

UNITED STATES BANKRUPTCY COURT  
WESTERN DISTRICT OF WISCONSIN

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IN THE MATTER OF:

GENERAL ORDER NO. 2024-1

PAYMENT OF PRE-CONFIRMATION  
ADEQUATE PROTECTION PAYMENTS  
PURSUANT TO 11 U.S.C. § 1326,  
PAYMENT OF FILING FEES, AND  
ASSOCIATED TRUSTEE FEES IN  
CHAPTER 13 CASES FILED AND  
PENDING ON OR AFTER MAY 3, 2024

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Rule 9029 of the Federal Rules of Bankruptcy Procedure authorizes this Court to establish and promulgate local rules governing practice and procedure in all cases and proceedings within this District consistent with the Federal Rules of Bankruptcy Procedure and subject to the requirements of Rule 83 of the Federal Rules of Civil Procedure.

IT IS ORDERED that, effective immediately, the following rules will apply to all cases and proceedings filed and pending in the United States Bankruptcy Court for the Western District of Wisconsin:

1. Unless the Court orders otherwise, the debtor shall commence making payments not later than 30 days after the filing of the plan or entry of the Order for Relief or Order of Conversion, whichever is earlier.

2. The Chapter 13 plan proposed and filed by the debtor may provide for pre-confirmation payment of the filing fees based on an Application to Pay the Filing Fee in Installments as provided in Fed. R. Bankr. P. 1006(b). The trustee shall pay such payments pre-confirmation as provided in the plan.

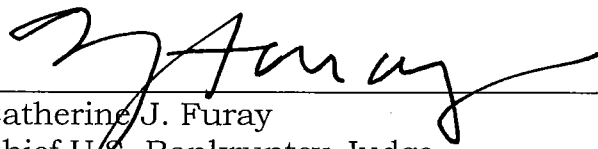
3. The Chapter 13 plan proposed and filed by the debtor may provide for pre-confirmation lease payments on personal property under 11 U.S.C. § 1326(a)(1)(B) or for pre-confirmation adequate protection payments on personal property under 11 U.S.C. § 1326(a)(1)(C). The Chapter 13 trustee is directed to make the pre-confirmation lease and adequate protection payments on personal property described in this paragraph as proposed in a debtor's Chapter 13 plan if proper proofs of claim are filed.

4. Upon dismissal or conversion of a case prior to confirmation of the plan, the trustee shall, before returning the balance of the funds being held by the trustee to the debtor,

- i. pay any portion of the Court's unpaid filing fee,
- ii. then make such payments required by Paragraph 3. above,
- iii. then pay any unpaid claims allowed under 11 U.S.C. § 503(b),
- iv. and then trustee shall pay any remaining funds to the debtor.

5. Under 11 U.S.C. §§ 1326(a)(1) and 1326(b)(2), before or at the time of each payment to creditors provided in Paragraphs 2, 3, and 4, there shall be paid to the trustee the percentage fee fixed for such standing trustee under 28 U.S.C. § 586(e)(1)(B) in effect at the time of distribution.

Dated: June 18, 2024

  
Catherine J. Furay  
Chief U.S. Bankruptcy Judge