

Title: “In Our District, the answer is . . . “

Summary: “A panel discussion on how different districts handle 10 burning chapter 13 issues.”

Question	Eastern District of Texas	Northern District of Texas	Southern District of Texas	Western District of Texas
<p>What is the biggest challenge you encountered thus far under COVID 19?</p> <p>How have you addressed it?</p> <p>What have you learned as a result?</p>	<p>Obtaining debtor’s picture id/social security cards for 341 hearings while working remotely</p> <p>Counsel for debtor must email our office with this documentation prior to the hearing</p> <p>Our computers all need cameras and making sure we have enough licenses to allow all of our employees to work remotely and securely.</p>	<p>The biggest challenge was the <i>speed</i> at which we had to adapt to working remotely, social distancing, holding 341s via Zoom, dealing with forbearance agreements, etc. Lots of major decisions in a short space of time.</p> <p>We addressed it by:</p> <p>1. developing a set of protocols for Zoom meetings, practicing internally, and then holding Zoom conferences with our debtor counsel to let them know how the first meetings would be handled. We also worked with the clerk’s office to amend the 341 notice and to create an enclosure to be mailed</p>	<p>The use of new technology. Ensuring the health and safety of employees who remained in the office. Managing the operation on reduced income.</p>	<p>Developing office policies &amp; procedures for staff &amp; continued administration of cases. It has been important to communicate any temporary changes in office procedures or policies that affect case administration is provided to the bar.</p> <p>Addressing these issues has required a team effort within my office. It has also required the assistance of the UST, the Court, and the bar.</p> <p>Preparing in advance for unexpected events is critical. I was fortunate that I had enough equipment to permit all staff to work remotely. I did have to purchase additional licenses for remote access. Setting</p>

		<p>with the Notice.</p> <p>Regarding videoconferencing, I am happy to report that 341s by video conference are working very well.</p> <p>2. drafting a proposed General Order to present to our judges allowing automatic plan payment adjustments when the debtor receives a forbearance agreement and developing a Notice of the amended plan payment during the period of forbearance.</p> <p>3. developing office protocols for shift working and social distancing as well as working from home.</p> <p>4. I have no idea how many forms we changed, but it was a bunch and that is not an easy process.</p>		<p>up alternative method to conduct first meetings and to obtain approval took a few days but fell in to place rather quickly.</p>
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Does a plan that pays less than all disposable income have to include a provision that says it must always be a 100% plan?	It depends on how much less than all disposable income-but in general yes, it must always be a 100% plan w/o future modification	To avoid an objection, the Plan does have to state that it is a 100% Plan.	Yes.	As of today yes but the issue is on appeal to 5 <sup>th</sup> Circuit. I have also somewhat changed my position on Molina & have expanded the issue to include alternatives.
Can you separately classify non-dischargeable student	Yes if the debtor is paying students loan direct, we require they pay at least the same	The debtor can, as long as the Plan does not unfairly discriminate against the	Yes.	Yes if treated as direct payment of long term debt or if debtor is

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