

**UNITED STATES BANKRUPTCY COURT
FOR THE
DISTRICT OF NEW HAMPSHIRE**



LOCAL BANKRUPTCY FORMS

Effective February 1, 2026

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

**STATEMENT OF EXIGENT CIRCUMSTANCES AND
MOTION FOR A TEMPORARY WAIVER AND EXTENSION OF TIME TO FILE
CERTIFICATE OF CREDIT COUNSELING PURSUANT TO 11 U.S.C. § 109(h)(3)**

I declare under penalty of perjury that the following exigent circumstances exist which have prevented me from obtaining budget and credit counseling within the 180-day period ending on the date of the filing of my bankruptcy petition. Those circumstances include (*provide a detailed explanation in the space provided below*):

I further declare under penalty of perjury that I requested credit counseling services on:

_____ from:
(date)

(an approved nonprofit budget and credit counseling agency)

but I was unable to obtain the services during the 7-day period following my request.

I request that I be granted a temporary waiver of the credit counseling requirement and be given an extension of 30 days from the date of the filing of my petition within which to complete credit counseling and to obtain and file with the court a certificate of credit counseling issued by an approved nonprofit budget and credit counseling agency.

Date: _____

Debtor Signature

Date: _____

Debtor Signature

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

VERIFICATION OF CREDITOR MAILING LIST

The above named debtor certifies under penalty of perjury that the attached master mailing list of creditors, consisting of _____ pages is complete, correct and consistent with the debtor's schedules pursuant to Local Bankruptcy Rules and assumes all responsibility for errors and omissions.

Date: _____

Debtor Signature

Print Name

Address _____

Tel. No. _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

NOTICE OF AMENDMENT

An amendment to the following petition, lists, schedules or statements is transmitted herewith:

- _____ Voluntary Petition
- _____ Statement About Your Social Security Number
- _____ Statement of Financial Affairs
- _____ Schedule A/B – Property¹
- _____ Schedule C – Property You Claim as Exempt
- _____ Schedule D – Creditors Who Have Claims Secured by Property^{1,2}
- _____ Schedule E/F – Creditors Who Have Unsecured Claims^{1,2}
- _____ Schedule G – Executory Contracts and Unexpired Leases
- _____ Schedule H – Your Codebtors
- _____ Schedule I – Your Income^{1,3}
- _____ Schedule J – Your Expenses^{1,4}
- _____ Form 122A-1 (Chapter 7 Statement of Your Current Monthly Income)¹
- _____ Form 122A-1Supp (Statement of Exemption from Presumption of Abuse Under § 707(b)(2))
- _____ Form 122A-2 (Means Test Calculation)¹
- _____ Form 122B (Chapter 11 Statement of Your Current Monthly Income)¹
- _____ Form 122C-1 (Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period)¹
- _____ Form 122C-2 (Chapter 13 Calculation of Your Disposable Income)
- _____ Summary of Assets and Liabilities
- _____ List of Creditors
- _____ Statement of Intention for Individuals Filing Under Chapter 7
- _____ List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders in Chapter 9 or 11 Cases
- _____ Disclosure of Compensation of Attorney for Debtor
- _____ Other [Please specify: _____]

¹ If this schedule or form is being amended, then attach the Summary of Assets and Liabilities.

² If Scheduled D, E/F or the List of Creditors is amended, then the applicable fee must be paid. *No fee is required to change the address of a creditor or to add the name and address of an attorney for a listed creditor.*

³ A conforming Schedule J just be filed as well.

⁴ If applicable, a conforming Schedule I must be filed as well

Cont'd →

Describe below with specificity the change made to the amended document indicated above:

Notice to Affected Parties: Any amendments to the debtor’s schedules must be served on all affected creditors, any trustee, counsel to any creditors’ committee and the United States Trustee by the debtor or the debtor’s attorney at the same time as they are filed with the clerk, and shall comply further with this rule regarding form and notice. Where the debtor adds creditors to the case by supplementing either the schedules or the list of creditors previously filed, the debtor shall serve upon each newly listed creditor a copy of the following:

- (1) Notice of Amendment (this form);
- (2) Notice of Bankruptcy Case (commonly referred to as the § 341 notice);
- (3) Order granting discharge, if any; and
- (4) Any other filed document affecting the rights of said creditor.

Date: _____

Attorney or *Pro se* Debtor Signature

Print Name

Address

Tel. No. _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

ANNEX 1 — REQUEST FOR FINAL ALLOWANCE OF COMPENSATION AND EXPENSES

Applicant _____
Representing _____

FEES:

- 1. Period of Services for the Entire Case _____ / _____ / _____ to _____ / _____ / _____
- 2. Total Hours of Services for the Entire Case _____
- 3. Average Hourly Rate for the Entire Case \$ _____
- 4. Total Fee Award Requested for the Entire Case \$ _____
- 5. Retainer to be Credited or Already Credited Pursuant to Interim Award(s) \$ _____
- 6. Fees Already Paid Pursuant to Interim Award(s) \$ _____
- 7. Net Fee Payment Requested in Final Application \$ _____
- 8. Approximate Total Amount of Distribution to all Creditors to Be Made in this Case (e.g., administrative, secured and unsecured) \$ _____

EXPENSES:

- 1. Total Expense Reimbursement Requested for the Entire Case \$ _____
- 2. Expenses Reimbursed to Date Pursuant to Interim Award(s) \$ _____
- 3. Net Expense Reimbursement Requested in Final Application \$ _____
- 4. Breakdown of Item No. 3 Total:
 - a. Travel Expense \$ _____
 - b. Postage \$ _____
 - c. Photocopies (max. 20¢/pg.) \$ _____
 - d. Express Mail/Messenger \$ _____
 - e. Overtime Charges \$ _____
 - f. Other Expenses (Itemize):
 - _____ \$ _____
 - _____ \$ _____
 - _____ \$ _____

NET TOTAL TO BE PAID (Add Fees line 7 and Expenses line 3) \$ _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

ANNEX 2 — REQUEST FOR INTERIM ALLOWANCE OF COMPENSATION AND EXPENSES

Applicant _____
Representing _____

FEES:

1. Interim Fee Request Number _____
2. Interim Fees Already Awarded and Paid to Date \$ _____
3. Retainer Already Credited to Date \$ _____
4. Interim Period of Service Covered by this Request ____/____/____ to ____/____/____
5. Hours of Services Performed this Period _____
6. Average Hourly Rate for this Period \$ _____
7. Interim Fees Requested for this Period \$ _____
8. Remaining Retainer to be Credited for this Period \$ _____
9. Net Payment Requested for this Period \$ _____

EXPENSES:

1. Interim Expense Request Number _____
2. Expenses Reimbursed to Date Pursuant to Interim Award(s) \$ _____
3. Expense Reimbursement Requested for this Period \$ _____
4. Breakdown of Item No. 3 Total:
 - a. Travel Expense \$ _____
 - b. Postage \$ _____
 - c. Photocopies (max. 20¢/pg.) \$ _____
 - d. Express Mail/Messenger \$ _____
 - e. Overtime Charges \$ _____
 - f. Other Expenses (Itemize):
_____ \$ _____
_____ \$ _____
_____ \$ _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

SUPPLEMENT TO BANKRUPTCY RULE 2016(b) STATEMENT

The undersigned counsel for the debtor submits this supplement to Bankruptcy Rule 2016(b) statement as follows:

1. Subsequent to the filing of the statement required by Bankruptcy Rule 2016(b), the undersigned has provided or agreed to provide the following additional services to the debtor:
2. The undersigned has charged or will charge the debtor for such services as follows:
3. The undersigned has received payment for such services as follows:

Date: _____

Attorney Signature

Print Name

Address _____

Tel. No. _____

CERTIFICATE OF SERVICE

I, [insert name of party completing service], certify that I am eighteen (18) years of age or older, that on [insert date], I served a copy of the foregoing document filed in this proceeding on the Office of the United States Trustee and the trustee via CM/ECF, and [insert other parties served] by first class mail, postage prepaid. I certify under penalty of perjury that the foregoing is true and correct.

Name of Party Completing Service

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

MONTHLY OPERATING REPORT

Complete and submit to the chapter 13 trustee within fourteen (14) days after the end of each month.

Required Documents	Form No.	Document Attached	Explanation Attached
Monthly Reporting Questionnaire	MOR-1		
Schedule of Cash Receipts and Disbursements	MOR-2		
- Copies of debtor's bank reconciliations			
- Copies of debtor's bank statements			
Detailed Listing of Disbursements	MOR-3		
Status of Post-Petition Taxes	MOR-4		
- Copies of IRS payment receipts			
- Copies of tax returns filed during reporting period			
Accounts Receivable Reconciliation and Aging	MOR-5		

I declare under the penalty of perjury that this report and all attachments are true and correct to the best of my knowledge and belief.

Debtor Signature

Date

Debtor Signature

Date

(Cover Page)

Debtor _____

Case No. _____ - _____ - _____

Chapter 13

Reporting Period _____

MONTHLY REPORTING QUESTIONNAIRE

Must be completed each month.		Yes	No
1	Have any assets been sold or transferred outside the normal course of business during this reporting period? If yes, provide an explanation below.		
2	Have any funds been disbursed from any account other than an account of which you have attached a copy during this reporting period? If yes, provide an explanation.		
3	Have any payments been made on a prepetition debt, other than payments in the normal course, to secured creditors or lessors? If yes, attach listing, including date of payment, amount of payment and name of payee.		
4	Have any payments been made to professionals? If yes, attach listing, including date of payment, amount of payment and name of payee.		
5	If the answer to question 3 and/or 4 is yes, were all such payments approved by the court?		
6	Have any payments been made to officers, insiders, shareholders or relatives? If yes, attach listing, including date of payment, amount and reason for payment and name of payee.		
7	Have all post-petition tax returns been timely filed? If no, provide an explanation below.		
8	Is the estate current with payment of all post-petition taxes?		
9	Is the estate insured for the replacement cost of assets and for general liability? If no, provide an explanation below.		
10	Is worker's compensation insurance in effect?		
11	Have all current insurance payments been made? Attach copies of all new and renewed insurance policies.		
12	Was there any post-petition borrowing during this reporting period?		

Debtor _____

Case No. _____ - _____ - _____

Chapter 13

Reporting Period _____

SCHEDULE OF CASH RECEIPTS AND DISBURSEMENTS

Amounts reported should be per debtor’s books, not bank statement. The beginning cash should be the ending cash from the prior month or, if this is the first report, the amount should be the balance on the date the petition was filed. Attach copies of the bank statements and the cash disbursements journal. A bank reconciliation must be attached for each account. The total disbursements listed in the disbursements journal must equal the total disbursements reported on this page.

	Operational	Payroll	Tax	Other	Total
Cash - Beginning of Month					
Receipts					
Cash Sales					
Accounts Receivable					
Loans and Advances					
Sale of Assets					
Other (attach list)					
Transfers (from other accounts)					
Total Receipts					
Disbursements					
Net Payroll					
Payroll Taxes					
Sales, Use & Other Taxes					
Inventory Purchases					
Secured/Rental/Leases					
Insurance					
Administrative					
Selling					
Other (attach list)					
Owner Draw*					
Transfers (to other accounts)					
Total Disbursements					

Net Cash Flow (Receipts Less Disbursements)

Cash - End of Month					
----------------------------	--	--	--	--	--

Debtor _____

Case No. _____ - _____ - _____

Chapter 13

Reporting Period _____

STATUS OF POST-PETITION TAXES

The beginning tax liability should be the ending liability from the prior month or, if this is the first report, the amount should be zero. Attach photocopies of IRS payment receipts and all applicable state and local forms and/or all federal, state and local payment receipts to verify payment of taxes. Attach photocopies of any tax returns filed during the reporting period.

	Beginning Tax Liability	Amount Withheld or Accrued	Amount Paid	Date Paid	Check No. or EFT	Ending Tax Liability

Federal

Income Tax Withholding						
FICA – Employee						
FICA – Employer						
Unemployment						
Income						
Other						
Total Federal Taxes						

State and Local

Income Tax Withholding						
Sales						
Excise						
Unemployment						
Real Property						
Other						
Total State and Local						
Withholding for Employee Healthcare Premiums, Pensions & Other Benefits						
Total Taxes						

Cont'd →

SUMMARY OF UNPAID POST-PETITION DEBTS

Attach aged listing of accounts payable.

	Number of Days Past Due				Total
	Current	31-60	61-90	Over 90	
Accounts Payable					
Wages Payable					
Taxes Payable					
Rent/Leases - Equipment					
Secured Debt/Adequate Protection Payments					
Professional Fees					
Amounts Due to Insiders*					
Other:					
Other:					
Total Post-Petition Debts					

Explain how and when the debtor intends to pay any past due post-petition debts:

* "Insider" is defined in 11 U.S.C. § 101(31).

Debtor _____

Case No. _____ - _____ - _____

Chapter 13

Reporting Period _____

ACCOUNTS RECEIVABLE RECONCILIATION AND AGING

Accounts Receivable Reconciliation	Amount
Total Accounts Receivable at Beginning of Reporting Period	
+ Amounts Billed During Reporting Period	
- Amounts Collected During Reporting Period	
Total Accounts Receivable at End of Reporting Period	

Accounts Receivable Aging	Amount
0 - 30 days old	
31 - 60 days old	
61 - 90 days old	
91+ days old	
Total Accounts Receivable	
Amount Considered Uncollectible (Bad Debt)	
Accounts Receivable (Net)	

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

**ORDER GRANTING MOTION TO DETERMINE SECURED STATUS
AND VOID WHOLLY UNSECURED LIEN**

The Motion to Determine Secured Status and Void Wholly Unsecured Lien of [insert name of lienholder] filed by [insert name of moving party] is granted. The creditor's claim is deemed wholly unsecured, and its lien, recorded on [insert date recorded] at [insert name of county] County Registry of Deeds, at Book [insert book number], Page [insert page number], shall be void upon completion of the debtor's plan of reorganization and the court's issuance of a discharge under 11 U.S.C. § [insert 1328(a) or 1141(d)(5), as applicable].

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

**ORDER GRANTING MOTION TO DETERMINE SECURED STATUS
AND LIMIT SECURED CLAIM**

Having considered the Motion to Determine Secured Status and Limit Secured Claim of [insert name of lienholder] filed by [insert name of moving party], the motion is granted. The creditor's claim is deemed secured to the extent of [insert amount of the claim that is supported by value of the collateral] and unsecured to the extent of [insert amount of the claim that is not support by value of the collateral].

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

CHAPTER 13 PLAN DATED

If this box is checked, this plan contains certain nonstandard provisions set out in paragraph 13 below. Any nonstandard provisions stated elsewhere in this plan are void.

If this box is checked, this plan seeks to limit the amount of a secured claim based on a valuation of the collateral for the claim pursuant Federal Rule of Bankruptcy Procedure 3012. Details are set out in paragraph 7 below.

If this box is checked, the debtor(s) will seek to avoid a judicial lien or non-possessory, nonpurchase-money security interest by separate motion to be filed in due course pursuant to Federal Rule of Bankruptcy Procedure 4003. Details are set out in paragraph 13 below.

Debtor: _____

SS # xxx-xx- _____

Joint Debtor: _____

SS # xxx-xx- _____

1. **PLAN PAYMENTS**

The applicable commitment period pursuant to 11 U.S.C. § 1325(b)(4) is not less than _____ years.
This is a _____ month plan.

Debtor(s) will make regular payments to the Trustee as follows:

\$ _____ per month for _____ months

[and \$ _____ per month for _____ months.]

Total of monthly plan payments:

\$ _____

Debtor(s) will make additional payments(s) to the Trustee from other sources as specified below.
Describe the source, estimated amount, and date of each anticipated payment.

In addition, for each year during the term of the plan, all tax refunds in excess of \$ _____ will be remitted within fourteen (14) days of receipt to the trustee as additional disposable income to fund the plan. Deviation from this requirement in a given year will be considered by the court only upon the

filing of a motion asserting extenuating circumstances; any such motion must be filed within thirty (30) days of the date of the filing of the tax return at issue.

2. **ADMINISTRATIVE CLAIMS**

Trustee’s fee pursuant to 11 U.S.C. § 1326 and debtor(s)’ attorney’s fees:

- A. Trustee’s estimated fees and expense (10% of the total to be paid): \$ _____
- B. Attorney’s fee and expenses requested to be paid through the plan, payable pursuant to LBR 2016-1, notwithstanding 11 U.S.C. § 1325(a)(5)(B)(iii): \$ _____
- C. Other: \$ _____

3. **DOMESTIC SUPPORT OBLIGATIONS**

The following DSO claims will be paid in full through the plan:

<u>Creditor</u>	Estimated Total Prepetition Arrearage Claim
_____	\$ _____
_____	\$ _____

4. **PRIORITY CLAIMS**

<u>Creditor</u>	<u>Interest Rate</u>	Estimated Total Prepetition Claim
_____	_____ %	\$ _____
_____	_____ %	\$ _____

5. **SECURED CLAIMS (PRIMARY RESIDENCE)**

Residence located at: _____

Debtor(s) estimate the fair market value of such primary residence to be: \$ _____

Since the debtor(s) seek to retain the collateral, and for the lien to remain in full force and effect, the claim will be treated in one of the following manners:

- () Outside the plan. The mortgage is current and will continue to be directly payable by the debtor(s).

OR

- () The mortgage is not current. Regular postpetition payments will be made directly by the debtor(s) and the prepetition arrearage only is to be paid through the plan, as follows:

Estimated Total

<u>Mortgagee</u>	<u>Prepetition Arrearage</u>
1st _____	\$ _____
2nd _____	\$ _____
3rd _____	\$ _____

OR

() As set forth in paragraph 13 below.

6. **SECURED CLAIMS (OTHER)**

Current regular payments are to be made directly by the debtor(s). Prepetition arrearage amounts, if any, are to be paid through the plan:

<u>Name of Creditor</u>	<u>Description of Collateral</u>	<u>Estimated Total Prepetition Arrearage</u>
_____	_____	\$ _____
_____	_____	\$ _____
_____	_____	\$ _____

7. **SECURED CLAIMS TO BE MODIFIED**

The following claims are modifiable under the provisions of the Bankruptcy Code and shall be paid through the plan as indicated. For purposes of Federal Rule of Bankruptcy Procedure 3015(g)(1), by confirming this plan, the Court is not making any determination under Federal Rule of Bankruptcy Procedure 3012 about the amount of a secured claim. Rather, the debtor(s) must file a separate motion consistent with Federal Rule of Bankruptcy Procedure 3012(b) and LBR 3012-1 or 3012-2 as applicable.

Name of Creditor: _____
 Collateral: _____
 Valuation: _____
 Proposed Treatment: _____

Name of Creditor: _____
 Collateral: _____
 Valuation: _____
 Proposed Treatment: _____

8. **SECURED CLAIMS WHERE COLLATERAL TO BE SURRENDERED**

Upon confirmation, the automatic stay under 11 U.S.C. §§ 362(a) and 1301(a) is lifted as to any collateral treated as surrendered or abandoned and such collateral shall be deemed abandoned from the estate.

Name of Creditor: _____
 Collateral: _____

Name of Creditor: _____
Collateral: _____

9. **EXECUTORY CONTRACTS AND UNEXPIRED LEASES**

Executory contracts and unexpired leases are assumed or rejected as follows:

<u>Creditor/Lessor Property Description</u>	<u>Assumed/Rejected</u>	<u>Proposed Cure Amount/Period</u>
_____	_____	\$ _____
_____	_____	\$ _____

10. **UNSECURED CLAIMS**

Unsecured creditors' claims total \$_____ (including, if applicable, the unsecured portion of claims modified under paragraph 7). The percentage to be paid toward these claims will be determined after the bar date for filing claims has passed and will be specified in a motion for authorization to pay certain claims. Unsecured creditors will begin receiving payment on a *pro rata* basis with any secured arrearage and priority claims after the issuance of such an order. If all scheduled claims are allowed, the percentage distribution to creditors is estimated at _____%.

11. **GENERAL PLAN PROVISIONS**

A. **Duty to Provide Tax Returns and Income Information:**

1. For the entire term of the plan, the debtor(s) must provide a copy of each federal income tax return or each request for an extension to file such return, directly to the trustee within seven (7) days of the filing of such return or extension request with the taxing authority.
2. The debtor(s) shall have a duty to keep the trustee advised as to the status of all federal income tax returns and tax refunds, including any Internal Revenue Service approved extension requests and shall respond to the trustee not later than sixty (60) days from the date of any written demand or inquiry from the trustee relating to such returns or refunds.
3. If a debtor(s) is not required to file a federal income tax return for a particular tax year because of a lack of taxable income, then the debtor(s) must notify the trustee, in writing, that no tax return will be filed. The trustee must receive this written notification no later than April 15 of the calendar year in which the tax return would ordinarily have been due.

B. **Allowance of Claims:** In the event that a proof of claim is filed in an amount different from the amount listed in this plan, the proof of claim amount shall be deemed to be the correct amount unless the debtor(s) or another party in interest successfully object to the proof of claim.

C. **Property of the Estate and Insurance:** All property shall remain property of the estate until discharge. Pursuant to 11 U.S.C. § 1306(b), the debtor(s) will remain in possession of all property of the estate unless a provision of this plan, or an order of this court, specifically states otherwise. The debtor(s) shall maintain all insurance required by law and contract upon property of the estate and the debtor(s)' property.

D. **Retention of Lien:** All secured creditors shall retain the liens securing their claims unless otherwise stated.

E. **Application of Payments Under This Plan:**

1. Pursuant to 11 U.S.C. § 524(i), payments received by holders and/or servicers of mortgage claims for ongoing postpetition installment payments shall be applied and credited to the debtor(s)' mortgage account as if the account were current and no prepetition default existed on the petition date, in the order of priority specified in the note and security agreement and applicable non-bankruptcy law. Postpetition installment payments made in a timely manner under the terms of the note shall be applied and credited without penalty.
2. **If a creditor applies payments in a manner not consistent with the terms of this plan, or applies trustee payments to postpetition costs and fees without prior approval of this court, such actions may be a violation of 11 U.S.C. § 524(i).**

F. **Duty of Mortgage Servicer to Provide Loan Information:**

1. Upon written request of the debtor(s), any mortgage servicer or its successor shall provide to the debtor(s) and/or the debtor(s)' attorney all information with respect to the debtor(s)' mortgage loan as it would provide absent a bankruptcy proceeding, including contractual monthly payment changes.

The term "information" as used herein shall include, but is not limited to: (a) a coupon book or monthly statements to help the debtor(s) properly make monthly payments, (b) addresses to which to send payments and to direct inquiries, (c) balance and payoff information if requested, and (d) if applicable, escrow analyses, notices of rate adjustments and the like. The debtor(s) shall not make any claim against the mortgage servicer, the secured creditor or their successors for any violation of the automatic stay or any discharge injunction resulting from its compliance with this section.

2. Upon written request of the debtor(s)' counsel, any of the information requested to be provided to the debtor(s) in paragraph F(1) above shall also be provided to the debtor(s)' counsel.

G. **Release of Certificate of Title Upon Satisfaction of Secured Claim:**

1. Upon satisfaction or other discharge of a security interest in a motor vehicle, mobile home, or in any other property of the bankruptcy estate for which the certificate of title is in the possession of a secured creditor, such creditor shall within fourteen (14) days after demand and, in any event, within thirty (30) days of receipt of the notice of the entry of the discharge order, execute a release of its security interest on said title or certificate, in the space provided therefore on the certificate or as the Division of Motor Vehicles prescribes, and mail or deliver the certificate and release to the debtor(s) or to the attorney for the debtor(s).
2. Confirmation of this plan shall impose an affirmative and direct duty on each such secured creditor to comply with this paragraph. This provision shall be enforced in a proceeding filed before this court and each such creditor consents to such jurisdiction by failure to file any timely

objection to this plan. Such an enforcement proceeding may be filed by the debtor(s) in this case either before or after the entry of the discharge order and either before or after the closing of this case. The debtor(s) specifically reserve the right to file a motion to reopen this case under 11 U.S.C. § 350 to pursue the rights and claims provided for therein.

12. LIQUIDATION ANALYSIS

In the event of a liquidation under chapter 7, I/we would claim the state/federal exemptions, based upon which unsecured creditors would receive _____%.

A. REAL ESTATE: Residential, located at: _____

<u>Description</u>	<u>Fair Market Value</u>	<u>Liens</u>	<u>Exemption Amount and Cite</u>	<u>Available Chapter 7</u>
_____	\$ _____	\$ _____	\$ _____	\$ _____
Total non-exempt value:				\$ _____

B. REAL ESTATE: Non-residential, located at: _____

<u>Description</u>	<u>Fair Market Value</u>	<u>Liens</u>	<u>Exemption Amount and Cite</u>	<u>Available Chapter 7</u>
_____	\$ _____	\$ _____	\$ _____	\$ _____
Total non-exempt value:				\$ _____

C. NON-EXEMPT TANGIBLE ASSETS:

<u>Description</u>	<u>Fair Market Value</u>	<u>Liens</u>	<u>Exemption Amount and Cite</u>	<u>Available Chapter 7</u>
_____	\$ _____	\$ _____	\$ _____	\$ _____
Total non-exempt value:				\$ _____

D. NON-EXEMPT INTANGIBLE ASSETS:

<u>Description</u>	<u>Fair Market Value</u>	<u>Liens</u>	<u>Exemption Amount and Cite</u>	<u>Available Chapter 7</u>
_____	\$ _____	\$ _____	\$ _____	\$ _____
Total non-exempt value:				\$ _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor.

Case No. _____ - _____ - _____
Chapter _____

NOTICE OF CONTINGENT HEARING ON CONFIRMATION
(RESPONSE REQUIRED)

Please take notice that on [insert date and time of hearing], the debtor's plan dated _____ is scheduled for a hearing on confirmation pursuant to 11 U.S.C. § 1324 before the Hon. Kimberly Bacher, or any judge that may be sitting in that judge's place, at **either** the United States Bankruptcy Court, Courtroom [insert courtroom location], Warren B. Rudman U.S. Courthouse, 55 Pleasant Street, Concord, New Hampshire, or via Zoom as described below.

To appear by Zoom via video, go to this link: <https://www.zoomgov.com> and then enter the Meeting ID and Passcode listed below.

To appear by Zoom using a telephone, call Zoom for Government at 1-646-828-7666 or 1-669-254-5252 and then enter the Meeting ID and Passcode listed below.

The Meeting ID for this hearing is 160 462 2499, and the Passcode is 760398. The Meeting ID and Passcode can also be found on the court's website.

An order confirming the plan will be binding on all parties pursuant to 11 U.S.C. § 1327, except as provided by 11 U.S.C. § 1329.

YOUR RIGHTS MAY BE AFFECTED. You should read the attached plan carefully and discuss it with your attorney. If you do not have an attorney, you may wish to consult one. If you have no objection to the confirmation of the debtor's plan dated _____, no action is required by you. If you do object to the plan, or if you wish to be heard, you must file a written objection with the Clerk, United States Bankruptcy Court, Warren B. Rudman U.S. Courthouse, 55 Pleasant Street, Room 200, Concord, NH 03301 on or before [insert hearing date minus fourteen (14) days].

A copy of your objection or response must be mailed or delivered to the undersigned debtor or debtor's attorney at the address set forth below, the chapter 13 trustee, and the United States Trustee, and a certificate of such action must be filed with the clerk. If you file an objection or response, you must also appear at the hearing on the date and time set forth above. **If no objections are filed by the objection deadline stated above, [insert hearing date minus fourteen (14) days], the court may enter an order confirming the plan without a hearing.**

Date: _____

Signature

Print Name

Address

Tel. No.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor.

Case No. _____ - _____ - _____

Chapter _____

**NOTICE OF CONTINGENT HEARING ON MODIFICATION OF CONFIRMED PLAN
(RESPONSE REQUIRED)**

Please take notice that on [insert date and time of hearing], a motion seeking to modify the debtor's confirmed plan is scheduled for a hearing pursuant to 11 U.S.C. § 1329 before the Hon. Kimberly Bacher, or any judge that may be sitting in that judge's place, at **either** the United States Bankruptcy Court, Courtroom [insert courtroom location], Warren B. Rudman U.S. Courthouse, 55 Pleasant Street, Concord, New Hampshire, or via Zoom as described below.

To appear by Zoom via video, go to this link: <https://www.zoomgov.com> and then enter the Meeting ID and Passcode listed below.

To appear by Zoom using a telephone, call Zoom for Government at 1-646-828-7666 or 1-669-254-5252 and then enter the Meeting ID and Passcode listed below.

The Meeting ID for this hearing is 160 462 2499, and the Passcode is 760398. The Meeting ID and Passcode can also be found on the court's website.

YOUR RIGHTS MAY BE AFFECTED. You should read the attached modified plan or plan summary carefully and discuss it with your attorney. If you do not have an attorney, you may wish to consult one. If you have no objection to the modified plan dated _____, no action is required by you. If you do object to the modified plan, or if you wish to be heard, you must file a written objection with the Clerk, United States Bankruptcy Court, Warren B. Rudman U.S. Courthouse, 55 Pleasant Street, Room 200, Concord, NH 03301 on or before [insert hearing date minus fourteen (14) days].

A copy of your objection or response must be mailed or delivered to the undersigned at the address set forth below, the chapter 13 trustee, and the United States Trustee, and a certificate of such action must be filed with the clerk. If you file an objection or response, you must also appear at the hearing on the date and time set forth above.

If no objections are filed by the objection deadline stated above, [insert hearing date minus fourteen (14) days], the court may enter an order granting the motion to modify without a hearing.

Date: _____

Signature

Print Name

Address

Tel. No.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

Debtor.

Case No. _____ - _____ - _____

Chapter _____

CONFIRMATION ORDER

After notice and due consideration regarding the confirmation of the debtor's Chapter 13 Plan, the Court finds that the Plan complies with all provisions of the United States Bankruptcy Code and that it is in the best interest of all creditors, the debtor, and the estate.

It is hereby ORDERED that the debtor's Chapter 13 Plan dated _____ is confirmed as filed or as modified at the plan confirmation hearing, subject to (i) resolution of actions to determine the avoidability, priority, or extent of liens, (ii) resolution of all disputes over the amount and allowed of claims entitled to priority, (iii) resolution of actions to determine the allowed amount of secured claims, and (iv) resolution of all objections to claims. Terms of the debtor's Plan not expressly modified by this order are incorporated in this order and made a part hereof by reference.

1. The Court retains jurisdiction to make such other and further orders as may be necessary or appropriate to effectuate the plan and this order.

- A. The debtor shall make payments in the amount of \$ _____ per month for ___ months, commencing _____. The total of all Plan payments will be \$ _____. In addition, any annual tax refunds received in excess of \$1,200.00 shall be remitted payments will 13 Trustee as additional Plan payments.

The debtor shall have the duty to keep the Trustee advised as to the status of all tax returns and tax refunds, including whether the filing deadline has been extended with approval of the Internal Revenue Service. The debtor shall respond to the Trustee not later than sixty (60) days from the date of any written demand or inquiry from the Trustee relating to such returns or refunds. In addition, should the debtor not be required to file a tax return in a given year, the debtor shall advise the Trustee of that fact in writing.

- B. The Plan is confirmed on an interim basis, and in due course an Objection to Certain Claims and Motion for Authorization to Pay Certain Claims will be filed which will authorize payments to creditors. The amount available for allowed unsecured claimants will be determined following notice and hearing after the bar date for filing claims has passed.
- C. The priority, secured, and administrative claims as of the date of this Order are as follows:
- D. Secured claims with regularly scheduled payments to be made directly by the debtor:

2. Special Provisions:

N/A

3. It is FURTHER ORDERED as follows:

- A. If the Plan contemplates litigation or the sale of assets as a source of funding, the debtor shall file application(s) to employ the necessary professionals within thirty (30) days of the date of this order.
- B. As soon as practicable after the claims bar date, but not later than ninety (90) days thereafter, the Trustee shall file an Objection to Certain Claims and Motion for Authorization to Pay Certain Claims and, if warranted, a Motion to Avoid Judicial Liens. Upon entry of an Order on such motion(s), the Plan shall be deemed amended to conform to the Order. Failure to file a motion seeking avoidance of judicial liens within the time provided by this paragraph does not bar such a motion at a later time.
- C. Except as otherwise addressed in the Objection to Certain Claims and Motion for Authorization to Pay Certain Claims, all objections to claims, all actions to determine the avoidability, priority or extent of liens, all actions concerning the allowance or amount of claims entitled to priority under Sec. 507, and all actions to determine value of collateral pursuant to Sec. 506, shall be filed no later than thirty (30) days after the Objection to Certain Claims and Motion for Authorization to Pay Certain Claims is filed.

ORDER:

After due consideration, the debtor's Plan dated _____ is hereby confirmed.

Date: _____

Kimberly Bacher
Chief Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

**AFFIDAVIT OF DEBTOR REGARDING DOMESTIC SUPPORT OBLIGATIONS
AND DOMICILE, EQUITY AND LITIGATION STATUS AT THE TIME OF
CONFIRMATION OF THE PLAN**

I, [insert debtor name], the debtor in the above-cited case, hereby declare under penalty of perjury that the information contained in this document is true and correct to the best of my knowledge and belief, effective as of the time of the confirmation of the plan.

REGARDING DOMESTIC SUPPORT:

() To the best of my knowledge and belief, I am not obligated to pay child support or alimony, and I owe no money on any domestic support obligation pursuant to any court order, administrative order, or statute.

OR

() I am required by a court order to pay child support or other domestic support. I currently owe money on a domestic support obligation to the following individual(s):

Name and Address of Recipient: _____

Current Status of Obligation: _____

INCLUDE ALL SUCH OBLIGATIONS

REGARDING MY DOMICILE:

() I have been continuously domiciled in the State of New Hampshire for at least 730 days (approximately two years) prior to the filing date of my bankruptcy petition.

OR

() I have not been continuously domiciled in the State of New Hampshire for the last 730 days (approximately two years). For the majority of the 180 days prior to the filing date of my bankruptcy petition, I was domiciled as follows: _____

REFERENCING 11 U.S.C. § 522(o) OF THE BANKRUPTCY CODE:

With regard to payments made on the mortgage of my homestead, over the ten-year period prior to the filing date of my bankruptcy petition and not counting the regularly required payments, I

- HAVE paid extra mortgage payments totaling more than \$10,000.00.
- HAVE NOT paid extra mortgage payments totaling more than \$10,000.00.

REFERENCING 11 U.S.C. § 522(p) OF THE BANKRUPTCY CODE:

With regard to my homestead real estate, the date of acquisition of my interest was:

OR

I own no homestead real estate.

REGARDING OTHER MATTERS:

To the best of my knowledge and belief:

I HAVE ___ or HAVE NOT ___ been convicted of a felony involving a financial crime, or for which restitution has been ordered as part of my sentence.

I DO ___ or DO NOT ___ owe any debt resulting from a criminal act, intentional tort, or willful or reckless misconduct that caused serious physical injury or death to another individual in the preceding five years.

I HAVE ___ or HAVE NOT ___ been advised that to receive a discharge I must complete an instructional course concerning personal financial management.

Date: _____

Debtor's Signature: _____

Print Name: _____

I hereby certify that I received the completed affidavit from the debtor and forwarded it to any applicable domestic support claimant/agency.

Signature

Print Name

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

AFFIDAVIT OF DEBTOR REGARDING DISCHARGE

I, [insert debtor name], the debtor in the above-cited case, hereby declare under penalty of perjury that the information contained in this document is true and correct to the best of my knowledge and belief, effective as of the time of discharge.

1. Pursuant to 11 U.S.C. § 1328(a):

I am not obligated to make payments regarding a domestic support obligation.

OR

I am current on my ongoing domestic support obligations.

2. Pursuant to 11 U.S.C. § 1328(f), I am qualified to receive a discharge as I have not received a discharge in any other bankruptcy proceeding during the applicable periods set forth in the statute.

3. Pursuant to 11 U.S.C. § 1328(g), I have completed the instructional course concerning personal financial management described in 11 U.S.C. § 111 and have filed a certification with the Court.

4. Pursuant to 11 U.S.C. § 1328(h), I hereby certify that there is no reasonable cause to believe that 11 U.S.C. § 522(q)(1) is applicable to me, and that there is no proceeding in which I may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

Date: _____

Debtor Signature: _____

Print Name: _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

Debtor _____,

Case No. _____ - _____ - _____

Chapter _____

**ORDER APPROVING DISCLOSURE STATEMENT AND FIXING THE TIME
FOR VOTING ON THE PLAN AND FOR FILING OBJECTIONS TO
CONFIRMATION OF THE PLAN**

Having considered the (Amended) Disclosure Statement Dated _____ (the “Disclosure Statement”) filed by [insert name of plan proponent] with respect to the (Amended) Plan Dated _____ (the “Plan”) filed by [insert name of plan proponent], the court orders as follows:

- A. The Disclosure Statement is approved as providing adequate information under 11 U.S.C. § 1125.
- B. _____ is fixed as the last day for filing written acceptances or rejections of the Plan.
- C. _____ is fixed as the last day for filing and serving written objections to confirmation of the Plan.
- D. A hearing on confirmation of the Plan will be held on [insert date and time of hearing] at the United States Bankruptcy Court, Courtroom [insert courtroom location], Warren B. Rudman U.S. Courthouse, 55 Pleasant Street, Concord, New Hampshire.
- E. On or before _____, the plan proponent shall serve a copy of this order, the Disclosure Statement, the Plan, and a ballot on all creditors and parties in interest.
- F. Within seven (7) days after serving this order, the Plan, the Disclosure Statement, and ballots, the plan proponent shall file a certificate of such service with the court, accompanied by an attached copy of the order, Plan, Disclosure Statement and ballot as served.

[In cases involving an individual debtor, the following additional paragraph shall be included]:

- G. Complaints objecting to the debtor’s discharge under 11 U.S.C. § 727(a) shall be filed no later than [insert date set for the confirmation hearing].

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

CERTIFICATE OF VOTE

[Insert plan proponent], the plan proponent, by and through attorney [insert attorney's name], certify the voting by the holders of claims in Class [insert class], an impaired class entitled to vote, as follows:

	<u>Number</u> <u>Voting</u>	<u>Percentage</u>	<u>Dollar</u> <u>Amount</u>	<u>Percentage</u>
Accept				
Reject				
Total				

Classes [insert classes] are not impaired and are deemed to have accepted the plan.

Date: _____

Signature

Print Name

Address _____

Tel. No. _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

**WORKSHEET COMPLETED BY THE MORTGAGEE/SERVICER IN SUPPORT OF MOTION
FOR RELIEF FROM STAY INVOLVING RESIDENTIAL REAL PROPERTY**

I, [insert the name of movant or, if movant is a business entity other than an individual, the name and representative capacity of the person signing this worksheet on behalf of such entity and the name of the entity], do hereby declare:

BACKGROUND INFORMATION

1.	Address or general description of the real property that is the subject of this motion	
2.	Name and address of original mortgagee	
3.	Dates of the note and mortgage	
4.	If movant is different from the original mortgagee, the status of movant (e.g., holder, assignee, or servicing agent)	
5.	Current address of movant	
6.	Postpetition payment address of movant if different from address in paragraph 5 above	
7.	Brief statement of movant's standing (e.g., first mortgagee, second mortgagee, assignee, servicing agent)	

DEBT/VALUE REPRESENTATIONS

8.	Total indebtedness of debtor to movant at the time of filing the motion. This amount may not be relied upon as a "payoff" quotation.	\$
9.	Movant's estimated market value of the real property	\$
10.	Source of estimated valuation	

**STATUS OF DEBT AS OF THE PETITION DATE (CH. 13) OR
MOTION FOR RELIEF FILING DATE (CH. 7)**

11.	Total prepetition indebtedness of debtor to movant as of petition filing date (ch. 13) OR total contractual debt owed (ch. 7)	\$
A.	Amount of principal	\$
B.	Amount of interest	\$
C.	Amount of escrow (taxes and insurance)	\$
D.	Amount of forced placed insurance	\$
E.	Amount of attorney's fees incurred prepetition that have been or will be charged to the debtor	\$
F.	Amount of prepetition late fees, if any, billed to debtor	\$
G.	Itemize any additional prepetition fees or costs charged to the debtor's account and not listed above, including inspection fees, valuation fees, real estate taxes, etc. A separate exhibit may be attached to this worksheet. If so, it is marked Exhibit.	A. \$ B. \$ C. \$ D. \$
12.	Number of payments in arrears on the petition date	
13.	Total amount of prepetition arrearage	\$
14.	Contractual interest rate. If interest rate is (or was) adjustable, please list the rate(s) and date(s) the rate(s) was/were in effect. A separate exhibit may be attached to this worksheet. If so, it is marked Exhibit _____.	

STATUS OF DEFAULT AS OF _____

15.	Amount of monthly payment (including principal, interest, and escrow)	\$
16.	Date last payment was received _____	
17.	Alleged number of postpetition or contractual payments due postpetition from filing of petition through payment due on _____	
18.	Number of payments in arrears as of above date	
19.	Please list below all contractual payments due and all payments made since date of filing:	

Payments Due Since Date of Filing			
Date Due		Amount Due	
Payments Made Since Date of Filing			
Date Received		Amount Paid	
20.	Amount of movant's attorney's fees charged or to be charged to the debtor for the preparation, filing, and prosecution of this motion	\$	
21.	Amount of filing fee for this motion	\$	
22.	Itemize amount and date of charge for any additional postpetition or contractual fees or costs charged or to be charged to the debtor's account and not listed above, including inspection fees, valuation fees, insurance, real estate taxes, attorney's fees, etc. A separate exhibit may be attached to this worksheet. If so, it is marked Exhibit ____.	Amount	Date
		A. \$ B. \$ C. \$ D. \$	
23.	Sum held in suspense by movant in connection with this contract, if applicable	Credit of \$	
24.	Total amount of postpetition or contractual arrearage	\$	

REQUIRED ATTACHMENTS

The following documents are attached to this worksheet in support of the motion and marked as exhibits:

- (1) Copies of documents showing movant's interest in the subject property (e.g., a complete and legible copy of the promissory note or other debt instrument together with a complete and legible copy of the mortgage and any assignment in the chain from the original mortgagee to the movant), which are marked as Exhibits _____.
- (2) Copies of documents showing proof of standing to bring this motion for relief if different than the above, which are marked as Exhibits _____.

CERTIFICATION FOR BUSINESS RECORDS

The information provided in this worksheet and/or any exhibits attached to this worksheet (other than the transactional documents attached as required by paragraphs (1) and (2) immediately above) is derived from records that (a) were made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (b) were kept in the course of the regularly conducted activity; and (c) were made by the regularly conducted activity as a regular practice.

Further, the copies of any transactional documents attached to this worksheet or motion, as required by paragraphs (1) and (2) immediately above, are true and accurate copies of the original documents.

DECLARATION

I, [insert name and title], of [insert name of movant], hereby declare pursuant to 28 U.S.C. § 1746 under penalty of perjury that the foregoing is true and correct based on personal knowledge of the movant’s books and business records.

Executed at [insert city/town], [insert state] on this [insert day] day of [insert month], [insert year].

Signature

Print Name

Title

Movant

Address

REPRESENTATIONS REGARDING OTHER LIENS ATTACHING TO THE PROPERTY

I, [insert name of movant or movant’s attorney], do hereby declare:

Names of Senior Lienholder	Amount Due	Source of Information (e.g., debtor’s schedules, public records, other)
	\$	
	\$	
	\$	
Movant’s lien	\$	
Names of Junior Lienholder	Amount Due	Source of Information (e.g., debtor’s schedules, public records, other)
	\$	
	\$	
	\$	

Signature

Print Name

Title

Movant
Address _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

STATEMENT — MOTION FOR RELIEF WORKSHEET NOT REQUIRED

The movant states that LBF 4001-1A, Worksheet Completed by the Mortgagee/Service in Support of Motion for Relief from Stay Involving Residential Real Property, is not required to be filed with this motion because:

- The movant has obtained the debtor's assent to the motion prior to the motion being filed with the court.
- The debtor has indicated an intent to surrender the real property that is the subject of the motion in the debtor's statement of intention filed with the court pursuant to 11 U.S.C. § 521(a)(2).
- The debtor has indicated an intent to surrender the real property that is the subject of the motion in the debtor's plan of reorganization.

Date: _____

Signature

Print Name

Address

Tel. No.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

ORDER GRANTING MOTION TO APPROVE STIPULATION

The Court has before it a motion seeking approval of a stipulation that resolves a pending motion for relief filed by [insert name of moving party] at ECF No [insert ECF No.]. Having reviewed the motion and the parties' stipulation, it is ordered:

1. The motion is granted.
2. The stipulation is approved.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

**EX PARTE MOTION TO INCUR ADDITIONAL DEBT
TO ACQUIRE MOTOR VEHICLE IN CHAPTER 13**

The debtor, by and through counsel, files this *Ex Parte* Motion to Incur Additional Debt to Acquire Motor Vehicle in Chapter 13. In support, debtor states as follows:

1. The chapter 13 bankruptcy case was filed on _____.
2. The chapter 13 plan was confirmed on _____.
3. Plan payments are currently \$ _____ per month.
4. The debtor needs to purchase/lease a vehicle.
5. The debtor anticipates spending under \$ _____ with a monthly payment of \$ _____ or less.
6. The automobile payment will not adversely affect the debtor's chapter 13 plan.
7. The chapter 13 trustee has consented to this motion.

WHEREFORE, the debtor respectfully requests this court to:

- A. Approve this *Ex Parte* Motion to Incur Additional Debt to Acquire Motor Vehicle in Chapter 13 in the amount of \$ _____ with a monthly payment of \$ _____ or less.
- B. Grant such other relief as is fair and equitable.

Respectfully submitted,

Date: _____

Signature

Print Name

Address

Tel. No. _____

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

**ORDER GRANTING *EX PARTE* MOTION TO INCUR ADDITIONAL DEBT
TO ACQUIRE MOTOR VEHICLE IN CHAPTER 13**

The *Ex Parte* Motion to Incur Additional Debt to Acquire Motor Vehicle in Chapter 13 filed by the debtor is granted. The debtor is authorized to incur debt in an amount not to exceed \$ _____ with a monthly payment of \$ _____ or less.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____

Chapter _____

_____,
Movant

v.

_____,
Respondent(s)

MOTION TO AVOID LIEN(S) PURSUANT TO 11 U.S.C. § 522(f)(2)

NOW COMES _____ (“Debtor” and “Movant”) by and through his attorney, _____, pursuant to 11 U.S.C. § 522(f) and Federal Rules of Bankruptcy Procedure 4003(d) and 9014 to request that this court enter an order avoiding the [judicial lien(s) or nonpossessory, nonpurchase-money security interest(s)] held by _____ (“Respondent(s)”). In support of this motion, the Debtor states:

1. This court has jurisdiction in this matter pursuant to 28 U.S.C. § 1334(a). This matter is a core proceeding as provided by 28 U.S.C. § 157(b)(2)(K).
2. The Debtor filed a voluntary petition under chapter _____ of the Bankruptcy Code on _____.
3. The Debtor’s interest in the property is subject to the following mortgages, judicial liens and/or nonpossessory, nonpurchase-money security interests:

<u>Type and Amount of Lien</u>	<u>Name of Lienholder</u>	<u>Date Lien Obtained</u>
a. _____	_____	_____
b. _____	_____	_____
c. _____	_____	_____
d. _____	_____	_____

4. The Debtor is entitled to an exemption in the property in the amount of \$ _____ pursuant to _____ (e.g., N.H. RSA 480:1, N.H. RSA 511:2(III)).
5. The Debtor’s interest in the property has a fair market value of \$ _____. Evidence supporting such value is attached hereto as Exhibit A.
6. Section 522(f)(2)(A) of the Bankruptcy Code provides that “a lien shall be considered to impair an exemption to the extent that the sum of: (i) the lien; (ii) all other liens on the property; and (iii) the amount of the exemption that the debtor could claim if there were no liens on the property; exceeds the value that the debtor’s interest in the property would have in the absence of any liens.” Section 522(f)(2)(B) provides that “[i]n the case of a property subject to more than 1 lien, a lien that has

been avoided shall not be considered in making the calculation under subparagraph (A) with respect to other liens.”

7. Following the formula set forth in 11 U.S.C. § 522(f)(2) for determining whether a lien impairs an exemption, the Debtor:
 - a. Adds the lien (or the newest, most junior lien if avoiding multiple liens) being tested for avoidance (L1), all other senior liens (L2 + L3 + L4 . . .) and the maximum exemption allowable in the absence of liens (E) to get a sum of (L1 + L2 + L3 + L4 . . . + E).
 - b. From the sum above, (L1 + L2 + L3 + L4 . . . + E), subtracts the value of the property in the absence of liens (V) and finds that the extent of the impairment is (I) (I = L1 + L2 + L3 + L4 . . . + E - V).

Since the extent of the impairment of the exemption, \$(I), exceeds the entire value of [insert name of the Respondent]'s lien, \$(L1), the entire lien is avoidable. **Or** Since the extent of impairment, \$(I) is less than the entire value of the lien, \$(L1), [insert name of the Respondent]'s lien can be avoided only to the extent of the impairment the exemption, \$(I), and the rest remains as a lien in the amount of \$(L1-I).

8. [If avoiding two liens, include this additional paragraph. If not, delete this paragraph from Debtor's motion.]. Following the formula set forth in 11 U.S.C. § 522(f)(2) for determining whether a lien impairs an exemption, the Debtor:
 - a. Adds the next most junior lien being tested for avoidance (L2), all other senior liens (L3 + L4 . . .) and the maximum exemption allowable in the absence of liens (E) to get a sum of (L2 + L3 + L4 . . . + E).
 - b. From the sum above, (L2 + L3 + L4 . . . + E), subtracts the value of the property in the absence of liens (V) and finds that the extent of the impairment is (I) (I = L2 + L3 + L4 . . . + E - V).

Since the extent of the impairment of the exemption, \$(I), exceeds the entire value of [insert name of the Respondent]'s lien, \$(L2), the entire lien is avoidable. **Or** Since the extent of impairment, \$(I) is less than the entire value of the lien, \$(L2), [insert name of the Respondent]'s lien can be avoided only to the extent of the impairment the exemption, \$(I), and the rest remains as a lien in the amount of \$(L2-I).

9. [If avoiding three liens, include this additional paragraph. If not, delete this paragraph from Debtor's motion.] Following the formula set forth in 11 U.S.C. § 522(f)(2) for determining whether a lien impairs an exemption, the Debtor:
 - a. Adds the next most junior lien being tested for avoidance (L3), all other senior liens (L4 + . . .) and the maximum exemption allowable in the absence of liens (E) to get a sum of (L3 + L4 . . . + E).
 - b. From the sum above, (L3 + L4 . . . + E), subtracts the value of the property in the absence of liens (V) and finds that the extent of the impairment is (I) (I = L3 + L4 . . . + E - V).

Since the extent of the impairment of the exemption, \$(I), exceeds the entire value of [insert name of the Respondent]'s lien, \$(L3), the entire lien is avoidable. **Or** Since the extent of impairment, \$(I) is less than the entire value of the lien, \$(L3), [insert name of the Respondent]'s lien can be avoided only to the extent of the impairment the exemption, \$(I), and the rest remains as a lien in the amount of \$(L3-I).

10. [If avoiding additional liens, include additional paragraphs as necessary. If not, delete this from Debtor's motion.]

WHEREFORE, the Debtor respectfully requests that this court enter an order which:

- A. Avoids the [judicial lien(s) or nonpossessory, nonpurchase-money security interest(s)] held by _____.
- B. Grants such other relief as is fair and equitable.

Respectfully submitted,

Date: _____

Signature

Print Name

Address

Tel. No.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

ORDER GRANTING MOTION TO AVOID LIEN PURSUANT TO 11 U.S.C. § 522(f)(2)

The Motion to Avoid Lien Pursuant to 11 U.S.C. § 522(f)(2) filed by the debtor is granted. The lien of [insert creditor's name], recorded on [insert date recorded] at [insert name of county] County Registry of Deeds, at Book [insert book number], Page [insert page number], is avoided as impairing the debtor's exemption.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

CERTIFICATE OF SERVICE

I certify that on the date below I served copies of the foregoing filings(s) entitled [insert name of each document] to all parties named below by United States first class postage prepaid mail at the address(es) listed or in such other manner as indicated:¹

I, [insert your name], certify that I am eighteen (18) years of age or older, and under penalty of perjury, that the foregoing is true and correct.

Date: _____

Signature

Print Name

Address _____

Tel. No. _____

¹ List the name(s) and address(es) of all parties to whom you sent the pleading(s). If service was other than by first class postage prepaid mail, clearly indicate the manner of service to each person or party (for example, via CM/ECF, Certified Mail, Returned Receipt Requested, etc.).

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor.

Case No. _____ - _____ - _____
Chapter _____

NOTICE OF CONTINGENT HEARING

Please take notice that on [insert date and time of hearing], movant [insert name of filer] will appear before the Hon. Kimberly Bacher, or any judge that may be sitting in that judge's place, at **either** the United States Bankruptcy Court, Courtroom [insert courtroom location], Warren B. Rudman U.S. Courthouse, 55 Pleasant Street, Concord, New Hampshire, or via Zoom as described below, and present the [insert title of document].

To appear by Zoom via video, go to this link: <https://www.zoomgov.com> and then enter the Meeting ID and Passcode listed below.

To appear by Zoom using a telephone, call Zoom for Government at 1-646-828-7666 or 1-669-254-5252 and then enter the Meeting ID and Passcode listed below.

The Meeting ID for this hearing is 160 462 2499, and the Passcode is 760398. The Meeting ID and Passcode can also be found on the court's website.

YOUR RIGHTS MAY BE AFFECTED. You should read this notice and the [insert title of document] carefully and discuss it with your attorney. If you do not have an attorney, you may wish to consult one. If you have no objection to the motion, no action is required by you. If you object to the relief sought, or if you wish the matter to be heard on the hearing date, you must file a written objection with the Clerk, United States Bankruptcy Court, Warren B. Rudman U.S. Courthouse, 55 Pleasant Street, Room 200, Concord, NH 03301 on or before [insert objection deadline here, which is the hearing date minus seven (7) days]. **If no objection is timely filed, the court may grant the relief requested in advance without holding a hearing.**

A copy of your objection or response must be mailed or delivered to the undersigned filer at the address set forth below, the case trustee, the United States Trustee, and a certificate of service must be filed with the clerk. If you file an objection or response, you must also appear at the hearing on the date and time set forth above.

Date: _____

Signature

Print Name

Address

Tel. No.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

ORDER

The [insert title of filing] filed by [insert name of moving party] is granted.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW HAMPSHIRE

In re:

_____,
Debtor

Case No. _____ - _____ - _____
Chapter _____

ORDER GRANTING MOTION TO REDACT

A Motion to Redact (the “**Motion**”) was filed by [insert name of moving party] (the “**Movant**”) requesting that a document containing personal identifiers (ECF No. __ or POC __) be stricken from the docket and/or the claims register in this case pursuant to Bankruptcy Rule 9037.

1. The Motion is granted.
2. The clerk shall docket the proposed redacted document filed with the Motion.