

RULE 3015-3 - CHAPTER 13 - CONFIRMATION

(a) Service of Plan and Notice of Hearing on Confirmation. Under Fed. R. Bankr. P. 2002 and consistent with D. Me. LBR 3015-1(a), the debtor is directed to provide notice of (i) the date, time, and location of the hearing to consider confirmation of the chapter 13 plan; and (ii) the deadline for objections to confirmation.

~~(1) *Obtaining a Hearing Date.* Within fourteen (14) days of the conclusion of the first meeting of creditors held pursuant to § 341 of the Bankruptcy Code, debtor's counsel (or the debtor, if pro se) shall obtain a confirmation hearing date pursuant to D. Me. LBR 9013-1(d)(2).~~

~~(2) *Service.* Within fourteen (14) days of the conclusion of the first meeting of creditors held pursuant to § 341 of the Bankruptcy Code, debtor's counsel (or the debtor, if pro se) shall serve a copy of the debtor's current Chapter 13 plan and of the Notice of Hearing on Confirmation on all parties in interest as reflected by the mailing matrix, or as otherwise required by rule.~~

(b) Hearing on Confirmation. Any party in interest is entitled to a hearing on confirmation of a Chapter 13 plan. In the absence of a timely filed objection to confirmation, the Court may rule on confirmation pursuant to D. Me. LBR 9013-1(g)(1).

(c) Filing of Claims. Claims shall be filed as provided by Fed. R. Bankr. P. 3002, 3004 or 3005.

(1) *Claim filed by Creditor.* Any creditor who files or amends a proof of claim shall serve a copy on the trustee and counsel for the debtor, or upon the debtor directly if pro se.

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(2) *Claim filed by debtor, trustee or co-debtor.* Any claim filed by the debtor, trustee or co-debtor on behalf of a creditor pursuant to Fed. R. Bankr. P. 3004 or 3005 shall be served on the creditor on whose behalf the proof is filed in addition to the parties to be served under paragraph (c)(1). Such timely filed claim shall be deemed allowed for the purposes of payment pursuant to Fed. R. Bankr. P. 3001(f) and D. Me. LBR 3015-3(d) thirty (30) days from the date of service, except as otherwise provided by express order of the Court.

(d) Allowance and Payment of Claims.

(1) *Claims allowed.* Pursuant to Fed. R. Bankr. P. 3001(f), a timely filed claim is allowed as filed except as otherwise determined upon objection by a party in interest, pursuant to the order allowing and disallowing claims after confirmation, or other order of Court after notice and hearing.

(2) *Objections to Claims.* A party in interest may object to a claim pursuant to Fed. R. Bankr. P. 3007. Objections shall be filed no later than thirty (30) days after the filing of the motion to allow claims filed pursuant to D. Me. LBR 3015-3(d)(3).

(3) *Allowance and Payment of Claims.* The trustee may pay allowed secured and priority claims as filed pursuant to a confirmed plan unless an objection to such claim is pending. After the last date for filing claims, the debtor or the trustee shall file a motion to allow and disallow claims. Such motion may also address objections to claims, priority of claims, the avoidability of liens, and any other matter which may be raised pursuant to statute or rule. Payment of general unsecured claims shall be made only after the order allowing and disallowing claims except as otherwise authorized by order of Court. The motion(s) and

order(s) shall comport with Maine Bankruptcy Forms 3 and 4 in substance and in form.

