

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT**

---

In re:

**REQUIREMENT THAT PLAN PAYMENTS  
BE MADE THROUGH WAGE DEDUCTION  
IN CHAPTER 13 CASES; AMENDMENT  
OF VT. LBR 3070-1 AND VT. LBR 1007-1**

---

**STANDING ORDER # 10-03**

In order to enhance the likelihood that Chapter 13 cases filed in this District will succeed, and in conjunction with the Court's entry of Standing Order # 10-02 implementing a conduit mortgage payment procedure, Chapter 13 debtors will henceforth be required to make all plan payments through wage withholding. To effectuate this new requirement,

IT IS ORDERED that the first sentence of Vt. LBR 3070-1(a) is modified to read as follows:<sup>1</sup>

Chapter 13 debtors are required to make plan payments through wage deductions except where a debtor obtains an Order from this Court waiving the requirement for cause based upon exigent circumstances.

In all other respects, Vt. LBR 3070-1 shall remain in effect.

IT IS FURTHER ORDERED that Vt. LBR 1007-1 is amended to add a new subsection (k), which shall read as follows:

- (k) Chapter 13 Wage Withholding.** The debtor shall file with the plan:
- (1) a form consenting to the Court's entry of an Order instituting wage withholding, and authorizing the Chapter 13 Trustee to modify or terminate the withholding to comport with any modification or amendment of the plan approved by the Court, without further and separate authorization or Order, using Form Y-8 *Wage Withholding Authorization*; or
  - (2) a motion for waiver of the wage withholding requirement.

A copy of Form Y-8 *Wage Withholding Authorization* is available at the Court's website:  
[www.vtb.uscourts.gov](http://www.vtb.uscourts.gov).

IT IS FURTHER ORDERED that these requirements shall apply to (i) all cases filed under Chapter 13 on or after November 1, 2010, (ii) all cases converted to Chapter 13 on or after November 1, 2010, and (iii) all cases in which the Chapter 13 plan is modified on or after November 1, 2010, based upon a post-petition mortgage payment default on regular monthly mortgage payments.

September 28, 2010  
Burlington, Vermont

  
\_\_\_\_\_  
Colleen A. Brown  
United States Bankruptcy Judge

---

<sup>1</sup> That sentence currently reads: "Chapter 13 debtors are strongly encouraged to make plan payments through wage deductions except where the debtor is not receiving a regular paycheck from an employer or where extraordinary circumstances are demonstrated." Vt. LBR 3070-1(a) (2008).

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT**

**In re:**

**Case # xx-xxxxx  
Chapter 13**

**Debtor(s).**

**Wage Withholding Authorization**

Debtor's Name: \_\_\_\_\_ Self-employed: \_\_\_ Yes \_\_\_ No

Debtor's Address: \_\_\_\_\_

If self-employed, amount Debtor is to deduct and send to Trustee per pay period: \$ \_\_\_\_\_

Debtor's Employer: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Amount to deduct per pay period from this employer: \$ \_\_\_\_\_

Co-Debtor's Name: \_\_\_\_\_ Self-employed: \_\_\_ Yes \_\_\_ No

Co-Debtor's Address: \_\_\_\_\_

If self-employed, amount Co-Debtor is to deduct and send to Trustee per pay period: \$ \_\_\_\_\_

Co-Debtor's Employer: \_\_\_\_\_ Telephone #: \_\_\_\_\_

Employer's Address: \_\_\_\_\_

Amount to deduct per pay period from this employer: \$ \_\_\_\_\_

I/we hereby consent to the Court's entry of an order instituting wage withholding from my/our employer(s), including myself/ourselves if self-employed, for the purpose of making Chapter 13 plan payments during the term of the plan confirmed in this case.

I/we authorize the Chapter 13 Trustee, Jan M. Sensenich, to contact the employer(s) who is/are withholding wages to modify the amount of the withholding to comport with any modification or amendment of the plan approved by the Court, without our further and separate authorization or Order, provided that the Trustee provides us with notice at the same time as he communicates the modification request to the employer(s).

Debtor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

Co-Debtor's signature: \_\_\_\_\_ Date: \_\_\_\_\_

**The Debtor(s) must file this form with their Chapter 13 plan unless filing a motion for waiver of the wage withholding requirement. See Standing Order # 10-03.**