the Debtor(s) hereby elects to reject the following executory contracts, if any:

IV. Specific Treatment for Payment of Allowed Claims

1. DIRECT PAYMENTS BY DEBTOR TO CREDITORS

Creditor Name _____ Remarks _____ Debt Amount _____ Monthly Payment _____

2. PAYMENTS BY TRUSTEE

A. Administrative Expenses (including Attorney’s fees)

The Trustee may receive up to 10% of all sums disbursed, except on any funds returned to the debtor.

Creditor	Estimated Amount of Debt	Payment Method 1. Before 2. After 3. Along with Secured creditors	Remarks

B. Arrearage Claims – Direct Pay Creditors

Creditor/Collateral	Est. Claim	Est. Value Of Collateral	Mo. Pmt or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/ Remarks

C. Secured Creditors; *MOTIONS TO VALUE COLLATERAL UNDER 11 U.S.C. § 506*

The Debtor moves to value collateral as indicated. The Trustee shall pay allowed secured claims the value indicated or the amount of the claim, whichever is less. The portion of any allowed claim that exceeds the value indicated shall be treated as an unsecured claim. If the Debtor has proposed a valuation for collateral, an affidavit pursuant to Local Rule 3012 is attached in support of the valuation.

Objections to Valuation of collateral proposed by this plan must be filed 90 days after the original plan is served or 20 days after an amended plan is served, whichever is later. If no timely objection is filed, the relief requested may be granted in conjunction with confirmation of the plan.

Creditor/Collateral	Est. Claim	Value Of Collateral	Mo. Pmt or Method of Disbursement	Interest Rate	Anticipated Total to Pay	Other Treatment/ Remarks
---------------------	------------	---------------------	-----------------------------------	---------------	--------------------------	--------------------------

D. Priority Creditors

Creditor	Estimated Amount of Debt	Payment Method 1. Before 2. After 3. Along with Secured creditors	Remarks
----------	--------------------------	--	---------

E. General Unsecured Creditors, [including claims from rejection of executory contracts] (Describe treatment for the class of general, unsecured creditors.)

F. Cure claims on Assumed Executory Contracts, Contracts for Deed & Leases:

Creditor	Estimated Amount Of Debt	Monthly Payment or Method of Disbursement	Remarks
----------	--------------------------	---	---------

Totals:

Administrative Claims _____
Arrearage Claims _____
Secured Claims _____
Priority Claims _____
Unsecured Claims _____
Cure Claims _____

F. Supplemental Plan Provisions

(a) **MOTION TO AVOID LIENS UNDER 11 U.S.C. § 522(f)**

Debtor moves to avoid the following liens that impair exemptions. Objections to Lien Avoidance as proposed in this plan must be filed 90 days after the original plan is served or 20 days after an amended plan is served, whichever is later. If no timely objection is filed, the relief requested may be granted in conjunction with confirmation of the plan. (Debtor must list the specific exempt property said lien impairs and the basis of the lien, i.e. judicial, nonpurchase-money security interest, etc.)

Creditor	Property subject to lien	Amount of Lien to be Avoided	Remarks
----------	--------------------------	------------------------------	---------

(b) The following are the Supplemental Plan Provisions:

None

V. General Information

Notice: Local Rule 3002 provides, in part:

“Every Creditor filing a Proof of Claim in all cases shall transmit a copy with attachments, if any, to the Debtor’s Attorney (or the Debtor if the Debtor is pro se) and the Trustee appointed in the case.”

Creditors are hereby notified that WITHOUT FURTHER NOTICE the Plan may be amended at the Meeting of Creditors. Any amendment may affect your status as a creditor. The Debtor’s estimate of how much the Plan will pay, projected payments and estimates of the allowed claims may also change. The following information is an attempt to advise Creditors of the status of the case based on the information known at the time of its preparation. Any special concerns of a creditor may justify attendance at the Meeting of Creditors and such other action as may be appropriate under the circumstances. The deadline for the filing of objections to confirmation is ten days prior to the confirmation hearing. More detailed information is on file at the office of the United States Bankruptcy Clerk in Austin, Texas.

Respectfully submitted this _____ day of _____, 200_____.

Debtor
Address

Co-Debtor
Address

Attorney for Debtor

Address/Phone & Fax Number

Certificate of service

ATTACH PROPOSED PAYMENT SCHEDULE, IF AVAILABLE