

OFFICE OF THE CHAPTER 13 BANKRUPTCY TRUSTEE

Herbert L. Beskin, Trustee

401 EAST MARKET STREET, SUITE 202

P. O. BOX 2103

CHARLOTTESVILLE, VIRGINIA 22902

**I. Wage Deduction Order and Pay Direct Order Procedures For
Charlottesville and Lynchburg Bankruptcy Court**

A. Attorneys should file either a "Pay Direct" Order [Form 2-1, copy attached] or a "Wage Deduction" Order [Form 2-2, copy attached] with every Petition filed using the Court-approved . These Orders can be submitted directly to the Court without the Trustee's endorsement.

1. If the Debtor is employed, the Attorney should ordinarily file with the Petition a Wage Deduction Order [Form 2-2] with the Court.

2. If the Debtor is self-employed, disabled, retired or unemployed, the Attorney should file with the Petition a Pay Direct Order [Form 2-1] with the Court.

3. If the Debtor is employed but is seeking Court permission to pay Plan payments directly, the Attorney should discuss with the Trustee his client's desire to make plan payments directly, and the reasons for this request. If the Trustee agrees not to object to this request (which will usually occur at the 341 meeting), the Attorney can submit the appropriate order [Form 3] to the Court without the Trustee's endorsement. If the Trustee objects to the debtor's request, the matter will have to be heard by the Court.

II. Amended Wage Deduction Order and Pay Direct Order Procedures

A. If at any time after the initial Wage Deduction Order or Pay Direct Order has been entered the Debtor needs to amend the Order, the following procedures will apply:

1. Wage Deduction Order or Pay Direct Order can only be amended by the Attorney without the Trustee's endorsement if either (a) the Debtor's Plan payments are increasing, or (b) the Debtor has changed employment and there will be no decrease in the Plan payment.

(a) If the Debtor is making direct payments to the Trustee and the amount of those payments will be increasing, the Attorney should use the attached Form 2-3.

(b) If the Debtor's payments have been coming automatically from the Debtor's employer, the payments will be increasing, and there is no change in the employer, the Attorney should use the attached Form 2-4.

(c) If the Debtor's payments have been coming automatically from the Debtor's employer and the payments will be increasing or staying the same, but the employer is changing, the Attorney should use the attached Form 2-5. This Order simultaneously informs the former employer that it is being relieved of its obligation to send funds to the Trustee while advising the new employer that it is now obligated to withhold said funds and forward them to the Trustee. If changing from pay direct to wage deduction use attached Form 2-6

If the Wage Deduction Order or Pay Direct Order needs to be amended because the Plan payments are being reduced or suspended, the Attorney **must submit the proposed Order to the Trustee for the Trustee's endorsement**. See the attached Forms 2-7, 2-8, 2-9 and 2-10. After reviewing the reason for the

PLEASE INCLUDE DEBTOR'S CASE NUMBER ON ALL PAYMENTS

Wage & Pay Orders

reduction or suspension, the Trustee will decide if the Order should be forwarded to the Court with his endorsement, or he will hold the Order pending approval by the Court of an amended Plan or Motion to suspend Plan payments.

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE:
DEBTOR NAME(S)
CASE NO: XX-XXXXX-XXX-13

CHAPTER 13

SS# -XXX-XX-

Debtor(s)

**ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE
(Direct Payment From Debtor)**

The above-named debtor(s) filed a Chapter 13 petition on **DATE FILED**, thereupon subjecting all wages and property of the Debtor wheresoever situated, while this case is pending, to the jurisdiction of this Court.

Pursuant to 11 U.S.C. Section 1326(a)(1), it is

ORDERED:

That **DEBTOR NAME (S)**, Debtors, is/are hereby directed to pay to the duly appointed Trustee the sum of **\$ AMOUNT / FREQUENCY**, commencing with the next pay period on or before **DUE DATE**. All payments should be made payable to **HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, Memphis, TN 38101-1961 (tel: (434) 817-9913)**,

The sum may be accumulated and remitted monthly to the Trustee, all pursuant to 11 U.S.C. Section 1325 (b).

Copies of this order are directed to be mailed to the Debtor(s), counsel for the Debtor(s), and the Trustee.

DATED: _____

Prepared by:

U. S. Bankruptcy Judge _____

Attorney's Name

FORM 002-1; 07/10/2008

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE:
DEBTOR NAME(S)

CHAPTER 13
CASE NO. **XX-XXXXX-XXX-13**

SS # **XXX-XX-**

Debtor(s)

**ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE
(Automatic Payment From Employer)**

The above-named Debtor(s) filed a Chapter 13 petition on **PETITION DATE**, hereupon subjecting all wages and property of the Debtor wheresoever situated, while this case is pending, to the jurisdiction of this Court.

Pursuant to 11 U.S.C. Section 1326(a)(1), it is

ORDERED:

That **EMPLOYER'S NAME AND ADDRESS**, employer of Debtor, is hereby directed to pay to the duly appointed Trustee the sum of **\$AMOUNT/FREQUENCY**, commencing with the next pay period on or before **DUE DATE**. All payments should be made payable to **HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, Memphis, TN 38101-1961 (tel: (434) 817-9913)**,

Such employer is directed to withhold said sum from the Debtor's wages, after deducting the amount necessary to pay withholding and social security taxes, pensions, hospitalization, retirement funds, and union dues, if any, and to forward said sum to the Trustee. The sum may be accumulated and remitted monthly to the Trustee, all pursuant to 11 U.S.C. Section 1325 (b).

Copies of this order are directed to be mailed to the Debtor(s), counsel for the Debtor(s), the Trustee, and to the Debtor(s) employer.

DATED: _____

Prepared by:

U. S. Bankruptcy Judge _____

Attorney's Name

FORM 002-2; 07/10/2008

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE: CHAPTER 13
DEBTOR NAME(S)
CASE NO: XX-XXXXX-XXX-13

SS# -XXX-XX-

Debtor(s)

******AMENDED******
(Changed to Increase Plan Payments)

**ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE
(Direct Payment From Debtor)**

The above-named debtor(s) filed a Chapter 13 petition on **DATE FILED**, thereupon subjecting all wages and property of the debtor wheresoever situated, while this case is pending, to the jurisdiction of this Court.

Pursuant to 11 U.S.C. Section 1326(a)(1), it is

ORDERED:

That **DEBTOR NAME (S)**, Debtors, are hereby directed to pay unto the duly appointed Trustee, and with all payments made to, ***HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, Memphis, TN 38101-1961, (434) 817-9913***, commencing with the next pay period, the sum of **AMOUNT/INTERVAL**, beginning on or before **DUE DATE**.

Copies of this order are directed to be mailed to the debtor(s), counsel for the debtor(s), the trustee, and to the debtor(s) employer, if to be wage deduction.

DATED: _____

Prepared by: U. S. Bankruptcy Judge _____

Attorney's Name

By endorsing this Order the Attorney certifies that this Amended Order does not decrease the amount of the monthly plan payments.

FORM 002-3; 07/10/2008

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION

IN RE:
DEBTOR NAME(S)

CHAPTER 13
CASE NO. XX-XXXXX-XXX-13

SS # XXX-XX-

Debtor(s)

******AMENDED******
(Changed to Increase Plan Payments)

**ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE
(Automatic Payment From Same Employer)**

The above-named Debtor(s) filed a Chapter 13 petition on **DATE FILED**, hereupon subjecting all wages and property of the debtor wheresoever situated, while this case is pending, to the jurisdiction of this Court.

Pursuant to 11 U.S.C. Section 1326(a)(1), it is

ORDERED:

That **EMPLOYER'S NAME AND ADDRESS**, employer of Debtor, is hereby directed to pay to the duly appointed Trustee the sum of **\$AMOUNT/FREQUENCY**, commencing with the next pay period on or before **DUE DATE**. All payments should be made payable to **HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, Memphis, TN 38101-1961 (tel: (434) 817-9913)**,

Such employer is directed to withhold said sum from the Debtor's wages, after deducting the amount necessary to pay withholding and social security taxes, pensions, hospitalization, retirement funds, and union dues, if any, and to forward said sum to the Trustee. The sum may be accumulated and remitted monthly to the Trustee, all pursuant to 11 U.S.C. Section 1325 (b).

Copies of this order are directed to be mailed to the Debtor(s), counsel for the Debtor(s), the Trustee, and to the Debtor(s) employer.

DATED: _____

Prepared by:

U. S. Bankruptcy Judge _____

Attorney's Name

By endorsing this Order the Attorney certifies
that this Amended Order does not decrease the
amount of the monthly plan payments.

FORM 002-4; 07/10/2008

PLEASE INCLUDE DEBTOR'S CASE NUMBER ON ALL PAYMENTS
Wage & Pay Orders

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE:
DEBTOR NAME(S)

CHAPTER 13
CASE NO. **XX-XXXXX-XXX-13**

SS#: **XXX-XX-**

Debtor

**ORDER RELEASING WAGE DEDUCTION FROM FORMER EMPLOYER AND
ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE BY NEW EMPLOYER
(Automatic Payment From New Employer)**

It appearing that the Trustee herein has reported to the Clerk that the Debtor is no longer employed at **NAME OF FORMER EMPLOYER WITHOUT ADDRESS.**

Accordingly, it is **ORDERED** that the Debtor's former employer, **FULL NAME & ADDRESS OF FORMER EMPLOYER,** be, and hereby is, directed to cease deductions from the Debtor's wages and remit any funds presently held to the Trustee, **HERBERT L. BESKIN, TRUSTEE, at P.O. Box 1961, Memphis TN 38101-1961. If any questions, call (434) 817-9913.**

It is further **ORDERED**, that pursuant to U. S. Bankruptcy Code Sec. 1306(a) and 1322(a)(1), the wages of the above-named Debtor are subjected to the jurisdiction of this Court. Accordingly, and pursuant to 11 U.S.C. Sec. 1325(c), it is **ORDERED** that commencing with the next pay period following entry of this order, and **UNTIL FURTHER ORDER OF THIS COURT**, the Debtor's current employer, **NEW EMPLOYER'S FULL NAME & ADDRESS,** shall withhold and send payments to **HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, Memphis, TN 38101-1961,** in the amount of the sum of **\$AMOUNT** per [] week; [] month; [] bi-weekly; [] semi-monthly.

PLEASE PLACE THE CASE NUMBER NOTED ABOVE ON EACH CHECK; further the above-named current employer is directed to do the following:

- (a) Withhold this amount from the Debtor's wages, after deducting from said wages all required withholdings for Federal and State taxes, and, if applicable, for insurance, retirement fund contributions, and other deductions permitted by law [said Chapter 13 amounts being withheld **DO NOT** constitute garnishments under Federal or State law].
- (b) Forward the amounts being withheld for Chapter 13 to the above-named Trustee at least monthly unless said employer is advised otherwise, in writing, by this Court or the Trustee;
- (c) Advise the Trustee promptly in the event Debtor leaves or terminates his/her employment with Employer.

Copies of this order are directed to be mailed to the Debtor(s), counsel for the Debtor(s), the Trustee, and to the Debtor's previous and current employer.

DATED: _____

Prepared by: _____ U. S. Bankruptcy Judge _____

Attorney's Name

By endorsing this Order the Attorney certifies that this Amended Order does not decrease the amount of the monthly plan payments.

Form 002-5; 07/10/2008

PLEASE INCLUDE DEBTOR'S CASE NUMBER ON ALL PAYMENTS
Wage & Pay Orders

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE:
DEBTOR NAME(S)

CHAPTER 13
CASE NO: **XX-XXXXX-XXX-13**

SS#: **XXX-XX-**

Debtor(s)

**ORDER RELEASING ORDER DIRECTING PAYMENT OF FUNDS
TO CHAPTER 13 TRUSTEE DIRECTLY BY THE DEBTOR
PREVIOUSLY ENTERED BY THE COURT AND
ORDER DIRECTING PAYMENT OF FUNDS
TO CHAPTER 13 TRUSTEE DEDUCTED BY DEBTOR'S EMPLOYER**

It appearing that the Trustee herein has reported to the Clerk:

 X a request that plan payments be made by payroll deduction by the Debtor's employer.

Accordingly, it is **ORDERED** that the Debtor is hereby directed to cease making payments directly to the Chapter 13 Trustee after such time as the employer so ordered below has begun withholding funds from the Debtor's wages.

It is further **ORDERED**, that pursuant to U. S. Bankruptcy Code Sec. 1306(a) and 1322(a)(1), the wages of the above-named Debtor are subjected to the jurisdiction of this Court. Further, pursuant to the terms of the Chapter 13 plan as filed or modified in this case, the Debtor has pledged all disposable income to the funding of this plan.

Accordingly, and pursuant to 11 U.S.C. Sec. 1325(c), it is **ORDERED** that commencing with the next pay period following entry of this Order, and **UNTIL FURTHER ORDER OF THIS COURT**, the Debtor(s)' current employer, [**EMPLOYER'S FULL NAME & ADDRESS**], shall withhold and send payments in the amount of the sum of [**\$ AMOUNT / FREQUENCY**] to **HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, Memphis, TN 38101-1961** (tel: **(434) 817-9913**),. **DEBTOR'S NAME AND CASE NUMBER MUST BE NOTED ON EACH PAYMENT.**

The employer is directed to withhold said sum from the Debtor's wages, after deducting such amounts as are necessary to pay federal and state income tax withholding, social security taxes, pensions, hospitalization, retirement funds, and union dues, if any, and forward said sum to the Trustee. The sum may be accumulated and remitted monthly to the Trustee, all pursuant to 11 U.S.C. Section 1325(b).

Copies of this order are directed to be mailed to the Debtor(s), counsel for the Debtor(s), the Trustee, and to the Debtor's current employer.

DATED: _____

Prepared by:

U. S. Bankruptcy Judge _____

Attorney's Name

By endorsing this Order the Attorney certifies that this Amended Order does not decrease the amount of the monthly plan payments.

Form 002-6; 07/10/2008

PLEASE INCLUDE DEBTOR'S CASE NUMBER ON ALL PAYMENTS
Wage & Pay Orders

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE:
DEBTOR NAME(S)
Debtor(s)

CHAPTER 13
CASE NO. **XX-XXXXX-XXX-13**

**ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE AND PROVIDING
FOR TEMPORARY OR PERMANENT REDUCTION OF DIRECT PAYMENTS**

The above-named Debtor(s) filed a Chapter 13 petition on **[date]**, hereupon subjecting all wages and property of the Debtor(s) wheresoever situated, while this case is pending, to the jurisdiction of this Court.

This Court last entered an Order on **[date]** requiring the Debtor's(s)' to pay directly to the Trustee **\$ AMOUNT / FREQUENCY]** pursuant to the Debtor(s)' Chapter 13 Plan.

The Debtor(s) have had a change in circumstances such that they have filed, or will file within 30 days of the date this Order is entered, a modified Chapter 13 Plan (the "Proposed Modified Plan") that proposes to REDUCE the Debtor(s)' payments to be paid to the Trustee **from [date the reduction starts] until [date the reduction ends]** *[Note: Delete the preceding if the reduction is permanent.]*. WHEREFORE, the Debtor(s) request that the Order requiring direct payments by the debtor be amended to REDUCE said deduction immediately, **[if the reduction is only temporary, add: "albeit temporarily,"]** in conformance with the Proposed Modified Plan. The Debtor(s) understand that should their Proposed Modified Plan not be confirmed by this Court, the Debtor(s) will need to address any default in plan payments that may result from reducing their deductions through this Order.

Pursuant to 11 U.S.C. Section 1326(a)(1), and with the consent of the Chapter 13 Trustee, it is therefore hereby

ORDERED

That the Debtor(s) is hereby directed to REDUCE IMMEDIATELY THE DEBTOR'S CHAPTER 13 direct payments as of the date of this Order **[and then resume the direct payments commencing with the first pay period after [date]]** *[Note: delete the preceding if the reduction is permanent]* by directly paying unto the duly appointed Trustee, ***HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, MEMPHIS, TENNESSEE 38101-1961, (434) 817-9913***, the sum of **[\$ AMOUNT / FREQUENCY]**.

Form 002-7; 07/10/2008

The Trustee shall have no responsibility during the period of suspension to refund to the Debtor any incorrectly sent payments.

Copies of this order are directed to be mailed to the Debtor(s), to counsel for the Debtor(s), and to the Trustee.

Dated:

U.S. Bankruptcy Judge

I ask for this:

Attorney Name and Address

Seen and Agreed:

Debtor(s)

Debtor(s)

Seen:

Herbert Beskin, Chapter 13 Trustee

Form 002-7; 07/10/2008

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE:
DEBTOR NAME(S)
Debtor(s)

CHAPTER 13
CASE NO. **XX-XXXXX-XXX-13**

**ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE AND PROVIDING
FOR TEMPORARY SUSPENSION OF DIRECT PAYMENTS**

The above-named Debtor(s) filed a Chapter 13 petition on **[date]**, hereupon subjecting all wages and property of the Debtor(s) wheresoever situated, while this case is pending, to the jurisdiction of this Court.

This Court last entered an Order on **[date]** requiring the Debtor's(s)' to pay directly to the Trustee **\$ AMOUNT / FREQUENCY]** pursuant to the Debtor(s)' Chapter 13 Plan.

The Debtor(s) have had a change in circumstances such that they have filed, or will file within 30 days of the date on which this Order is entered, a modified Chapter 13 Plan (the "Proposed Modified Plan") that proposes to SUSPEND the Debtor(s)' payments to be paid to the Trustee from **[date suspension to begin]** until **[date suspension to end]**.

WHEREFORE, the Debtor(s) request that the Order requiring direct payments by the debtor be amended to SUSPEND AND CEASE said payments immediately, albeit temporarily, in conformance with the Proposed Modified Plan. The Debtor(s) understand that should their Proposed Modified Plan not be confirmed by this Court, the Debtor(s) will need to address any default in plan payments that may result from suspending their payments through this Order.

Pursuant to 11 U.S.C. Section 1326(a)(1), and with the consent of the Chapter 13 Trustee, it is therefore hereby

ORDERED

That the Debtor(s) is hereby directed to SUSPEND AND CEASE IMMEDIATELY THE DEBTOR'S CHAPTER 13 direct payments as of the date of this Order and then resume the direct payments commencing with the first pay period after **[date]** by directly paying to the duly appointed Trustee, ***HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, MEMPHIS, TENNESSEE 38101-1961, (434) 817-9913***, the sum of **[\$ AMOUNT / FREQUENCY]**.

Form 002-8; 07/10/2008

The Trustee shall have no responsibility during the period of suspension to refund to the Debtor any incorrectly sent payments.

Copies of this order are directed to be mailed to the Debtor(s), to counsel for the Debtor(s), and to the Trustee.

Dated: _____

U.S. Bankruptcy Judge

I ask for this:

Attorney Name and Address

Seen and Agreed:

Debtor(s)

Debtor(s)

Seen:

Herbert Beskin, Chapter 13 Trustee

Form 002-8; 07/10/2008

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE:
DEBTOR NAME(S)
Debtor(s)

CHAPTER 13
CASE NO. **XX-XXXXX-XXX-13**

**ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE AND PROVIDING
FOR A REDUCTION OF WAGE DEDUCTION**

The above-named Debtor(s) filed a Chapter 13 petition on **[date]**, hereupon subjecting all wages and property of the Debtor(s) wheresoever situated, while this case is pending, to the jurisdiction of this Court.

This Court last entered an Order on **[date]** requiring the Debtor's(s)' employer to deduct from the Debtor's(s)' wages **[\$ AMOUNT / FREQUENCY]** to be paid to the Trustee pursuant to the Debtor(s)' Chapter 13 Plan.

The Debtor(s) have had a change in circumstances such that they have filed, or will file within 30 days, a modified Chapter 13 Plan (the "Proposed Modified Plan") that proposes to **REDUCE** the Debtor(s)' payments to be paid to the Trustee henceforward.

WHEREFORE, the Debtor(s) request that the Order requiring wage deduction be amended immediately and in conformance with the Proposed Modified Plan. The Debtor(s) understand that should their Proposed Modified Plan not be confirmed by this Court, the Debtor(s) will need to address any default in plan payments that may result from the reduction of their wage deduction through this Order. Pursuant to 11 U.S.C. Section 1326(a)(1), and with the consent of the Chapter 13 Trustee, it is therefore hereby

ORDERED

That _____, employer of the Debtor, is hereby directed to **AMEND** THE DEBTOR'S CHAPTER 13 WAGE DEDUCTION STARTING WITH THE FIRST PAY PERIOD FOLLOWING the date of this Order, by withholding and paying to the duly appointed Trustee, ***HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, MEMPHIS, TENNESSEE 38101-1961, (434) 817-9913,*** the sum of **[\$ AMOUNT / FREQUENCY]**.

Form 002-9; 07/10/2008

It shall be the responsibility of the Debtor, and not the Trustee, to insure that (i) this Wage Order is sent to the Debtor's employer and implemented. The Trustee shall have no responsibility to (i) monitor or identify payments incorrectly made by the Debtor's employer to the Trustee, or (ii) refund to the Debtor any such incorrectly sent payments.

The employer is directed to withhold said sum from the Debtor's wages, after deducting such amount as are necessary to pay federal and state income tax withholding, social security taxes, pensions, hospitalization, retirement funds, and union dues, if any, and forward said sum to the Trustee. The sum may be accumulated and remitted monthly to the Trustee, all pursuant to 11 U.S.C. Section 1325(b). Copies of this order are directed to be mailed to the Debtor(s), to counsel for the Debtor(s), to the

Trustee, and to the Debtor's employer.

Dated:

U.S. Bankruptcy Judge

I ask for this:

Attorney Name and Address

Seen and Agreed:

Debtor(s)

Seen:

Herbert Beskin, Chapter 13 Trustee

Form 002-9; 07/10/2008

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
LYNCHBURG/HARRISONBURG/CHARLOTTESVILLE DIVISION**

IN RE:
DEBTOR NAME(S)
Debtor(s)

CHAPTER 13
CASE NO. **XX-XXXXX-XXX-13**

**ORDER DIRECTING PAYMENT OF FUNDS TO CHAPTER 13 TRUSTEE AND PROVIDING
FOR TEMPORARY SUSPENSION OF WAGE DEDUCTION**

The above-named Debtor(s) filed a Chapter 13 petition on **[date]**, hereupon subjecting all wages and property of the Debtor(s) wheresoever situated, while this case is pending, to the jurisdiction of this Court.

This Court last entered an Order on **[date]** requiring the Debtor's(s)' employer to deduct from the Debtor's(s)' wages **\$ AMOUNT / FREQUENCY]** to be paid to the Trustee pursuant to the Debtor(s)' Chapter 13 Plan.

The Debtor(s) have had a change in circumstances such that they have filed, or will file within 30 days of the date on which this Order is entered, a modified Chapter 13 Plan (the "Proposed Modified Plan") that proposes to SUSPEND the Debtor(s)' payments to be paid to the Trustee from **[date suspension to begin]** until **[date suspension to end]**.

WHEREFORE, the Debtor(s) request that the Order requiring wage deduction be amended to SUSPEND AND CEASE said wage deduction immediately, albeit temporarily, in conformance with the Proposed Modified Plan. The Debtor(s) understand that should their Proposed Modified Plan not be confirmed by this Court, the Debtor(s) will need to address any default in plan payments that may result from suspending their wage deduction through this Order.

Pursuant to 11 U.S.C. Section 1326(a)(1), and with the consent of the Chapter 13 Trustee, it is therefore hereby

ORDERED

That _____, employer of the Debtor, is hereby directed to SUSPEND AND CEASE IMMEDIATELY THE DEBTOR'S CHAPTER 13 WAGE DEDUCTION as of the date of this Order and then resume the wage deduction commencing with the first pay period after **[date]** by withholding and paying to the duly appointed Trustee, **HERBERT L. BESKIN, TRUSTEE, P. O. BOX 1961, MEMPHIS, TENNESSEE 38101-1961, (434) 817-9913**, the sum of **\$ AMOUNT / FREQUENCY]**.

Form 002-10; 07/10/2008

It shall be the responsibility of the Debtor, and not the Trustee, to insure that (i) this suspension of payments Order is sent to the Debtor's employer and implemented, and (ii) the automatic wage deduction of the Debtor's wages is recommenced by the employer on the correct date. The Trustee shall have no responsibility during the period of suspension either to (i) monitor or identify payments incorrectly made by the Debtor's employer to the Trustee, or (ii) refund to the Debtor any such incorrectly sent payments.

Once the wage deduction resumes, the employer is directed to withhold said sum from the Debtor's wages, after deducting such amounts as are necessary to pay federal and state income tax withholding, social security taxes, pensions, hospitalization, retirement funds, and union dues, if any, and forward said sum to the Trustee. The sum may be accumulated and remitted monthly to the Trustee, all pursuant to 11 U.S.C. Section 1325(b).

Copies of this order are directed to be mailed to the Debtor(s), to counsel for the Debtor(s), to the Trustee, and to the Debtor's employer.

Dated:

U.S. Bankruptcy Judge

I ask for this:

Attorney Name and Address

Seen and Agreed:

Debtor(s)

Debtor(s)

Seen:

Herbert Beskin, Chapter 13 Trustee

Form 002-10; 07/10/2008