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Subject Official Form 22C

The latest amendment to Official Form 22C still does not provide for computing disposable income in those cases in which §1325(b)(3) does not apply. Including the computation in those cases would be beneficial to all parties. The only apparent difference between the computation of disposable income in the two cases is what constitutes reasonably necessary expenses. The only remaining source for expenses if §1325(b)(3) does not apply is Schedule J. The computation of disposable income where §1325(b)(3) does not apply entails nothing more than substituting Schedule J, Line 18 for the deductions allowed under §707(b)(2). This may be easily accomplished by minor changes to Line 23 in Part III and Line 56 in Part V as illustrated below.

23	<p>Application of § 1325(b)(3). Check the applicable box and proceed as directed.</p> <p><input type="checkbox"/> The amount on Line 21 is more than the amount on Line 22. Check the box for "Disposable income is determined under § 1325(b)(3)" at the top of page 1 of this statement and complete the remaining parts of the statement.</p> <p><input type="checkbox"/> The amount on Line 21 is not more than the amount on Line 22. Check the box for "Disposable income is not determined under § 1325(b)(3)" at the top of page 1 of this statement and complete Parts V and VII of this statement. Do not complete Parts IV or VI.</p>
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56	<p><input type="checkbox"/> Disposable Income is Determined under § 1325(b)(3). Enter the Amount from Line 52</p> <p><input type="checkbox"/> Disposable Income is Not Determined Under § 1325(b)(3). Enter the amount from Schedule J, Line 18</p>	\$
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