

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF FLORIDA  
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In re:

HURRICANE MICHAEL

ADMINISTRATIVE ORDER  
NO. 18-003

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**THIRD GENERAL ORDER REGARDING HURRICANE MICHAEL:  
CHAPTER 13 PLAN PAYMENTS**

The Court recognizes that some Chapter 13 debtors in the Panama City Division may be unable to make required plan payments to the Chapter 13 Trustee due to losses sustained and ongoing issues with infrastructure, cell and telephone service and power. For that reason, it is

**ORDERED:**

1. It is customary for the Chapter 13 Trustee to file motions to dismiss Chapter 13 cases if a debtor's payments are in arrears. This practice should be suspended through December 31, 2018 for cases pending in the Panama City Division.
2. If a debtor is unable to make required payments to the Chapter 13 Trustee because the debtor was substantially and adversely affected by Hurricane Michael, the Court will consider the

appropriate method of addressing those missed payments at a hearing on a motion to modify the Chapter 13 plan. The Court encourages motions to modify plans for missed plan payments for the period October 10, 2018 through Friday, December 21, 2018 be filed not later than Friday, January 11, 2019.

3. Parties are discouraged from filing motions seeking a payment moratorium. The Court will consider motions to suspend wage orders on an emergency basis.
4. If an agreed order conditioning the automatic stay contains default provisions that mandate that a debtor must make all payments due to the Chapter 13 Trustee and failure to make a payment to the Chapter 13 Trustee is due to Hurricane Michael's substantial and adverse effect on a debtor, missed payments for the period from October 10, 2018 through December 21, 2018 will be a default only if the Court so determines after notice and hearing.
4. Debtor(s) who are able to maintain their payments must do so.
5. This Order applies to all cases and proceedings pending in the Panama City Division of the United States Bankruptcy Court for the Northern District of Florida.

6. Debtors in the Pensacola and Tallahassee Divisions may seek relief under this Order if they have suffered, and have evidence of, substantial adverse effects due to Hurricane Michael. Motions for such relief shall be considered on a case by case basis.
7. To the extent necessary and appropriate, this Court's Chapter 13 "duties of the debtor" Order, administrative Chapter 13 procedures and Orders, as well as MMM procedures and Orders, are modified to comply with the terms of this Order.

**DONE and ORDERED** on October 15, 2018.



**KAREN K. SPECIE**  
Chief United States Bankruptcy Judge