

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN

IN RE:

Administrative Order No. 2014-5

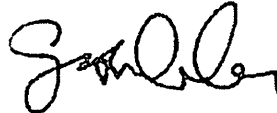
SUSPENSION OF LBR 3016(c),
_____ /

Pursuant to Rule 9029(b) of the Local Bankruptcy Rules for the Western District of Michigan (collectively, the "LBR"), the Court has determined to enter an administrative order, on an interim basis, suspending the application of LBR 3016(c) regarding the chapter 13 trustees' fees.

The application of LBR 3016(c) may be inconsistent with the governing statute and the timing of the collection of the trustees' fee. Compare LBR 3016(c) (authorizing chapter 13 trustee to collect fee "at the time of distribution to the creditor") with 28 U.S.C. § 586(e)(2) (chapter 13 trustee "shall collect such percentage fee from all payments received by such [trustee] under plans . . ."). To avoid inconsistency and uncertainty, the Court has determined to defer to the statute by suspending the local rule. Fed. R. Bankr. P. 9029 (requiring local bankruptcy rules to be consistent with Acts of Congress).

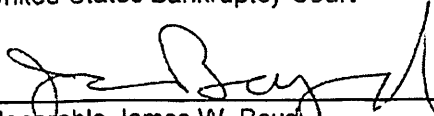
NOW, THEREFORE, IT IS HEREBY ORDERED that, effective as of September 10, 2014, LBR 3016(c) is SUSPENDED and without effect, pending further order of the Court.

Dated: September 9, 2014



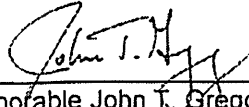
Honorable Scott W. Dales, Chief Judge
United States Bankruptcy Court

Dated: September 9, 2014



Honorable James W. Boyd
United States Bankruptcy Court

Dated: September 9, 2014



Honorable John T. Gregg
United States Bankruptcy Court