UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF FLORIDA

IN RE:	)	
	)	
CHAPTER 13 CASES GOVERNED BY THE BANKRUPTCY ABUSE PREVENTION AND CONSUMER PROTECTION ACT OF 2005	)	**Standing Order No. 13**
	)	
	)	

Upon due deliberation of 11 U.S.C. §1326 as amended by the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, pursuant to §1326(a)(1), this Court orders effective October 17, 2005, that:

1) Adequate protection payments required to be made by the debtor pursuant to §1326(a)(1)(C) shall be paid by the Chapter 13 Trustee from plan payments paid by the Debtor to the Trustee upon commencement of the case;

2) That within 15 days of the filing of the order for relief, the debtor shall file a Notice of Adequate Protection with this Court which details how each pre-confirmation adequate protection payment was calculated, and includes the amount of the adequate protection payment, the creditor's name, the creditor's payment address, and account number, if known;

3) Such Notice shall also be sent by written Notice to the creditor listed in the Notice;

4) For the purposes of this Order, unless the parties agree otherwise, adequate protection for motor vehicles shall equal a) at a minimum, the retail value of said motor vehicle pursuant to 11 U.S.C. §506 without interest, divided by 60; or b) in the alternative, the Notice may designate the monthly plan payment as adequate protection if it is at least equal to the designated monthly payment in subsection a);

5) Notwithstanding any other provision in this Order, an affected creditor may file a motion pursuant to §1326(a)(3) for an order changing said adequate protection payments;

6) Notwithstanding any other provision is this Order, the parties may stipulate to a different payment amount for the adequate protection payments to be made pursuant to §1326. For the purposes of these stipulations, a stipulation entered into prior to the filing of the petition shall be effective if filed with the Court within 15 days of the order for relief;

7) Upon the filing of the Notice of adequate protection described above, the Chapter 13 Trustee shall be authorized to commence payment of adequate protection payments pursuant to said Notice to the affected creditors; and

8) From the disbursements so made, the Chapter 13 Trustee shall be allowed her compensation and expenses at the rate set by the United States Trustee.

Dated: October 14, 2005

Honorable Lewis M. Killian, Jr.
United States Bankruptcy Judge