

## GENERAL ORDER 20

### DELAYED DISCHARGES IN CHAPTER 13 CASES

(a) Chapter 13 debtors who have claimed exemptions in excess of the adjusted amount set forth in 11 U.S.C. § 522(q)(1) must file a statement pursuant to Rule 1007(b)(8), not earlier than the date of the last payment under the plan or the date of filing a motion for a discharge under 11 U.S.C. §1328(b).

(b) Unless otherwise ordered, upon plan completion:

(1) All Chapter 13 debtors must file a certification in support of discharge stating whether or not the debtor:

(A) has completed an instructional course concerning personal financial management described in 11 U.S.C. § 111 and has filed a certificate of completion of that course;

(B) has been required to pay, and has paid, a domestic support obligation as that term is defined in 11 U.S.C. § 101(14A);

(C) has received a discharge in a Chapter 7, 11, 12 bankruptcy case filed within four years prior to filing the present Chapter 13 case, or in a Chapter 13 case filed within two years prior to filing the present Chapter 13 case.

(2) If a Chapter 13 debtor has been required to pay a domestic support obligation as that term is defined in 11 U.S.C. § 101(14A), the debtor shall file a certification of domestic support obligation payees, setting forth the names and last known addresses of those payees. That certification shall be served by the debtor on the case trustee and all of the named domestic support obligation payees.

(c) A debtor required to file the statement required by Subparagraph (a) may combine it with the certification required by Subparagraph (b).

(d) (1) The Clerk shall serve the statement and certification required in Subparagraphs (a) and (b) by mail on all parties in interest.

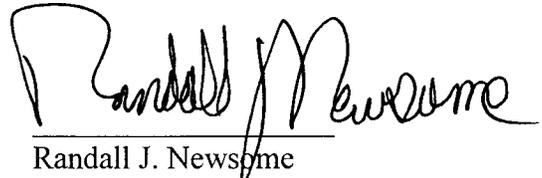
(2) Any party requesting a delay in the entry of the discharge must file a written response no later than twenty (20) days from the date of service of the debtor's statement and certification and the response must be served by mail on the Chapter 13 Trustee, the debtor and the debtor's attorney at the addresses noted on the debtor's statement and certification.

(3) If the delay request is timely filed, the debtor must schedule a hearing on the request and advise the Chapter 13 Trustee, and the party requesting the delay, of the date and time of the hearing. The hearing must be held not more than ten (10) days before the date of the entry of the discharge order.

(4) If either no delay request is filed or if the delay request is not timely filed, the Court may enter a discharge order in the case, but not earlier than thirty (30) days after the filing of the statement..

(e) Debtors shall make the statements and certifications required by this rule on forms approved by court in accordance with B.L.R. 1007-1. Those forms shall be available on the court's website and at the offices and on the websites of the district's Chapter 13 trustees.

IT IS SO ORDERED.

  
Randall J. Newsome  
Chief Bankruptcy Judge

Dated: October 17, 2007