

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA**

In re

Revisions)
Local Bankruptcy Rule 3002.1-1) Standing Order No. 25-8

**ORDER ADOPTING REVISIONS TO
LOCAL BANKRUPTCY RULE 3002.1-1**

Amendments made to Local Bankruptcy Rule 3002.1-1 have been adopted and approved by the Court.

NOW, THEREFORE, IT IS ORDERED that:

Effective December 1, 2025, the above-referenced amended Local Bankruptcy Rule be and the same hereby are adopted.

Attachment

FOR THE COURT:


BRIAN F. KENNEY
Chief Judge, United States Bankruptcy Court

Dated: 11/26/2025

**RULE 3002.1-1 CLAIMS IN CHAPTER 13 CASES SECURED BY THE SECURITY
INTEREST IN A DEBTOR'S PRINCIPAL RESIDENCE**

(A) ***Debtor's Certification:*** In any chapter 13 case (1) that involves any claim that is secured by a security interest in the debtor's principal residence for which the plan provides that either the trustee or debtor will make payments on the debt and (2) where there is no order terminating or annulling the automatic stay related to such claim, the debtor(s) shall file, within 30 days of completion of the plan payments due under the terms of any confirmed plan, a certification (in addition to the certification required under LBR 4008-2(A)) as to whether all payments on the debt due during the life of the case have been made. If the debtor fails to timely file a certification, or if the debtor's certification states that not all payments on the debt were made during the Chapter 13 case, the standing trustee shall file a motion to dismiss without a discharge.

(B) ***Hearing on Response to Trustee's End-of-Case Notice of Disbursements Made:*** The standing trustee shall file and serve, pursuant to FRBP 3002.1(g), the Notice of Disbursements Made using Official Form 410C13-N. If the creditor files and serves a Response to Trustee's Notice of Disbursements Made, using Official Form 410C13-NR pursuant to FRBP 3002.1(g)(3), indicating either (1) in Part 2, that prepetition or postpetition arrearages have not been paid in full or (2) in Part 3, that the debtor is not current on all postpetition payments and/or has fees, charges, expenses, negative escrow amounts, or costs due and owing, or if the creditor fails to file any response under FRBP 3002.1(g)(3), then the debtor, if represented by counsel, shall file the motion required by FRBP 3002.1(g)(4), using Official Form 410C13-M2 (Motion Under Rule 3002.1(g)(4) to Determine Final Cure and Payment of the Mortgage Claim) and set the matter for hearing in the ordinary course. If the debtor is not represented by counsel, the standing trustee shall file the motion required by FRBP 3002.1(g)(4), using Official Form 410C13-M2, and set the matter for hearing in the ordinary course.

(1) If a debtor, who is represented by counsel, fails to file the motion required by FRBP 3002.1(g)(4) or files such motion but fails to set such motion for hearing as contemplated by this Local Rule within 45 days after a creditor's Response to Trustee's Notice of Disbursements Made is filed, the Court may consider whether a reduction of the approved amount of attorney's fee is appropriate upon motion by the standing trustee.

RULE 3002.1-1 CLAIMS IN CHAPTER 13 CASES SECURED BY THE SECURITY INTEREST IN A DEBTOR'S PRINCIPAL RESIDENCE ~~(NEW)~~

(A) ***Debtor's Certification***: In any chapter 13 case (1) that involves any claim that is secured by a security interest in the debtor's principal residence for which the plan provides that either the trustee or debtor will make ~~contractual installment~~ payments on the debt and (2) where there is no order terminating or annulling the automatic stay related to such claim, the debtor(s) shall file, within 30 days of completion of the plan payments due under the terms of any confirmed plan, a certification (in addition to the certification required under LBR 4008-2(A)) as to whether all ~~contractual installment~~ payments on the debt due during the life of the case have been made. If the debtor fails to timely file a certification, or if the debtor's certification states that not all ~~contractual installment~~ payments on the debt were made during the Chapter 13 case, the standing trustee shall file a motion to dismiss without a discharge.

(B) ***Hearing on Response to Trustee's End-of-Case Notice of Disbursements Made Final Cure Payment***: The standing trustee shall file and serve, pursuant to FRBP 3002.1(~~f~~g), ~~at the~~ Notice of Disbursements Made Final Cure Payment, using Official Form 410C13-N ~~a sample of which is an exhibit to these Local Rules, as Exhibit 17~~. If, ~~within 21 days of the service of the Notice of Final Cure Payment~~, the creditor files and serves a ~~statement~~ Response to Trustee's Notice of Disbursements Made, using Official Form 410C13-NR pursuant to FRBP 3002.1(g)(3), indicating either (1) in Part 2, that prepetition or postpetition arrearages have not been the debtor has not paid in full the amount required to cure the default on the claim or (2) in Part 3, that the debtor is not otherwise current on all postpetition payments and/or has fees, charges, expenses, negative escrow amounts, or costs due and owing consistent with 11 U.S.C. § 1322(b)(5), or if the creditor fails to file any response under FRBP 3002.1(g)(3), then the debtor, if represented by counsel, shall file the motion required by FRBP 3002.1(g)(4), using Official Form 410C13-M2 (Motion Under Rule 3002.1(g)(4) to Determine Final Cure and Payment of the Mortgage Claim) and set the matter for hearing in the ordinary course. If the debtor is not represented by counsel, the standing trustee shall file the motion required by FRBP 3002.1(g)(4), using Official Form 410C13-M2, and set the matter for hearing in the ordinary course.

(1) If a debtor, who is represented by counsel, fails to file the motion required by FRBP 3002.1(g)(4) or files such motion but fails to set such motion for a notice of hearing as contemplated by this Local Rule within 3045 days after a creditor's Response to Trustee's Notice of Disbursements Made is filed, the Court may consider whether a reduction of the approved amount of attorney's fee is appropriate upon motion by the standing trustee.