PROPOSED 2007 LOCAL RULE REVISIONS

United States Bankruptcy Court
Eastern District of Texas

You may e-mail written comments to the following proposed rule changes (or suggest language where indicated) to:

localrules@txeb.uscourts.gov

on or before Wednesday, October 24, 2007.

<u>Local Rule of Bankruptcy Procedure 1001.</u> GENERAL SCOPE; APPLICABILITY OF DISTRICT COURT LOCAL RULES; ATTORNEY ADMISSIONS AND DUTIES; JUDGE'S REGULATIONS AND CLERK'S INTERNAL OPERATING PROCEDURES.

(d) **<u>Admission Pro Hac Vice</u>**

A request for temporary admittance when an attorney is not admitted to practice in the Eastern District of Texas is generally governed by the Eastern District Court Rule AT-1(d) except that:

(1) the Court will rule upon the application and the applicant must attach a separate proposed order to the request;

(2) the prescribed admission fee is waived if the attorney has not previously asked for temporary admittance within one year of the request;

(3) the applicant must list, by case style, case number and application filing date, all other *pro hac vice* applications granted in the Bankruptcy Court within the year preceding the application.

Attorneys frequently appearing before the Bankruptcy Court must seek admission to practice in the Eastern District of Texas pursuant to Eastern District Court Rule AT-1. Unless otherwise authorized by the Court, an attorney may not be admitted to practice before the Bankruptcy Court on a *pro hac vice* basis on more than three (3) occasions in any given 12-month period.

Local Rule of Bankruptcy Procedure 1007. LISTS, SCHEDULES, STATEMENTS, AND OTHER DOCUMENTS; TIME LIMITS.

(e) Payment Advices Required by §521(a)(1)(B)(iv)

Copies of all payment advices or other evidence of payment from any employer received by an individual debtor in a Chapter 7 or Chapter 13 case within 60 days before the filing of the petition shall not be filed with the Court unless otherwise ordered. In lieu thereof, such payment advices shall be provided by the debtor:

(1) to the Trustee **and, in Chapter 7 cases only, to the United States Trustee,** at least seven (7) days prior to the first date set for the §341 meeting of creditors; and

(2) to any creditor who serves upon the debtor a written request for such copies within seven (7) days following the conclusion of the §341 meeting of creditors**.**

Local Rule of Bankruptcy Procedure 2016. COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES.

(e) Pre-Petition Retainers

1. Any professional, regardless of whether employment of that professional must be approved under §§ 327 or 1103 of the Bankruptcy Code, must deposit any pre-petition payment ~~,whether received from the debtor or any other person for the benefit of the debtor,~~ **for prospective services (i.e., a "security retainer")** into a trust or IOLTA account. Except as otherwise authorized under these Local Rules, the security retainer must remain in the account until the Court enters an order allowing removal.

2. This requirement shall not apply to pre-petition payments ~~totaling in the aggregate $1,000 or less which are received by an attorney for a debtor in a Chapter 7 or Chapter 13 case under a flat-fee agreement or LBR 2016(h)~~ **constituting a classic or advance payment (flat fee) retainer, although such retainer must be disclosed pursuant to Fed. R. Bankr. P. 2016(b) and is subject to review under §329 of the Bankruptcy Code.**

~~3. Except for pre-petition withdrawals or as otherwise authorized under these Local~~

~~Rules, the retainer must remain in the account until the Court enters an order allowing removal.~~

(f) <u>Post-Petition Retainers</u>

1. Unless otherwise authorized by the Court or these Rules, ~~authorization for any professional to receive a post-petition payment from the debtor or any other person for the benefit of the debtor, must be sought by written motion and shall be granted only upon a demonstration of exceptional need.~~ any post-petition payment received by a professional from the debtor or any other person for the benefit of the debtor must be disclosed to the Court and deposited into a trust or IOLTA account as a security retainer. This rule shall not apply to a post-petition payment tendered by a Chapter 7 debtor with funds which do not constitute property of the bankruptcy estate.

2. Unless the Court orders otherwise, any such post-petition payment must remain in the trust or IOLTA account until the Court enters an order allowing its removal. Any motion seeking such removal may be combined with an application for an award of post-petition fees and expenses. The motion must contain the 20-day negative notice language described in LBR 9007(a) and shall be served upon the parties designated by LBR 9013(f). A proposed order shall accompany the motion.

~~3. Unless the Court orders otherwise, any approved post-petition retainer must be deposited into a trust or IOLTA account and remain in that account until the Court enters an order allowing removal.~~

<u>Local Rule of Bankruptcy Procedure 2016.</u> COMPENSATION FOR SERVICES RENDERED AND REIMBURSEMENT OF EXPENSES.

(h) <u>Attorney's Fees in Chapter 13 Cases</u>

1. An attorney for a Chapter 13 debtor must file an application for compensation and reimbursement in compliance with subsections (a) and (b) of this rule except in the following circumstances:

   (A) If the attorney has not rendered legal services pertaining to automatic stay litigation occurring in the case, a formal fee application is not required so long as the attorney requests **$3,000** or less for pre-petition and post-petition services and expenses ~~incurred through the first successful post-confirmation modification of a Chapter 13 plan which occurs subsequent to the filing of the Trustee's Recommendation Concerning Claims~~ **[which are rendered or incurred prior to the time that the confirmed Chapter 13 plan is reconciled with all claims filed prior to the claims bar date.] [*or other similar language*].** The **$3,000** shall include all pre-petition payments received by such attorney. **This threshold amount may be increased by $500 in a case involving a debtor engaged in business as a sole proprietor when so certified by the Chapter 13 Trustee in the Trustee's confirmation report.**

   (B) If the attorney has rendered legal services pertaining to automatic stay litigation occurring in the case, a formal fee application is not required so long as the attorney requests **$3,500** or less for pre-petition and post-petition services and expenses ~~incurred through the first successful post-confirmation modification of a Chapter 13 plan which occurs subsequent to the filing of the Trustee's Recommendation Concerning Claims~~ **[which are rendered or incurred prior to the time that the confirmed Chapter 13 plan is reconciled with all claims filed prior to the claims bar date.] [*or other similar language*].** The **$3,500** shall include all pre-petition payments received by the attorney. **This threshold amount may be increased by $500 in a case involving a debtor engaged in business as a sole proprietor when so certified by the Chapter 13 Trustee in the Trustee's confirmation report.**

6. **To obtain a fee award from the funds held by the Chapter 13 Trustee that are otherwise subject to return to the debtor under §1326(a)(2) because the case has been dismissed or converted prior to the entry of a plan confirmation order, the attorney must file an "Application for Administrative Expense by Chapter 13 Debtor's Attorney" which shall contain 20-day negative notice language and shall be served only upon the debtor(s) and any other party otherwise entitled to a share of those funds pursuant to an order of the Court. Such application must be filed prior to the dismissal or conversion of the case or it will be terminated by the Court without notice. If the application has not completed the required notice period prior to the dismissal of the case, the Court shall retain jurisdiction to consider the application when ripe for adjudication pursuant to the authority recognized in *Querner v. Querner (In re Querner)*, 7 F.3d 1199 (5th Cir. 1993) without the necessity of an order specifically retaining jurisdiction for that purpose.**

Local Rule of Bankruptcy Procedure 3007. OBJECTIONS TO CLAIMS

(c) Omnibus Claim Objections Prohibited

Except as authorized by **Fed. R. Bankr. P. 3007** or unless otherwise authorized by the Court, omnibus claim objections to groups of claims are not allowed. Each claims objection must deal with one specific claim.

<u>Local Rule of Bankruptcy Procedure 3015</u>. FILING, OBJECTION TO CONFIRMATION, AND MODIFICATION OF A PLAN IN A CHAPTER 12 FAMILY FARMER'S DEBT ADJUSTMENT OR A CHAPTER 13 INDIVIDUAL'S DEBT ADJUSTMENT CASE.

(c) <u>Payments</u>

1. Except to the extent that a proposed Chapter 13 plan provides for retention of collateral and direct payments by the debtor to the holder of a claim secured thereby or is otherwise authorized by the Court, no Chapter 13 debtor may provide adequate protection payments directly to a holder of a secured claim under the provisions of §1326(a)(1)(C) but shall instead tender required adequate protection payments to the Chapter 13 Trustee in an amount to be established in the debtor's proposed Chapter 13 plan or as otherwise ordered by the Court.

2. **Any adequate protection payment tendered to the Chapter 13 Trustee pursuant to this rule shall be held solely for the benefit of the affected secured creditor to the exclusion of the debtor and shall be tendered to that secured creditor by the Chapter 13 Trustee upon the earlier of plan confirmation, or the dismissal or the conversion of the Chapter 13 case, notwithstanding any failure of a debtor to confirm a Chapter 13 plan.**

(e) <u>Chapter 13 - Initial Confirmation Process</u>

3. An objection to confirmation by a creditor or party-in-interest, other than the Chapter 13 Trustee, must be filed no later than ***seven (7)*** **days [should this be extended?]** following the conclusion of the §341 meeting of creditors, and untimely objections may not be considered by the Court.

(f) <u>Pre-Confirmation Modification Process</u>

1. If a Chapter 12 or Chapter 13 plan is modified in the pre-confirmation period with less than 32 days' notice before the confirmation hearing, the confirmation hearing will proceed only if the Court determines that:

   (a) the modification does not adversely affect any creditors;

   (b) any adversely affected creditor has consented; or

   (c) the adverse impact of the modification on creditors is de minimis.

   If a pre-confirmation modification does not meet one of the three preceding requirements and additional notice of the modified plan is therefore required, a new confirmation hearing shall be scheduled, **the deadline for filing an objection to the modified plan shall be extended to seven (7) days prior to the new confirmation hearing date**, and the debtor shall provide notice of the new confirmation hearing date and the corresponding new 7-day objection deadline to the master mailing list (matrix) as constituted by the Court on the date of service. A certificate of service evidencing that proper notice has been given must be filed with the Court.

(g) <u>Claims Adjudication in Chapter 13 Cases</u>

1. A Trustee's Recommendation Concerning Claims ("TRCC") shall be filed by the Chapter 13 Trustee within 45 days following the latter of: (a) the expiration of the time allowed for the filing of a proof of claim by a governmental unit; (b) the entry of an order confirming the Chapter 13 plan; **or (c) the filing of a notification by the Trustee that the TRCC deadline is being extended to a date certain, not to exceed ___ days from such filing, for purposes to be specified in the notification.**

4. A TRCC recommendation concerning a filed proof of claim shall constitute a valid objection to the allowance of such claim as filed (a "challenged claim") if the recommendation:

   (A) clearly identifies the basis upon which the claim is being challenged;

   (B) contains proof in support of the objection, which may include references to any entry upon the Court's docket or claim registry of which the Court can properly take judicial notice under Fed. R. Evid. 201, which is sufficient to overcome the presumption of validity imposed by Fed. R. Bankr. P. 3001(f); and

   (C) is served upon the affected claimant at the address disclosed by such claimant in its proof of claim.

(h) <u>Post Confirmation Modification</u>

1. A proponent requesting the post-confirmation modification of a Chapter 12 or Chapter 13 plan must file the modified plan, together with a motion seeking confirmation of the modified plan which specifies the precise changes sought by the modification including, but not limited to, the following:

   (A) the purpose of or the necessity for the modification;

   (B) the changes being made as to the plan payment, the term of the plan; the proposed distribution to any class, or any other substantive provision; and

   (C) the amount of additional attorneys' fees requested for services pertaining to the modification, subject to the provisions and limitations of LBR 2016(h)(5).

   A debtor seeking a modification of a confirmed plan must separately file an amended Schedule I and an amended Schedule J in order to verify current income and expenditure information.

Local Rule of Bankruptcy Procedure 4000. **IMPOSITION, CONTINUATION OR STATUS OF THE AUTOMATIC STAY.**

(a) Contents of Imposition/Continuation Motions

1. The following motions to impose or to continue the automatic stay shall not require negative notice language:

   (A) Motion to impose automatic stay pursuant to §362(c)(4)(B) of the Code;
   (B) Motion to impose automatic stay by small business debtor pursuant to §362(n)(2) of the Code;
   (C) Motion to continue automatic stay in consecutive individual case under chapter 7, 11 or 13 pursuant to §362(c)(3)(B); and
   (D) Motion to continue automatic stay on personal property of individual debtor by trustee pursuant to §362(h)(2) and §521(a)(6).

2. **A stay imposition or continuation motion shall disclose in the body of the motion the following information regarding the dismissal of the debtor's prior bankruptcy case(s):**

   (A) the prior case number and the court in which it was filed;

   (B) the circumstances upon which the dismissal was based;

   (C) whether a request for relief from automatic stay had been granted or was pending in the prior case at the time of the dismissal;

   (D) the identity and mailing address for any attorney (or pro se creditor) who had filed a request for relief from automatic stay for any party in the prior case; and

   (E) the identity and mailing address for any attorney who had filed a notice of appearance in the prior case.

3. A stay imposition or continuation motion shall contain a certificate of service reflecting service of the motion upon the master mailing list (matrix) as constituted by the Court on the date of service if the stay is to be imposed or continued as to all parties in the case, or otherwise in accordance with LBR 9013(f), and in a manner consistent with Fed. R. Bankr. P. 7004(b); provided, however, that the motion shall also be served upon any attorney

who had filed a request for relief from automatic stay or a notice of appearance in the debtor's prior bankruptcy case(s) and any party who filed a proof of claim in debtor's prior bankruptcy case shall be served at the address disclosed by such claimant in its prior proof of claim.

4. The motion must be accompanied by:

(A) a proposed deadline order which substantially conforms to TXEB Local Form 4000-a; and

(B) a proposed order granting the requested relief which substantially conforms to TXEB Local Form 4000-b.

5. Consideration of any stay imposition or continuation motion shall either be governed by an "Order Establishing Deadline for Objection to Motion for Continuation/Imposition of Automatic Stay and Setting Possible Hearing Date on Such Motion" [TXEB Local Form 4000-a] through which the Court shall establish a deadline for filing an objection to the motion and a potential hearing date for the motion which shall be served upon the matrix or the Court shall proceed to schedule an accelerated hearing on the Motion upon filing.

6. If a hearing is so scheduled by the Court without the establishment of a deadline for objections, any such objection to the stay imposition or continuation motion must be filed and served no later than two (2) business days prior to the scheduled hearing; provided, however, that if the hearing is held on notice of five (5) business days or less, no formal objection shall be required.

(d) Requests to Confirm Status of Automatic Stay

Any request for the Court to confirm the status of the automatic stay, including a request for an order pursuant to §362(c)(4)(A)(ii) to confirm that the automatic stay is not in effect, or a request for an order pursuant to §362(j) to confirm that the automatic stay has been previously terminated, shall be in writing and filed with the Clerk. **Such requests shall not require negative notice language, nor a certificate of service, but shall require a proposed order substantially conforming to TXEB Local Form 4000-d.**

Local Rule of Bankruptcy Procedure 4002. DUTIES OF DEBTOR.

(a) **<u>Individual Debtor's Duty to Provide Documentation</u>**
Upon written notification that the §341 meeting of creditors shall be conducted by the trustee or United States Trustee via video conference, an individual debtor shall provide an enlarged (150%), legible (photo setting) copy of his/her picture identification and evidence of social security number to the trustee no later than

[seven (7) days? ... fourteen (14) days?]

prior to the first date set for the §341 meeting of creditors. Such copy shall reference the date and time of the scheduled meeting at which time the debtor must present the original documents.

(b) **<u>Tax Return Required by §521(c)(2)(A)</u>**
An individual debtor in a Chapter 7 case shall provide a copy of the federal tax return required under §521(c)(2)(A) to the United States Trustee at the time that a copy is provided to the case trustee under that statute.

(c) **<u>Request for Debtor to File Tax Information with Court</u>** [was "a"; now "c"]

(d) **<u>Motion to Obtain Access to Debtor's Tax Information</u>** [was "b"; now "d"]

<u>Local Rule of Bankruptcy Procedure 4003</u>. EXEMPTIONS AND LIEN AVOIDANCE.

(e) <u>Lien Avoidance</u>

A motion to avoid lien impairing a claim of exemption must:

(1) delineate the extent to which the debtor seeks to avoid a lien;

(2) confirm that the lien is non-possessory and non-purchase money;

(3) either specifically describe the property subject to the lien or attach the security documentation which describes the property;

(4) state whether the debtor claimed federal or state exemptions and state that the exemption objection period has expired;

(5) attach sufficient information regarding the formation of the allegedly avoidable lien to validate the sufficiency of service of the motion (e.g., copy of abstract of judgment, etc.); and

(6) cite to § 522(f).

As explained in Fed. R. Bankr. P. 4003 and the Advisory Committee notes, only a §522(f) lien avoidance action may be sought by motion. Lien avoidance under the Texas Constitution or by statutory authority other than §522(f) must be sought by an adversary complaint.

Local Rule of Bankruptcy Procedure 4004. GRANT OR DENIAL OF DISCHARGE.

(c) Discharge Process in Chapter 12 or Chapter 13

1. Upon receipt of all plan payments from the debtor, the Trustee shall file a Notice of Plan Completion which verifies to the Court that the debtor has completed all payments under the confirmed plan for which the Trustee served as the disbursing agent ~~and that, from the Trustee's perspective, the debtor is entitled to an entry of an order of discharge pursuant to 11 U.S.C. §1228(a) or §1328(a)~~ **and that the process to determine the entitlement of the debtor to an order of discharge should be initiated pursuant to 11 U.S.C. §1228(a) or §1328(a).**

2. Upon the filing of the Notice of Plan Completion, a **60-day** opportunity to object to the entry of the discharge order shall be given by the Clerk to all parties on the master mailing list (matrix) as constituted by the Court on that date.

3. If the case was filed on or after October 17, 2005, within **30 days** after the filing of the Notice of Plan Completion by the Trustee, the Debtor must file:

   (A) a "Statement of Debtor(s) Regarding Applicability of 11 U.S.C. §522(q) in a Chapter 12 or 13 Case" in a format substantially conforming to TXEB Local Form 4004-c; and

   (B) a "Certification of Debtor Regarding Status of Domestic Support Obligations in a Chapter 12 or 13 Case" in a format substantially conforming to TXEB Local Form 4004-d.

Local Rule of Bankruptcy Procedure 8006. RECORD AND ISSUES ON APPEAL.

A designation of record filed by any party must include the docket entry number and the filing or entry date for each item to be included in the appellate record. ~~The person who designates items to include in the record must furnish copies of all designated items to the Clerk for inclusion in the record.~~ Payment must be made for all transcripts or copies prior to inclusion in the record.

<u>Local Rule of Bankruptcy Procedure 9014</u>. CONTESTED MATTERS.

(c) <u>Scheduling of Hearings</u>

1. Hearings before the Court are generally scheduled and noticed by the Clerk through the auspices of the Bankruptcy Noticing Center.

2. The Courtroom Deputy must be contacted if the parties anticipate that a hearing scheduled to be conducted on a general docket date will exceed one (1) hour.

3. **Once a hearing has been scheduled, any amendment of the pleading scheduled for hearing shall comply with LBR 9004(e) and become the operative pleading for the hearing. The amendment of a pleading scheduled for hearing shall not result in the cancellation of the hearing unless otherwise ordered by the Court.**

(d) Exhibits

1. Exhibits which are to be introduced into evidence must be:

   (A) marked for identification **on the first page of the exhibit** prior to hearing;

   (B) bound in a booklet form in numerical or alphabetical sequence preceded by an exhibit list in the format prescribed by TXEB Local Form 7016; and

   (C) separated by tabs or other appropriate dividers.

Local Rule of Bankruptcy Procedure 9014. **CONTESTED MATTERS.**

(d) Trial Preparation

2. Each party to a hearing on a contested matter shall provide to every other party:

(A) a witness list;

(B) an exhibit list presented in the format prescribed by TXEB Local Form 7016; and

(C) a copy of all exhibits, properly identified by number or letter as required by LBR 7016(d), which that party may seek to introduce at the hearing.

Such disclosures shall be made by 5:00 p.m, central time, at least three (3) business days prior to the hearing in compliance with the following schedule:

Hearing Day	Disclosure and Production Deadline
Monday	Prior Wednesday at 5:00 p.m.
Tuesday	Prior Thursday at 5:00 p.m.
Wednesday	Prior Friday at 5:00 p.m.
Thursday	Prior Monday at 5:00 p.m.
Friday	Prior Tuesday at 5:00 p.m.

TXEB Local Form 4000-a (created 10-2-07)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS

IN RE:	§	
	§	
NAME OF DEBTOR	§	Case No. xx-xxxxx
Last 4 Digits of Tax ID No.	§	
Debtor's Address	§	
	§	
Debtor	§	Chapter _____

ORDER ESTABLISHING DEADLINE FOR OBJECTION
TO MOTION FOR CONTINUATION (or Imposition) OF AUTOMATIC STAY
AND SETTING POSSIBLE HEARING DATE ON SUCH MOTION

ON THIS DATE the Court considered the Motion for Continuation (or Imposition) of Automatic Stay (the "Motion") filed by the Debtor(s), **[name of Debtor(s)]** on **[date motion was filed]**. In consideration of the shortened time period in which a hearing must be conducted upon the Motion, the Court finds that notice of a deadline for objections and an accompanying hearing date should be established, but that no actual hearing shall be conducted unless an objection is timely filed to the requested relief by the stated objection deadline. Accordingly,

IT IS THEREFORE ORDERED that any objection to the Motion for Continuation (or Imposition) of Automatic Stay shall be filed no later than **_____day, Month, Day, Year.**

IT IS FURTHER ORDERED that, if no objection to the Motion is timely filed by the stated deadline, then the Court shall deem the Motion to be unopposed and shall continue (or

impose) the automatic stay as requested by the Debtor(s).

IT IS FURTHER ORDERED that, if an objection is timely filed to the Motion, then the Court shall conduct a hearing on the Motion

on KEYBOARD(), 2007, at KEYBOARD() a.m/ p.m.
in the Courtroom of the United States Bankruptcy Court,
[give name of bldg. & street address of court].

This is the only notice which will be given regarding this potential hearing date.

IT IS FURTHER ORDERED that the Clerk shall give notice of this Order to all parties on the mailing matrix through the Bankruptcy Noticing Center.

[LEAVE SPACE FOR JUDGE'S SIGNATURE]

TXEB Local Form 4000-b (created 10-2-07)

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS

IN RE:	§	
	§	
NAME OF DEBTOR	§	Case No. xx-xxxxx
Last 4 Digits of Tax ID No.	§	
Debtor's Address	§	
	§	
Debtor	§	Chapter _____

ORDER EXTENDING (or Imposing) AUTOMATIC STAY
AS AGAINST ALL CREDITORS

ON THIS DATE the Court considered the Motion for Continuation (or Imposition) of Automatic Stay (the "Motion") filed by the Debtor(s), **[name of Debtor(s)]** on _____ _____ and its "Order Establishing Deadline for Objection to Motion for Continuation of Automatic Stay and Setting Possible Hearing Date on Such Motion" (the "Deadline Order") issued on _____, whereby parties in interest were notified that any objection to the continuation motion was required to be filed no later than _____ and that, if no objection to the motion was timely filed by the stated deadline, then the motion would be granted as unopposed. Upon review of the file in the above-referenced case, the Court finds that proper notice of the Deadline Order was given pursuant to the Federal and Local Rules of Bankruptcy Procedure and that no objection to the continuation of the automatic stay was timely filed by any party. Accordingly, the Court finds that just cause exists for the entry of the following order.

IT IS THEREFORE ORDERED that the Motion for Continuation (or Imposition) of Automatic Stay filed by the Debtor(s), **[name of Debtor(s)]** on _____ is hereby **GRANTED** and the automatic stay is hereby **EXTENDED AS TO ALL CREDITORS** pursuant to 11 U.S.C. §362(c)(3)(B).

[LEAVE SPACE FOR JUDGE'S SIGNATURE]

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS

IN RE:	§	
	§	
NAME OF DEBTOR	§	Case No. xx-xxxxx
Last 4 Digits of Tax ID No.	§	
Debtor's Address	§	
	§	
Debtor	§	Chapter 12 or 13

CERTIFICATION OF DEBTOR REGARDING STATUS OF
DOMESTIC SUPPORT OBLIGATIONS IN A CHAPTER 12 OR 13 CASE

I, _____, as a debtor in the above-referenced case,[1] declare under penalty of perjury that:

[CHOOSE ONE]:

☐ As of the date of this certification, I have paid all "domestic support obligations," as that term is defined in 11 U.S.C. §101 (14A):[2]

(a) which were owed by me under any judicial or administrative order, or any statute prior to the commencement of this case (but only to the extent provided for by my confirmed Chapter 13 plan); and

(b) which have become due and owing by me under any judicial or administrative order, or any statute since the commencement of this case.

☐ I have owed no domestic support obligations, as that term is defined in 11 U.S.C. §101 (14A), during the pendency of this case.

Date:_____ Signature:_____
Debtor

---

[1] A separate certification must be submitted for **each** debtor seeking a discharge in this case.

[2] 11 U.S.C. §101(14A) provides that: "The term 'domestic support obligation' means a debt that accrues before, on, or after the date of the order for relief in a case under this title, including interest that accrues on that debt as provided under applicable nonbankruptcy law notwithstanding any other provision of this title, that is —

(A) owed to or recoverable by —
(i) a spouse, former spouse, or child of the debtor or such child's parent, legal guardian, or responsible relative; or
(ii) a governmental unit;

(B) in the nature of alimony, maintenance, or support (including assistance provided by a governmental unit) of such spouse, former spouse, or child of the debtor or such child's parent, without regard to whether such debt is expressly so designated;

(C) established or subject to establishment before, on, or after the date of the order for relief in a case under this title, by reason of applicable provisions of —
(i) a separation agreement, divorce decree, or property settlement agreement;
(ii) an order of a court of record; or
(iii) a determination made in accordance with applicable nonbankruptcy law by a governmental unit; and

(D) not assigned to a nongovernmental entity, unless that obligation is assigned voluntarily by the spouse, former spouse, child of the debtor, or such child's parent, legal guardian or responsible relative for the purpose of collecting the debt.