UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF LOUISIANA

In re Jason White

No. 22-10851, Memorandum Opinion and Order (Bankr. E.D. La. Jan. 26, 2026) · No. 22-10851 · Decided January 26, 2026

SUMMARY

The United States Bankruptcy Court for the Eastern District of Louisiana denied Jason White's motion to modify his confirmed Chapter 13 plan. The court held that the proposed modification was not made in good faith because the debtor's income had increased, his child-support obligation had ended, and the modification would redirect funds to support an able-bodied adult daughter at the expense of unsecured creditors. The court also ordered the debtor and Chapter 13 trustee to appear and show cause why the monthly plan payment should not be increased.

CASE DETAILS

COURT	United States Bankruptcy Court for the Eastern District of Louisiana
WRITING FOR THE COURT	Meredith S. Grabill
JURISDICTION	United States Bankruptcy Court for the Eastern District of Louisiana
DECIDED	January 26, 2026
DOCKET	22-10851
DISPOSITION	other
PROCEDURAL POSTURE	The Chapter 13 debtor moved under 11 U.S.C. § 1329(a) to modify his confirmed plan by suspending five payments and reducing subsequent monthly payments. The former spouse and Chapter 13 trustee objected. After an evidentiary hearing, the bankruptcy court denied the motion and ordered the debtor and trustee to show cause why the monthly plan payment should not be increased.
STANDARD OF REVIEW	The court evaluated the requested modification under the statutory requirements applicable to modified Chapter 13 plans and the totality-of-the-circumstances good-faith standard. The burden of proof rested on the party seeking modification, and the court retained discretion to approve or deny a modification under the permissive language of § 1329(a).
PRECEDENTIAL VALUE	Unknown

TOPICS

chapter 13 | bankruptcy | bankruptcy disclosure requirements | child support

PRACTICE AREAS

Bankruptcy | Chapter 13 plan modification | Consumer bankruptcy | Domestic support obligations

QUESTIONS PRESENTED

1. Whether the debtor's proposed post-confirmation Chapter 13 plan modification satisfied the requirements of 11 U.S.C. §§ 1329 and 1325.
2. Whether the proposed modification was filed in good faith under the totality-of-the-circumstances test.
3. Whether the debtor could use plan funds that otherwise would be available to unsecured creditors to pay the ordinary living expenses of a fully functioning adult daughter.

HOLDINGS

1. A post-confirmation Chapter 13 plan modification must satisfy the requirements applicable to a Chapter 13 plan under § 1325, including the good-faith requirement.
2. Under the totality-of-the-circumstances test, the debtor's proposed modification was not filed in good faith.
3. The party seeking modification bears the burden of proof, and the bankruptcy court retains discretion to approve or deny a proposed modification even if the statutory requirements are otherwise met.

KEY QUOTATIONS

> *"Considering the totality of the circumstances here, specifically, (1) the Debtor's increase in income by over $2,000 per month since the beginning of the case, (2) his domestic support obligations ending in July 2025, and (3) his request to pay the living expenses of an fully functioning adult daughter at the expense of unsecured creditors, the Court finds that the Debtor's proposed plan modification is not proposed in good faith."*

> *"The burden of proof is on the party seeking modification."*

FACTUAL BACKGROUND

White's income increased by more than $2,000 per month during his Chapter 13 case, reaching an average gross monthly income of approximately $8,361.84 during the seven months before the hearing. His monthly child-support obligation ended in July 2025, although his proposed modification continued to allocate funds for his adult daughter's college-related living expenses. White offered no evidence supporting his asserted 2023 tax liability or showing that his adult daughter was elderly, chronically ill, disabled, or unable to pay her own ordinary living expenses. The proposed modification would have reduced general unsecured creditors' recovery from approximately 12.19% to 7.92%.

PROCEDURAL HISTORY

Jason White filed a Chapter 13 petition on July 28, 2022, and the court confirmed his amended plan on December 7, 2022. In April 2025, during month 33 of the 60-month plan, White sought post-confirmation modification based principally on child-support obligations, an alleged tax payment, and proposed support for his adult daughter. Following an evidentiary hearing on August 14, 2025, the court denied modification because the proposal was not made in good faith and issued a sua sponte show-cause order concerning an increased plan payment.

DISPOSITION

other

CASES CITED

- In re Meza, 467 F.3d 874, 877 (5th Cir. 2006)
- In re Nolan, 232 F.3d 528, 530 (6th Cir. 2000)
- In re Gilbert, 622 B.R. 859, 863 (Bankr. E.D. La. 2020)
- In re Sellers, 409 B.R. 820, 824 (Bankr. W.D. La. 2009)
- Suggs v. Stanley (In re Stanley), 224 F. App'x 343, 346 (5th Cir. 2007)
- In re Anderson, 545 B.R. 174, 176 (Bankr. N.D. Miss. 2015)
- In re Arlin, 596 B.R. 516, 524 (Bankr. N.D. Tex. 2019)
- In re McAllister, 510 B.R. 409, 430 (Bankr. N.D. Ga. 2014)
- In re Etaroo, 546 B.R. 516, 521-22 (Bankr. E.D.N.Y. 2016)
- In re Hall, 442 B.R. 754, 761 (Bankr. D. Idaho 2010)
- In re Harris, 415 B.R. 756 (Bankr. E.D. Cal. 2009)