

**TRUSTEE GUIDELINES FOR THE OFFICE OF
KATHLEEN A. LEAVITT
CHAPTER 13 STANDING TRUSTEE**

I. Introduction

Pursuant to Local Rule 3015(b), “each chapter 13 standing trustee may issues guidelines for the administration of chapter 13 plans.” As such, Kathleen A. Leavitt is issuing the following Trustee Guidelines for the cases in which she is appointed as the Standing Trustee. The Trustee may amend these guidelines at any time. The Trustee’s current guidelines can be found at www.las13.com.

II. Contact Information and Office Hours

- Correspondence Address: Kathleen A. Leavitt, 711 S. 4th, Las Vegas, NV 89101
- Payment Address: Kathleen A. Leavitt, P.O. Box 1453, Memphis, TN 38101-1453
- Office Hours: 9:00 A.M. to 12:00 P.M. and 1:00 P.M. to 4:00 P.M. Monday to Friday, Closed Federal Holidays
- Phone Number: (702) 853-0700
- Fax Number: (702) 853-0713
- General Correspondence E-mail: kall3mail@las13.com
- Website: www.las13.com

III. Additional E-mail Contact Information

- Orders for Signature: ost@las13.com
- Order Shortening Time Requests: ost@las13.com
- Confirmation Review Appointments: chreview@las13.com
- §341 Meeting of Creditor Inquiries: 341@las13.com
- Conduit Documents: conduit@las13.com
- ePay Communication: epayquestions@las13.com
- TFS Bill Pay Communication: support@tfsbillpay.zendesk.com

IV. Form Plan

Pursuant to Local Rule 3015(a), the Local Form Chapter 13 Plan, NVB 113, must be used without alteration for all plans filed in Chapter 13 cases. The form plan can be found on the court’s website at <https://www.nvb.uscourts.gov/rules-forms/forms/local-forms/>. (You must use Adobe Reader to view this form.) The Trustee will object to confirmation of any plan that is not on Official Form NVB 113.

V. Document Process and Requirements

Debtors are required to provide several documents to the Trustee during the bankruptcy process. The Trustee has issued the following procedures for turnover of those documents.

- A. Submission – Debtors’ attorneys must submit documents via bkdocs.us where documents are electronically transmitted to the Trustee. To arrange access to bkdocs.us log-in, visit the bkdocs.us web site at bkdocs.us. Attorneys who are not regular filers may, at the Trustee’s discretion, mail, e-mail or hand deliver documents to the Trustee’s office at the correspondence address listed above. Debtors who are not represented by an attorney may mail, e-mail or hand deliver documents to the Trustee’s office at the correspondence address listed above.

Debtors may also contact the Trustee’s office at kal13mail@las13.com to request a one time access code to upload documents via bkdocs.us.

Guidelines for submission of documents is attached to these guidelines as Exhibit “A”.

- B. Timing – Trustee must receive documents no later than seven (7) days prior to the § 341 Meeting of Creditors or confirmation hearing for such documents to be considered. Documents received after that time may not be considered, and the hearing may be continued to give the Trustee sufficient time to review the requested documentation.
- C. Required Documents – A list of the documents required by the Trustee in each case is attached to these guidelines as Exhibit “B”.
- D. The Trustee may request additional documents in her investigation into the Debtor’s assets and/or financial affairs.
- E. In addition to the documents listed in Exhibit “B”, Debtor(s) must provide to the Trustee’s office a redacted copy of his/her tax returns each year as the returns are filed with the IRS. Returns must be filed with the IRS and provided to the Trustee by the April 15th tax deadline each year. Failure to do so may result in the Trustee’s office filing a motion to dismiss. If, Debtor files taxes after the April 15th deadline due to circumstances beyond his/her control, Debtor must provide to the Trustee: a written explanation of the reason for the delay in filing, the expected date the return will be filed, and a copy of the application for extension of time to file that was submitted to the IRS.
- F. Redaction Policy A copy of the Trustee’s redaction policy is attached to these guidelines as Exhibit “C”.

VI. 341 Meeting of Creditors

- A. The § 341 Meeting of Creditors is set by the bankruptcy court and conducted by the Trustee’s office as appointed by the United States Trustee. All parties must adhere to protocol for § 341 Meeting of Creditors as set forth in: [Best Practices for Debtors, Debtors’ Attorneys, and Other Parties in Interest for Attending Virtual § 341\(a\) Meetings of Creditors in Chapter 7, 12, and 13 Cases \(justice.gov\)](#).
- B. The Debtor(s) must appear at each 341 meeting unless the Trustee has previously waived the Debtor’s appearance. A Debtor’s appearance will not be waived if the Debtor fails to timely submit documents to the Trustee’s office, fails to commence plan

payments, or fails to file the required Schedules, Statement of Financial Affairs, Form 122C or Plan.

- C. All documents must be provided to the Trustee's office at least seven (7) days prior to the 341 meeting. Any documents received less than seven (7) days prior to the 341 meeting will not be reviewed and may cause the 341 meeting of creditors to be continued to give the Trustee's office adequate time to review the documentation.
- D. Prior to the § 341 Meeting Debtor(s) must provide the following:
 - Government issued photo identification; and
 - Proof of Social Security Number using an original Social Security Card, a medical insurance card, a pay stub, a W-2 form, an IRS form 1099, or a Social Security Administration (SSA) Statement showing the social security number.

Failure to provide the above items may result in the § 341 meeting being continued.

- E. All 341 meetings will be conducted in English, unless an interpreter is requested seven days prior to the 341 meeting. The interpreter will be provided free of charge. The Interpreter Request Form is available at www.las13.com. Failure to notify the Trustee may result in a delay of the 341 Meeting of Creditors.

VII. Confirmation Hearing

- A. Trustee's Opposition - After the § 341 Meeting of Creditors is concluded, the Trustee may file an opposition to confirmation. The Opposition will detail any additional documentation requested by the Trustee, any amendments required in the case, and any objections to the confirmation of the Chapter 13 Plan.
- B. Documents and Amendments – All documents must be provided to the Trustee's office no later than seven (7) days prior to the confirmation hearing date. All amendments must be filed no later than seven (7) days prior to the confirmation hearing date. Any documents and/or amendments provided or filed after the above deadline may not be reviewed for the pending confirmation hearing and the Trustee may recommend that the confirmation hearing be continued to give the Trustee and her staff adequate time to review the documents and/or amendments.
- C. Additional Documentation – The Trustee may request updated documents, e.g. paystubs, profit and loss statements, at any time prior to the confirmation of the case.
- D. Case Review – The Trustee requires that all cases be reviewed with her office prior to the confirmation hearing. Generally, debtor's counsel should provide case reviews to the Trustee's office no later than noon on Tuesday the week of confirmation hearings by sending an e-mail to chreview@las13.com. Appointments, as needed, will be provided on a first-come, first-served basis.

VIII. Modified Plan Confirmation

All proposed Modified Plans must be accompanied by the following:

1. A budget, filed with the court, showing current employment, income and expenses. If the debtor's position is that their income and expenses remain the same, then an affidavit or declaration signed under penalty of perjury stating such must be filed with the court.
2. 3 months current paystubs, and verification of any increased or additional expenses, provided directly to the Trustee.

Modified plans will not be reviewed by the Trustee's Office until the current budget has been filed, and the aforementioned documents have been provided.

IX. Requests for Orders Shortening Time (OST)

Pursuant to Local Rule 9006, the moving party must contact opposing counsel and other interested parties prior to setting motions on OST. All inquiries to the Trustee regarding Orders Shortening Time should be sent to ost@las13.com. The Trustee will request the right to oppose up to and including the hearing on this matter. Please ensure that this information is included in the request to the court and that the order submitted to the Court provides for the same.

X. Plan Payments

The Trustee accepts monthly payments, tax refunds, and all other funds required to be turned over to the trustee, in the following payment forms:

1. ePay – For ePay information visit www.las13.com.
2. TFS Bill Pay – For TFS Bill pay information visit www.las13.com.
3. MoneyGram ePay Service for Chapter 13 Bankruptcy Payments provided by TFS – For information call: (888) 739-2749.
4. Cashier's Check or Money Order – Debtor's name and case number must be included on the cashier's check and mailed it to: Kathleen A. Leavitt, P.O. Box 1453, Memphis, TN 38101-1453. Tax refunds must identify the tax year.
5. **THE TRUSTEE DOES NOT ACCEPT CASH OR PERSONAL CHECKS**

XI. Case Information

The National Data Center maintains a website which allows debtors and other parties in interest to view case and claims data for Chapter 13 cases. Information, including complete instructions for registration for an account to access a case, can be found at www.ndc.org. In addition, information about the case and claims data is available by contacting the Trustee's office directly.

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<p>Name the file/document by category and include a brief description such as: account numbers and time periods, content or purpose of document. All documents should be in .pdf form. You will use this file/document name when you upload the document to bkdocs.us.</p>		<p>Important: When submitting documents through bkdocs.us, after uploading the file you will be asked to "Identify Your File(s)" and add a Document Description which should be a detailed description of the contents of the file.</p>
<p>Document Categories</p>	<p>Naming Instruction for file/document</p>	<p>Examples of File/Document Description</p>
<p>Affidavit: any declarations/affidavits from the debtor or from an outside party concerning the debtor including explanations of deposits/use of funds or other letters of explanation. Affidavits of non-filing taxes go under tax returns.</p>	<p>Affidavit [insert brief Description here]</p>	<p>Affidavit of Family Support Letter of Explanation of Bank Deposits</p>
<p>Bank Statements/Financial Documents: any bank statements (business or personal), 401k statements, deferred comp statements, retirement savings plan statements, etc. ** Bank statements must be separated by bank name & account number & put in order by month and sent in separate pdfs.</p>	<p>[Bank Name][account number][time period] [Investment Institution][account number][Description of account][date range]</p>	<p>Wells Fargo #8888 11/1/2018-12/31/2018 Fidelity #4444 401k 11/1/2018-11/30/2018</p>
<p>Business Documents: any documents concerning debtors business except bank statements (see above).</p>	<p>[Description of document]</p>	<p>Business License Articles of Incorporation Balance Sheet Inventory List</p>
<p>Divorce Decree/Family Court Orders: any divorce decree, support/custody orders, etc.</p>	<p>[Description of document]</p>	<p>Divorce Decree Child Support Order Alimony Order</p>

Document Categories	Naming Instruction for file/document	Examples of File/Document Description
DSO Affidavits: affidavits or declarations concerning domestic/child support; DSO Information Sheet	[Description of document]	Domestic Support Obligation - Claimant Contact Info Domestic Support Obligation Declaration
Expense Documents: 401k loan docs, proof of debtor payment, utility bills (including electric, cable, phone, trash, water, etc), life insurance policy/premiums, HOA payments, home maintenance, vehicle maintenance, medical/dental bills, etc.	[Description of document][Date range]	Prudential #3232 401K LOAN 11/1/2018-11/30/2018
Legal Documents: lawsuits, personal injury settlements, etc.	[Description of document]	PI Case- Retainer agreement Unemployment Claim - Declaration re: Status
Mortgage/Real Estate Documents: proof of mortgage payments, mortgage statements, conduits docs, home appraisals, home insurance policies, lease agreements, etc.	Mortgage Statement [Name of Bank][Description of document][property address][priority of loan, if more than one] [Description of Document][Property Address] Verification of Ongoing Direct Payments [Description of property][date range]	Bank of America - Mortgage Statement - 123 Main St - 1st mortgage Conduit Authorization Conduit Payment Information Sheet - 123 Main St Lease Agreement - 123 Main Street Notice of Trustee Sale - 123 Main Street Settlement Statement - 123 Main Street Appraisal - 123 Main Street Direct Pay Verification 123 Main Street - 6/1/2018-12/31/2018 Direct Pay Verification 2011 Honda Accord - 6/1/2018-12/31/2018

Document Categories	Naming Instruction for file/document	Examples of File/Document Description
<p>Pay Stubs/Income Verification: all income – paystubs, profit & loss statements, pensions, social security income, annuity payments, short or long term disability payments, etc</p> <p>** If there are 2 debtors, pay info must be sent in separate pdfs for each debtor.</p>	<p>[Debtor name][employer name][date range]</p> <p>P & L [Business name][Date range]</p> <p>[Description of document]</p>	<p>Bob - MGM - 6/1/2018-11/30/2018</p> <p>Mary - Caesar's - 6/1/2018-11/30/2018</p> <p>P&L - Bob's Mechanic Shop - 6/2018-11/2018</p> <p>Letter of Explanation of Missing Pay Periods</p>
<p>Tax Returns/Tax Documents: federal, state & business tax returns Also, any affidavit of non-filing tax years. Each year must be sent in separately. State returns & business returns must be sent in separately by year also.</p> <p>Note: You MUST redact the tax documents to remove all personally identifiable information (PII). Any tax return containing PII will be rejected and deemed as not provided to the Trustee without further notice. This is for the protection of your client.</p>	<p>Tax return [year of tax return]</p> <p>Tax Affidavit [year]</p> <p>[Description of document]</p>	<p>Tax return 2016</p> <p>Tax return 2017</p> <p>Tax return 2018</p> <p>Tax Affidavit 2015-2018</p> <p>Letter from IRS - retention of 2017 refund</p>
<p>Vehicle Documents: vehicle insurance documents, vehicle contracts, bill of sale, titles, vehicle value/appraisals, proof of vehicle payments, conduit documents for vehicle.</p>	<p>[Description of Document][Vehicle Description]</p>	<p>Vehicle Insurance - 2011 Honda Accord</p> <p>Appraisal - 2011 Honda Accord</p> <p>Purchase contract - 2016 Dodge Ram</p>
<p>341 Meeting Forms: 341 Interpreter Request, Questionnaire</p>	<p>[Description of Document]</p>	<p>Questionnaire</p> <p>341 Intepreter Request</p>
<p>Drivers License and Social Security Card: verification of identification and social security number.</p> <p style="color: red;">Note: ID/SSN or verification of Identity and Social Security Number are to be provided <u>unredacted</u>. To secure the PII, these documents are deleted from the Trustee's system after the 341 Meeting has concluded.</p>	<p>[Description of Document]</p>	<p>ID/SSN</p>

Exhibit "B"

Office of Kathleen A. Leavitt, Chapter 13 Trustee

REQUIRED DOCUMENT LIST FOR CHAPTER 13 CASES

Use this cover sheet with *every* delivery of document

Debtor(s) Name: _____
Case Number: _____

Date Submitted: _____
341 Meeting Date: _____

****ALL documents must be received by the Trustee's office at least 7 days prior to the 341 meeting. ****

COPIES OF:

- _____ Bank statements covering the date of filing and the preceding three (3) months;
- _____ Pay stubs for the six (6) months preceding the month of filing;
- _____ **Redacted** Tax Returns or Tax Affidavits filed with the IRS for the two (2) years prior to filing (**redact all social security numbers except for the last 4 digits**);
- _____ Completed Chapter 13 Trustee Bankruptcy Questionnaire & Document Request (form available at www.las13.com);

ADDITIONAL DOCUMENTATION, IF APPLICABLE:

- _____ Verification of all sources of income;
- _____ Documentation regarding Life Insurance;
- _____ Valuation of any Real Property, wherever located;
- _____ Sworn Affidavit of Support/Contribution from contributing source;
- _____ Valuation of vehicles;
- _____ Lease/Rental agreement for all rental properties to be retained;
- _____ Documentation relating to support of third party;
- _____ Documentation as to pending or potential legal action/litigation brought by the debtor;
- _____ Documents relating to repayment of any retirement account loans;

In Conduit Cases or cases where arrears are owed on secured debts:

- _____ Authorization to Release Information, Conduit Creditor Information Worksheet, and a copy of the most current statement the debtor received from the Conduit Creditor (forms available at www.las13.com);

In cases where there is a divorce, child support and/or alimony order:

- _____ Divorce Decree and any Property Settlement Agreements and Orders;
- _____ Court Order for child support, alimony, or other domestic support obligation;
- _____ Name and address of Domestic Support Obligation recipient. (Form available on www.las13.com)

BUSINESS DOCUMENTATION, IF APPLICABLE:

- _____ Detailed list of assets, inventory, supplies, equipment, and accounts receivable with values as of the date of filing;
- _____ Business tax returns filed with the IRS for the four years prior to filing;
- _____ Monthly profit & loss statements for the 6 months prior to the date of filing;
- _____ Business bank statements covering the date of filing and the preceding 6 months;
- _____ Balance sheet showing the assets & liabilities of Corporation/LLC/Partnerships;
- _____ Any UCC filing documents.

Please refer to the Trustee's Guidelines available at www.las13.com for further information regarding the required documents and procedures.

Trustee reserves the right to request additional documentation not listed above.

NOTES:

"EXHIBIT C"

Office Policy regarding redaction of personally identifiable information (PII):

The Office of Kathleen A. Leavitt takes care to protect the privacy of debtors. In furtherance of this goal, the Trustee requires that all documents provided to this office be redacted consistent with the requirements of Federal Bankruptcy Rule 9037. Any document provided to this office, in any form, that contains an individual's social-security number, taxpayer-identification number, or birth date, the name of an individual, other than the debtor, known to be and identified as a minor, or a financial-account number may include only:

- (1) the last four digits of the social-security number and taxpayer-identification number;
- (2) the year of the individual's birth;
- (3) the minor's initials; and
- (4) the last four digits of the financial-account number.

Exception to facilitate requirements of the Section 341 Meeting of Creditors: IDs and verification of social security number provided to the Trustee for purposes of Section 341 Meeting identification are excepted from the redaction requirements. These documents are destroyed after the Section 341 Meeting is concluded.