

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**In re:**

**A Temporary Modification of Local Procedures to  
Implement the Short-Term Bankruptcy Relief Enacted  
in the 2021 Budget Consolidated Appropriations Act, to**

**GENERAL ORDER M-562**

- (i) Modify the Scope of the Discharge for Certain  
Chapter 13 Debtors; and**
  - (ii) Expand the Opportunities for Chapter 13 Debtors  
to Modify Plans.**
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The Further Consolidated Appropriations Act, 2021 (Pub. L. 116-260, the “Act”), which was signed into law on December 27, 2020, included several provisions that created or expanded bankruptcy relief for a designated period of time. This Standing Order is entered to delineate the new procedures a debtor or creditor must use to obtain some of those categories of relief.

**1. MOTION FOR ENTRY OF DISCHARGE ORDER PURSUANT TO § 1328(i)**

In order to obtain a discharge under § 1328(i) of the Code, a chapter 13 debtor must file a motion requesting the entry of a discharge order.

- (1) Contents of Motion. In the motion, the debtor must articulate whether relief is sought under § 1328(i)(1) or (2) and provide an explanation of the circumstances that justify such relief.
- (2) Filing of Motion. Debtors shall use the new event in CM/ECF called Motion, Discharge Pursuant to Section 1328(i).

**2. MODIFICATION OF CHAPTER 13 PLANS, PURSUANT TO § 1329(e).**

A motion to modify plan under this subsection must clearly set forth

- (1) the date of plan confirmation,
- (2) the specific provisions of the plan (identified by part or paragraph) being modified,
- (3) the differing treatment of the affected parties under the proposed modified plan,

- (4) the circumstances that created the need to modify the confirmed plan, and if the basis for modification is a late-filed claim asserting sums due based on a mortgage forbearance, stating the date of, parties to, and length of that forbearance, and
- (5) the factors demonstrating that the proposed modified plan meets the requirements of the Code.

IT IS HEREBY ORDERED that these procedures are effective immediately until the sunset date of the amendment of the applicable Bankruptcy Code section under the Act and any extensions thereof.

SO ORDERED.

Dated: February 18, 2021  
New York, NY

/s/ Cecelia G. Morris  
CECELIA G. MORRIS  
Chief United States Bankruptcy Judge