

## **Rule 3015-2 WAGE ORDERS IN CHAPTER 13 CASES**

(a) The plan filed by a Chapter 13 debtor with attachable income shall be accompanied by a motion for a wage attachment(s) and order(s) in an amount(s) sufficient to cover plan payments. The motion and order shall substantially comply with Local Bankruptcy Form 11 (Ex Parte Motion for Order to Pay Trustee Pursuant to Wage Attachment and Order to Pay Trustee Pursuant to Wage Attachment).

(b) When a bankruptcy case is filed by one (1) debtor, “Doc. No. WO-1” shall be included in the caption of the motion for wage attachment and the proposed order. Any motion to amend shall include “Doc. No. WO-1” in the caption.

(c) When a joint case is filed, the name of the debtor whose wages are to be attached shall be stated in the caption of the motion and in the proposed order. “Doc. No. WO-1” shall be included in the caption of the first joint debtor requesting a wage attachment. “Doc. No. WO-2” shall be included in the caption of a subsequent motion requesting a wage attachment filed by the other joint debtor.

(d) Any motion to amend a wage attachment shall be filed at the original motion number for the first or second joint debtor (WO-1 or WO-2) and shall be marked “Amended Motion for Wage Attachment” in the caption.

(e) Any motion to amend the amount of the wage deduction shall request only the exact amount to be attached.

(f) If a debtor has more than one (1) employer, separate wage attachment motions and proposed orders granting the requested relief shall be filed for each employer from whom wages are to be attached. A motion naming more than one (1) employer as a respondent will be dismissed without prejudice for failure to comply with this Local Bankruptcy Rule.

(g) The debtor shall state the pay frequency when providing the statement of the payment amount, e.g., \$535.00 biweekly, or \$267.50 weekly, in addition to providing the calculation of the monthly amount. If the payroll period is unknown, a monthly basis shall be used. If the payroll period is known, the payment amount shall be calculated as follows:

<b>Payment Frequency</b>	<b>Calculation of Monthly Amount</b>
Weekly (52 pays/year)	amount to be attached multiplied by 12; then divided by 52 and rounded upwards
Biweekly (every 2 weeks = 26 pays/year)	amount to be attached multiplied by 12; then divided by 26 and rounded upwards
Semimonthly (twice each month = 24 pays/year)	amount to be attached divided by 2; then rounded upwards

(h) Automated Clearing House (ACH) payments are made by entering into a contract with the Chapter 13 trustee and not by motion and order. Therefore, no motion shall be filed to commence or terminate ACH payments.

(i) The debtor shall serve a copy of the signed order granting the wage attachment on the entity or entities required to remit payment to the trustee. The order shall be accompanied by a notification of debtor's complete, nine-digit Social Security number substantially conforming to Local Bankruptcy Form 12 (Notification of Debtor's Social Security Number). Debtor shall file a certificate of service regarding service of the order and notification, but the Social Security number shall not be included on the certificate.