

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

STANDING ORDER

Chapter 13 Pre-Confirmation Adequate Protection Payments

IT IS HEREBY ORDERED, effective as to all chapter 13 cases filed on or after October 17, 2005, as follows:

- (1) Payments of personal property leases governed by 11 U.S.C. § 1326(a)(1)(B) shall only be made directly by the debtor to the lessor.
- (2) Pre-confirmation adequate protection payments governed by 11 U.S.C. § 1326(a)(1)(C) shall only be made by the trustee. The debtor shall make the payment as part of the total payment to the trustee, and the trustee shall pay the amount provided by the plan to the secured creditor.
- (3) Adequate protection payments shall not accrue or be paid until the creditor files a proof of claim. The principal amount of the creditor's claim shall be reduced by the amount of the adequate protection payments remitted by the trustee.
- (4) Upon dismissal of a case prior to confirmation, the trustee shall first make the adequate protection payment required under paragraph (2) before returning the balance of funds being held by the trustee to the debtor.
- (5) The trustee shall be entitled to collect, at the time of making pre-confirmation adequate protection payments, the percentage fee in the amount fixed pursuant to 28 U.S.C. 586(e)(1)(B).

Dated: October 14, 2005

By the court -

Joseph M. Scott, Jr.
Chief Judge