

Filer's Name, Address, Phone, Fax, Email:



UNITED STATES BANKRUPTCY COURT  
DISTRICT OF HAWAII  
1132 Bishop Street, Suite 250  
Honolulu, Hawaii 96813

hib\_2083-1d (12/09)

Debtor Name:

SSN (last 4 digits):

Case No.:

Address:

Jt Debtor Name:

(if any)

Address (if not  
same as above):

SSN (last 4 digits):

Chapter 13

**DEBTOR'S MOTION TO INCUR DEBT**

*[Further notice and hearing not required in Chapter 13 case if all conditions below are satisfied.]*

Collateral (address or description):

Loan Amount:

The undersigned hereby requests an order authorizing the Debtor(s) to incur new debt for the purpose of completing the remaining payments due under the Chapter 13 plan and to modify the plan to provide for an accelerated lump sum distribution. The undersigned alleges as follows.

1. The new debt being incurred is secured by property that revested in the debtor(s) upon plan confirmation or otherwise is not property of the estate.
2. The loan proceeds being obtained will be sufficient to pay all remaining payments to the Trustee under the Chapter 13 plan, as shown on page 2 of this motion.
3. Any loan proceeds designated to pay compensation and expenses to the attorney for the Debtor(s) shall be subject to court approval of a separate application with detailed billing time records. Pending approval, loan proceeds may be deposited into a client trust account.
4. The Chapter 13 Trustee has no objection to this request, as shown on page 2.

**MOTION TO INCUR DEBT – WORKSHEET**  
 (All figures entered are good faith estimates.)

1 Loan amount		\$ _____
2 Existing liens to be paid from proceeds		
a) _____	\$ _____	
b) _____	\$ _____	
c) _____	\$ _____	
3 Loan costs and other items payable at closing (except for Debtor's attorney fees and costs)	\$ _____	
4 Add amounts in line 2 and line 3		\$ _____
5 Subtract line 4 from line 1		\$ _____
6 Total remaining payments due under plan (as of estimated date of closing)	\$ _____	
7 Debtor's attorney fees and costs to be paid from Proceeds (separate application required)	\$ _____	
8 Add line 6 and line 7		\$ _____
9 Subtract line 8 from line 5 (surplus to debtor(s))		\$ _____

*[Attach additional information as necessary.]*

/s/ \_\_\_\_\_  
 Debtor / Attorney

/s/ \_\_\_\_\_  
 Joint Debtor / Attorney

Dated: \_\_\_\_\_

Dated: \_\_\_\_\_

No Objection: \_\_\_\_\_  
 Chapter 13 Trustee