

UNITED STATES BANKRUPTCY COURT

NORTHERN DISTRICT OF CALIFORNIA
San Francisco Division

In re)
)
Chapter 13 Procedures)
_____)

ORDER RE PAYMENT ADVICES IN CHAPTER 13 CASES

(1) Chapter 13 debtors are hereby **excused from filing with the court** payment advices or other evidence of payment received by the debtor from any employer of the debtor within 60 days before the date of filing a Chapter 13 petition, pursuant to 11 U.S.C. § 521(a). Instead, all Chapter 13 debtors are hereby ordered to provide copies of payment advices or other evidence of payment received within the six months prior to filing the Chapter 13 petition, or the date of conversion of a case under Chapters 7 or 11 (or an alternative described in subsection (2) below) **directly to David Burchard, Chapter 13 Trustee**, at least seven days prior to the first date set for the meeting of creditors under 11 U.S.C. § 341.

(2) A debtor without payment advices or other evidence of payment for the previous six months may provide to the Chapter 13 Trustee, in the alternative, a declaration certifying the reasons that the required information is unavailable. The declaration should state why the debtor cannot provide evidence of all payment advices received within the six months before the petition date or conversion date and provide other evidence, if any, of the payments received.

(3) Any debtor or debtors that fail to provide payment advices under paragraph (1), or a declaration under paragraph (2), within 45 days of the filing case pursuant to 11 U.S.C. § 521 (a) (1), must file prior to the 45th day, a request with the Court for an extension of time under 11 U.S.C § 521 (i) (3).

(4) Failure to comply with paragraphs (1), (2), or (3), may result in the case being dismissed following a hearing on a motion to dismiss filed by the Chapter 13 Trustee, the United States Trustee or any party in interest.

IT IS SO ORDERED.

Dated: September 26, 2006

Dennis Montali
DENNIS MONTALI
United States Bankruptcy Judge

Thomas E. Carlson
THOMAS E. CARLSON
United States Bankruptcy Judge