**IN THE UNITED STATES BANKRUPTCY COURT**

**NORTHERN DISTRICT OF OHIO**

IN RE: ) CHAPTER 13

 ) CASE NO.

 )

 )

 )

 DEBTOR(S) ) ALAN M. KOSCHIK

 ) BANKRUPTCY JUDGE

 )

 ) MOTION TO PAY STUDENT LOAN

 ) INCOME DRIVEN REPAYMENT

 ) THROUGH CHAPTER 13 PLAN

Now comes the Debtor(s), in this Chapter 13 Plan, and hereby moves this Court for an order to allow the Debtor(s) to continue to make their student loan payments inside the Chapter 13 Plan.

1. The Debtor(s) filed a Chapter 13 Plan on or about \_\_\_\_\_\_\_\_\_\_\_\_\_\_.
2. The Debtor (s) with the student loan is \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.
3. Prior to filing Chapter 13, the Debtor(s) had entered an income driven repayment plan for their student loan payments with the US Department of Education.
4. The Debtor(s) is in compliance and not in default with the income driven repayment requirements.
5. The Debtor(s) current monthly income driven repayment is in the amount of $0.00.
6. The Debtor(s) is moving this Court to allow the Debtor(s) to pay the income driven repayment plan for the student loan through the Chapter 13 Plan.
7. Provided that the Debtor(s) remains current in payment(s) into his Chapter 13 Plan, the Debtor(s) is seeking an order to deem all payments through the Plan by the Chapter 13 Trustee with regard to the income driven repayment plan as timely. The timing of the Trustee’s disbursement is not relevant in this determination as all Trustee payments would be deemed timely, and the Debtor(s) would be in

compliance with the income driven repayment plan.

WHEREFORE, the debtor hereby moves this Court for an order to allow the Debtor(s) to pay his/her student loan income driven repayments through the Chapter 13 Plan and to deem all payments made by the Trustee to be timely under the terms of the income driven repayment plan.

Respectfully submitted,

 Debtor(s) Counsel

 Ohio Reg. No. 0063137

 Address

 City, State, ZIP

 Tel

 Fax

 Email

CERTIFICATE OF SERVICE

I hereby certify that on \_\_\_\_\_\_\_\_\_\_\_\_\_\_, 2019, a copy of the foregoing was sent via Regular Mail to:

Debtor Name

Address

City, State, ZIP

U.S. Department of Justice – Washington D.C.

U.S. Department of Education

Loan Holder for the Student Loan

Notice Address on proof of claim

via ECF:

Debtor’s Attorney, Esquire (via ECF at\_\_\_\_\_\_\_\_\_)

Suzana K. Koch, Assistant United States Attorney (via ECF at suzana.koch@usdoj.gov)

Office of the US Trustee

Chapter 13 Trustee

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