

**Proposed Bankruptcy Rule 9009**

Walter Oney to: Rules_Support

Cc: "Jill Michaux"

12/14/2015 06:27 PM

1 attachment



meanstest.pdf

I write to comment on the proposed changes to Bankruptcy Rule 9009 in the Addendum for Chapter 13 of the October 2015 advisory committee notes.

I am both a bankruptcy lawyer and the author of a bankruptcy software package. I applaud the permissible variations from official forms expressed in paragraph (a) of the proposed rule. I would ask for additional clarification in three respects.

First of all, several official forms contain a series of similar questions and an instruction to attach a continuation sheet if the allotted space is insufficient. I believe the Committee's intention is to permit use of forms that continue the series inline rather than using a separate continuation sheet, but I fear that some court clerks will take the narrower view that continuation sheets are required. As an example of something that should be permitted, consider an individual debtor who owns *four* pieces of real property. Rather than attach a separate sheet to describe the fourth piece, it makes better sense to simply add a line 1.4 immediately after line 1.3.

Second, there is little reason for software generated forms to include intermediate calculation detail, such as appears in question 13 of Official Form 122C-2 (and elsewhere in all of the means test forms). Someone who is filling out a paper form may well benefit from graphical directions to lead them through the arithmetic. But a computer has already done the arithmetic and merely needs to put the results down on paper. Thus, a form that omits the graphical instructions (such as the attachment to this e-mail) ought to be acceptable.

Finally, I fear that the omission of an explicit statement that use of Director's forms is optional will lead clerks to assume they are now mandatory. If that's the Committee's intent, well and good. If not, however, I suggest retaining the previous language.

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Walter C. Oney, Jr., Esq.
92 State Street 2d Fl., Boston, MA 02109
267 Pearl Hill Rd., Fitchburg, MA 01420
Tel.: 978-343-3390
<http://www.oneylaw.com>

Fill in this information to identify your case:

Debtor 1 California Southern Sample

Debtor 2 Sarah Sample
(Spouse, if filing)

United States Bankruptcy Court for the Southern District of California

Case number
1:15-bk-6703
(If known)

Check as directed in lines 17 and 21:

- According to the calculations required by this Statement:
- 1. Disposable income is not determined under 11 U.S.C. § 1325(b)(3).
 - 2. Disposable income is determined under 11 U.S.C. § 1325(b)(3).
 - 3. The commitment period is 3 years.
 - 4. The commitment period is 5 years.

Check if this is an amended filing

Official Form 122C-1

Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period

12/14

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for being accurate. If more space is needed, attach a separate sheet to this form. Include the line number to which the additional information applies. On the top of any additional pages, write your name and case number (if known).

Part 1: Calculate Your Average Monthly Income

1. What is your marital and filing status? Check one only.

- Not married. Fill out Column A, lines 2-11.
- Married. Fill out both Columns A and B, lines 2-11.

Fill in the average monthly income that you from all sources, derived during the 6 full months before you file this bankruptcy case. 11 U.S.C. § 101(10A). For example, if you are filing on September 15, the 6-month period would be March 1 through August 31. If the amount of your monthly income varied during the 6 months, add the income for all 6 months and divide the total by 6. Fill in the result. Do not include any income amount more than once. For example, if both spouses own the same rental property, put the income from that property in one column only. If you have nothing to report for any line, write \$0 in the space.

		Column A Debtor 1	Column B Debtor 2 or non-filing spouse
2.	Your gross wages, salary, tips, bonuses, overtime, and commissions (before all payroll deductions).	\$2,000.00	\$0.00
3.	Alimony and maintenance payments. Do not include payments from a spouse if Column B is filled in.	\$0.00	\$0.00
4.	All amounts from any source which are regularly paid for household expenses of you or your dependents, including child support. Include regular contributions from an unmarried partner, members of your household, your dependents, parents, and roommates. Include regular contributions from a spouse only if Column B is not filled in. Do not include payments you listed on line 3.	\$0.00	\$0.00
5.	Net income from operating a business, profession, or farm		
	Gross receipts (before all deductions)	\$0.00	
	Ordinary and necessary operating expenses	\$0.00	
5.	Net monthly income from a business, profession, or farm	\$0.00	\$0.00
6.	Net income from rental and other real property		
	Gross receipts (before all deductions)	\$4,562.05	
	Ordinary and necessary operating expenses	\$4,562.05	
6.	Net monthly income from rental or other real property	\$0.00	\$0.00

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7. Interest, dividends, and royalties	7.	\$0.00	\$0.00
8. Unemployment compensation			
Do not enter the amount if you contend that the amount received was a benefit under the Social Security Act. Instead, list it here:			
For you		\$0.00	
For your spouse		\$0.00	
	8.	\$0.00	\$0.00
9. Pension or retirement income. Do not include any amount received that was a benefit under the Social Security Act.	9.	\$0.00	\$0.00
10. Income from all other sources not listed above. Specify the source and amount. Do not include any benefits received under the Social Security Act or payments received as a victim of a war crime, a crime against humanity, or international or domestic terrorism.	10.	\$0.00	\$0.00
11. Calculate your total current monthly income. Add lines 2 through 10 for each column: <u>\$2,000.00</u> + <u>\$0.00</u> . Then add the total for Column A to the total for Column B.	11.		\$2,000.00

Part 2: Determine How to Measure Your Deductions from Income

12. Copy your total average monthly income from line 11.	12.		\$2,000.00
13. Calculate the marital adjustment. Check one:			
<input type="checkbox"/> You are not married. Fill in 0 in line 13d. <input checked="" type="checkbox"/> You are married and your spouse is filing with you. Fill in 0 in line 13. <input type="checkbox"/> You are married and your spouse is not filing with you.			
Fill in the amount of the income listed in line 11, Column B, that was NOT regularly paid for the household expenses of you or your dependents, such as payment of the spouse's tax liability or the spouse's support of someone other than you or your dependents.			
In the following lines, specify the basis for excluding this income and the amount of income devoted to each purpose. If necessary, list additional adjustments on a separate page.			
If this adjustment does not apply, enter 0 on line 13.			
a.			
Total:			\$0.00
Total. Add the previous lines and insert the total here.	13.		\$0.00
14. Your current monthly income. Subtract line 13 from line 12.	14.		\$2,000.00
15. Calculate your current monthly income for the year. Follow these steps:			
Copy your total current monthly income from line 14.		\$2,000.00	
Multiply by 12 (the number of months in a year).		\$24,000.00	
The result is your annual income for this part of the form.	15.		\$24,000.00
16. Calculate the median family income that applies to you. Follow these steps:			
16a. Fill in the state in which you live.		California	
16b. Fill in the number of people in your household.		3	
16c. Fill in the median family income for your state and size of household		\$70,732.00	
To find a list of applicable median income amounts, go online using the link specified in the separate instructions for this form. This list may also be available at the bankruptcy clerk's office.	16.		\$70,732.00

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17. How do the lines compare?

- 17a. Line 15 is less than or equal to line 16. On the top of page 1 of this form, check box 1, *Disposable income is not determined under 11 U.S.C. § 1325(b)(3)*. **Go to Part 3.** Do NOT fill out Calculation of Disposable Income (Official Form 122C-2).
- 17b. Line 15 is more than line 16. On the top of page 1 of this form, check box 2, *Disposable income is determined under 11 U.S.C. § 1325(b)(3)*. **Go to Part 3 and fill out Calculation of Disposable Income (Official Form 122C-2).** On line 35 of that form, copy your current monthly income from line 14 above.

Part 3: Calculate Your Commitment Period Under 11 U.S.C. §1325(b)(4)

18. Copy your total average monthly income from line 11.	18.	\$2,000.00
19. Deduct the marital adjustment if it applies. If you are married, your spouse is not filing with you, and you contend that calculating the commitment period under 11 U.S.C. § 1325(b)(4) allows you to deduct part of your spouse's income, copy the amount from line 13. If the marital adjustment does not apply, fill in 0: \$0.00		
Subtract this amount from line 18.	19.	\$2,000.00
20. Calculate your current monthly income for the year. Follow these steps: Copy your total current monthly income from line 19. Multiply by 12 (the number of months in a year). The result is your annual income for this part of the form.	20.	\$24,000.00

21. How do the lines compare?

- Line 20 is less than line 16. Unless otherwise ordered by the court, on the top of page 1 of this form, check box 3, *The commitment period is 3 years*. Go to Part 4.
- Line 20 is more than or equal to line 16. Unless otherwise ordered by the court, on the top of page 1 of this form, check box 4, *The commitment period is 5 years*. Go to Part 4.

Part 4: Sign Below

By signing here, under penalty of perjury I declare that the information on this statement and in any attachments is true and correct.

/s/ California_Southern Sample
Signature of Debtor 1

12/01/2015
Date MM/DD/YYYY

/s/ Sarah Sample
Signature of Debtor 2

12/01/2015
Date MM/DD/YYYY

If you checked 17a, do NOT fill out or file Form 122C-2.

If you checked 17b, fill out Form 122C-2 and file it with this form. On line 35 of that form, copy your current monthly income from line 14 above.

Fill in this information to identify your case:

Debtor 1 California Southern Sample

Debtor 2 Sarah Sample
(Spouse, if filing)

United States Bankruptcy Court for the Southern District of California

Case number
1:15-bk-6703
(If known)

Check if this is an amended filing

Official Form 122C-2

Chapter 13 Calculation of Your Disposable Income

12/14

To fill out this form, you will need your completed copy of *Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period (Official Form 122C-1)*.

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for being accurate. If more space is needed, attach a separate sheet to this form. Include the line number to which the additional information applies. On the top of any additional pages, write your name and case number (if known).

Part 1: Calculate Your Deductions from Your Income

The Internal Revenue Service (IRS) issues National and Local Standards for certain expense amounts. Use these amounts to answer the questions in lines 6-15. To find the IRS standards, go online using the link specified in the separate instructions for this form. This information may also be available at the bankruptcy clerk's office.

Deduct the expense amounts set out in lines 6-15 regardless of your actual expense. In later parts of the form, you will use some of your actual expenses if they are higher than the standards. Do not deduct any amounts that you subtracted from your spouse's income in lines 5 and 6 of Form 122C-1 and do not deduct any operating expenses that you subtracted from income in line 13 of Form 122C-1.

If your expenses differ from month to month, enter the average expense.

Note: Line numbers 1-4 are not used in this form. These numbers apply to information required by a similar form used in chapter 7 cases.

5. The number of people used in determining your deductions from income

Fill in the number of people who could be claimed as exemptions on your federal income tax return, plus the number of any additional dependents whom you support. This number may be different from the number of people in your household.

5. **3**

National Standards You must use the IRS National Standards to answer the questions in lines 6-7.

6. Food, clothing, and other items: Using the number of people you entered in line 5 and the IRS National Standards, fill in the dollar amount for food, clothing, and other items.

6.

7. Out-of-pocket health care allowance: Using the number of people you entered in line 5 and the IRS National Standards, fill in the dollar amount for out-of-pocket health care. The number of people is split into two categories -- people who are under 65 and people who are 65 or older, because older people have a higher IRS allowance for health care costs. If your actual expenses are higher than this IRS amount, you may deduct the additional amount on line 22.

People who are under 65 years of age	
7a. Out-of-pocket health care allowance per person	\$60.00
7b. Number of people who are under 65	2
7c. Subtotal. Multiply line 7a by line 7b.	\$120.00

People who are 65 years of age or older	
7d. Out-of-pocket health care allowance per person	\$144.00
7e. Number of people who are 65 or older	1
7f. Subtotal. Multiply line 7d by line 7e.	\$144.00

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7g. **Total.** Add lines 7c and 7f. 7.

Local Standards You must use the IRS Local Standards to answer the questions in lines 8-15.

Based on information from the IRS, the U.S. Trustee Program has divided the IRS Local Standard for housing for bankruptcy purposes into two parts:

- Housing and utilities - Insurance and operating expenses
- Housing and utilities - Mortgage or rent expenses

To answer the questions in lines 8-9, use the U.S. Trustee Program chart.

To find the chart, go online using the link specified in the separate instructions for this form. This chart may also be available at the bankruptcy clerk's office.

8. **Housing and utilities - Insurance and operating expenses:** Using the number of people you entered in line 5, fill in the dollar amount listed for your county for insurance and operating expenses. 8.

9. **Housing and utilities - Mortgage or rent expenses:**

9a. Using the number of people you entered in line 5, fill in the dollar amount listed for your county for mortgage or rent expenses.	\$2,272.00				
9b. Total average monthly payment for all mortgages and other debts secured by your home.					
To calculate the total average monthly payment, add all amounts that are contractually due to each secured creditor in the 60 months after you file for bankruptcy. Then divide by 60.					
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 60%;">Name of creditor</th> <th style="width: 40%;">Average monthly payment</th> </tr> </thead> <tbody> <tr> <td>Bank of Avarice</td> <td style="text-align: right;">\$1,873.71</td> </tr> </tbody> </table>	Name of creditor	Average monthly payment	Bank of Avarice	\$1,873.71	
Name of creditor	Average monthly payment				
Bank of Avarice	\$1,873.71				
Total average monthly payment. Enter here and on line 33a.	\$1,873.71				

9c. Net mortgage or rent expense. 9.

Subtract line 9b (*total average monthly payment*) from line 9a (*mortgage or rent expense*). If this amount is less than \$0, enter \$0.

10. **If you claim that the U.S. Trustee Program's division of the IRS Local Standard for housing is incorrect and affects the calculation of your monthly expenses, fill in any additional amount you claim.** 10.

Explain why:

11. **Local transportation expenses:** Check the number of vehicles for which you claim an ownership or operating expense.

0. Go to line 14.
 1. Go to line 12.
 2 or more. Go to line 12.

12. **Vehicle operation expense:** Using the IRS Local Standards and the number of vehicles for which you claim the operating expenses, fill in the *Operating Costs* that apply for your Census region or metropolitan statistical area. 12.

13. **Vehicle ownership or lease expense:** Using the IRS Local Standards, calculate the net ownership or lease expense for each vehicle below. You may not claim the expense if you do not make any loan or lease payments on the vehicle. In addition, you may not claim the expense for more than two vehicles.

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Vehicle 1		2012 Ford Focus Hatchback						
13a. Ownership or leasing costs using IRS Local Standard			\$517.00					
13b. Average monthly payment for all debts secured by Vehicle 1. Do not include costs for leased vehicles. To calculate the average monthly payment here and on line 13e, add all amounts that are contractually due to each secured creditor in the 60 months after you filed for bankruptcy. Then divide by 60.								
<table border="1"> <thead> <tr> <th>Name of each creditor for Vehicle 1</th> <th>Average Monthly Payment</th> </tr> </thead> <tbody> <tr> <td>Furd Motor Credit</td> <td>\$49.30</td> </tr> </tbody> </table>		Name of each creditor for Vehicle 1	Average Monthly Payment	Furd Motor Credit	\$49.30			
Name of each creditor for Vehicle 1	Average Monthly Payment							
Furd Motor Credit	\$49.30							
Enter the total here and on line 33b.			\$49.30					
13c. Net Vehicle 1 ownership or lease expense Subtract line 13b from line 13a. If this amount is less than \$0, enter \$0.			\$467.70	13c. \$467.70				
Vehicle 2		N/A						
13d. Ownership or leasing costs using IRS Local Standard			\$0.00					
13e. Average monthly payment for all debts secured by Vehicle 2. Do not include costs for leased vehicles.								
<table border="1"> <thead> <tr> <th>Name of each creditor for Vehicle 2</th> <th>Average Monthly Payment</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> </tr> </tbody> </table>		Name of each creditor for Vehicle 2	Average Monthly Payment					
Name of each creditor for Vehicle 2	Average Monthly Payment							
Enter the total here and on line 33c			\$0.00					
13f. Net Vehicle 2 ownership or lease expense Subtract line 13e from 13d. If this amount is less than \$0, enter \$0.			\$0.00	13f. \$0.00				
14. Public transportation expense: If you claimed 0 vehicles in line 11, using the IRS Local Standards, fill in the Public Transportation expense allowance regardless of whether you use public transportation.				14. \$0.00				
15. Additional public transportation expense: If you claimed 1 or more vehicles in line 11 and if you claim that you may also deduct a public transportation expense, you may fill in what you believe is the appropriate expense, but you may not claim more than the IRS Local Standard for Public Transportation.				15.				
Other Necessary Expenses In addition to the expense deductions listed above, you are allowed your monthly expenses for the following IRS categories.								
16. Taxes: The total monthly amount that you will actually owe for federal, state and local taxes, such as income taxes, self-employment taxes, social security taxes, and Medicare taxes. You may include the monthly amount withheld from your pay for these taxes. However, if you expect to receive a tax refund, you must divide the expected refund by 12 and subtract that number from the total monthly amount that is withheld to pay for taxes. Do not include real estate, sales, or use taxes.				16.				
17. Involuntary deductions: The total monthly payroll deductions that your job requires, such as retirement contributions, union dues, and uniform costs. Do not include amounts that are not required by your job, such as voluntary 401(k) contributions or payroll savings.				17.				
18. Life insurance: The total monthly premiums that you pay for your own term life insurance. If two married people are filing together, include payments that you make for your spouse's term life insurance. Do not include premiums for life insurance on your dependents, for a non-filing spouse's life insurance, or for any form of life insurance other than term.				18.				
19. Court-ordered payments: The total monthly amount that you pay as required by the order of a court or administrative agency, such as spousal or child support payments. Do not include payments on past due obligations for spousal or child support. You will list these obligations in line 35.				19.				

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<p>20. Education: The total monthly amount that you pay for education that is either required:</p> <ul style="list-style-type: none"> • as a condition for your job, or • for your physically or mentally challenged dependent child if no public education is available for similar services. 	20.								
<p>21. Childcare: The total monthly amount that you pay for childcare, such as babysitting, daycare, nursery, and preschool.</p> <p>Do not include payments for any elementary or secondary school education.</p>	21.								
<p>22. Additional health care expenses, excluding insurance costs: The monthly amount that you pay for health care that is required for the health and welfare of you or your dependents and that is not reimbursed by insurance or paid by a health savings account. Include only the amount that is more than the total entered in line 7. Payments for health insurance or health savings accounts should be listed only in line 25.</p>	22.								
<p>23. Telecommunication services: The total monthly amount that you pay for telecommunication services, such as pagers, call waiting, caller identification, special long distance, business internet service, or business cell phone service, to the extent necessary for your health and welfare or that of your dependents or for the production of income, if it is not reimbursed by your employer.</p> <p>Do not include payments for basic home telephone, internet and cell phone service. Do not include self-employment expenses, such as those reported on line 5 of Official Form 122C-1, or any amount you previously deducted.</p>	23.								
<p>24. Add all of the expenses allowed under the IRS expense allowances.</p> <p>Add lines 6 through 23.</p>	24.								
<p>Additional Expense Deductions These are additional deductions allowed by the Means Test. <i>Note:</i> Do not include any expense allowances listed in lines 6-24.</p>									
<p>25. Health insurance, disability insurance, and health savings account expenses. The monthly expenses for health insurance, disability insurance, and health savings accounts that are reasonably necessary for yourself, your spouse, or your dependents.</p> <table border="1" style="width:100%; border-collapse: collapse; margin-top: 10px;"> <tr> <td style="width:70%;">Health Insurance</td> <td style="width:30%;"></td> </tr> <tr> <td>Disability Insurance</td> <td></td> </tr> <tr> <td>Health Savings Account</td> <td></td> </tr> <tr> <td style="text-align: right;">Total</td> <td style="text-align: center;">\$400.00</td> </tr> </table>	Health Insurance		Disability Insurance		Health Savings Account		Total	\$400.00	25.
Health Insurance									
Disability Insurance									
Health Savings Account									
Total	\$400.00								
<p>Do you actually spend the total amount shown on the previous line?</p> <p><input type="checkbox"/> No. How much do you actually spend? <u>\$400.00</u></p> <p><input checked="" type="checkbox"/> Yes</p>									
<p>26. Continued contributions to the care of household or family members. The actual monthly expenses that you will continue to pay for the reasonable and necessary care and support of an elderly, chronically ill, or disabled member of your household or member of your immediate family who is unable to pay for such expenses.</p>	26.								
<p>27. Protection against family violence. The reasonably necessary monthly expenses that you incur to maintain the safety of you and your family under the Family Violence Prevention and Services Act or other federal laws that apply.</p> <p>By law, the court must keep the nature of these expenses confidential.</p>	27.								
<p>28. Additional home energy costs. Your home energy costs are included in your non-mortgage housing and utilities allowance on line 8.</p> <p>If you believe that you have home energy costs that are more than the home energy costs included in the non-mortgage housing and utilities allowance, then fill in the excess amount of home energy costs.</p> <p>You must give your case trustee documentation of your actual expenses, and you must show that the additional amount claimed is reasonable and necessary.</p>	28.								
<p>29. Education expenses for dependent children who are younger than 18. The monthly expenses (not more than \$156.25* per child) that you pay for your dependent children who are younger than 18 years old to attend a private or public elementary or secondary school.</p> <p>You must give your case trustee documentation of your actual expenses, and you must explain why the amount claimed is reasonable and necessary and not already accounted for in lines 6-23.</p> <p><small>* Subject to adjustment on 04/01/2016, and every 3 years after that for cases begun on or after the date of adjustment.</small></p>	29.								

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30. Additional food and clothing expense. The monthly amount by which your actual food and clothing expenses are higher than the combined food and clothing allowances in the IRS National Standards. That amount cannot be more than 5% of the food and clothing allowances in the IRS National Standards.

To find a chart showing the maximum additional allowance, go online using the link specified in the separate instructions for this form. This chart may also be available at the bankruptcy clerk's office.

You must show that the additional amount claimed is reasonable and necessary.

30.

31. Continuing charitable contributions. The amount that you will continue to contribute in the form of cash or financial instruments to a religious or charitable organization. 26 U.S.C. § 170(c)(1)-(2).

31.

32. Add all of the additional expense deductions.

Add lines 25 through 31.

32.

Deductions for Debt Payment

33. For debts that are secured by an interest in property that you own, including home mortgages, vehicle loans, and other secured debt, fill in the following information.

To calculate the total average monthly payment, add all amounts that are contractually due to each secured creditor in the 60 months after you file for bankruptcy. Then divide by 60.

		Average monthly payment
Mortgages on your home		
33a.	Copy line 9b here	\$1,873.71
Loans on your first two vehicles		
33b.	Copy line 13b here	\$49.30
33c.	Copy line 13e here	\$0.00

	Name of each creditor for other secured debt	Identify property that secures the debt	Does payment include taxes or insurance?
33d.			

Total average monthly payment. Add lines 33a through 33d.

33.

34. Are any debts that you listed in line 33 secured by your primary residence, a vehicle, or other property necessary for your support or the support of your dependents?

No. Go to line 35.

Yes. State any amount that you must pay to a creditor, in addition to the payments listed in line 33, to keep possession of your property (called the *cure amount*).

Name of the creditor	Identify property that secures the debt	Total cure amount
Bank of Avarice	Home	\$10,737.00
Total		\$10,737.00

Divide the total by 60 and enter the result here.

34.

35. Do you owe any priority claims -- such as a priority tax, child support, or alimony -- that are past due as of the filing date of your bankruptcy case? 11 U.S.C. § 507.

No. Go to line 36.

Yes. Fill in the total amount of all of these priority claims. Do not include current or ongoing priority claims, such as those you listed in line 19.

Total amount of all past-due priority claims \$4,188.00 ÷ 60 =

35.

36. Projected monthly Chapter 13 plan payment. Fill in the following information.

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Projected monthly plan payment	\$60.55	
Current multiplier for your district as stated on the list issued by the Administrative Office of the United States Courts (for districts in Alabama and North Carolina) or by the Executive Office for United States Trustees (for all other districts). To find a list of district multipliers that includes your district, go online using the link specified in the separate instructions for this form. This list may also be available at the bankruptcy clerk's office.	5.75%	

Average monthly administrative expense 36.

37. Add all of the deductions for debt payment.

Add lines 33 through 36. 37.

Total Deductions from Income

38. Add all of the allowed deductions.

Copy line 24, All of the expenses allowed under IRS expense allowances	\$4,870.18
Copy line 32, All of the additional expense deductions	\$500.00
Copy line 37, All of the deductions for debt payment	\$2,175.24

Total deductions 38. **\$7,545.42**

Part 2: Determine Your Disposable Income Under 11 U.S.C. § 1325(b)(2)

39. Copy your total current monthly income from line 14 of Form 122C-1, Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period. 39.

40. Fill in any reasonably necessary income you receive for support for dependent children. The monthly average of any child support payments, foster care payments, or disability payments for a dependent child, reported in Part I of Form 22C-1, that you received in accordance with applicable nonbankruptcy law to the extent reasonably necessary to be expended for such child. 40.

41. Fill in all qualified retirement deductions. The monthly total of all amounts that your employer withheld from wages as contributions for qualified retirement plans, as specified in 11 U.S.C. § 541(b)(7) plus all required repayments of loans from retirement plans, as specified in 11 U.S.C. § 362(b)(19). 41.

42. Total of all deductions allowed under 11 U.S.C. § 707(b)(2)(A). Copy line 38 here. 42.

43. Deduction for special circumstances. If special circumstances justify additional expenses and you have no reasonable alternative, describe the special circumstances and their expenses. You must give your case trustee a detailed explanation of the special circumstances and documentation for the expenses.

Describe the special circumstances	Amount of expense
(None)	
Total:	\$0.00

43.

44. Total adjustments. Add lines 40 through 43. 44.

45. Calculate your monthly disposable income under § 1325(b)(2). Subtract line 44 from line 39. 45.

Part 3: Change in Income or Expenses

46. Change in income or expenses. If the income in Form 122C-1 or the expenses you reported in this form have changed or are virtually certain to change after the date you filed your bankruptcy petition and during the time your case will be open, fill in the information below. For example, if the wages reported increased after you filed your petition, check 122C-1 in the first column, enter line 2 in the second column, explain why the wages increased, fill in when the increase occurred, and fill in the amount of the increase.

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Form	Line	Reason for change	Date of change	Increase or decrease?	Amount of change
<input type="checkbox"/> 122C-1 <input type="checkbox"/> 122C-2				<input type="checkbox"/> Increase <input type="checkbox"/> Decrease	

Part 4: Sign Below

By signing here, under penalty of perjury you declare that the information on this statement and in any attachments is true and correct.

/s/ California_Southern Sample
Signature of Debtor 1

12/01/2015
Date MM/DD/YYYY

/s/ Sarah Sample
Signature of Debtor 2

12/01/2015
Date MM/DD/YYYY