Bankruptcy VisualsTM Voluntary Petition Clerk gives debtor §342 notice; debtor **Procedure Under Chapter 13** Deadline for statement and payment advices is 14 days after order for relief, Rule 1007(b)(1)(E), (c) iles petition, Rule 1002, creditor list, Rule 1007(a)(1), Lynn M. LoPucki Monthly Income of the Bankruptcy Code and Rules Security Pacific Bank Professor of Law, UCLA Law School credit counseling fro an approved agenc Code §521(b); filing Copyright 1992, 1995, 2006, 2010 ithin 180 days befor onstitutes "order fo relief," Code §301: Printed July, 2010, see website for update information Code §109(h) come, Rule imposing automatic stay, Code §362(a) Motion to Value Secured Valuation payable at filing 28 U.S.C. §1930 Hearing urt holds he Claim Any **Valuation** of Security nove for Rule 3012 secured claim, Rule 3012 Hearing on Confirmation Deadline for filing adversary Months or years may elapse before Months or years may elapse before Chapter 13 Objections to Plan Parties in Order the events that follow. Procedure Under Chapter 13, is replicated complaint to revoke order confi the events that follow. Procedure Order Modifying Plan the plan Twenty to 45days after §341 Meeting Court holds ing plan because it was procured by fraud is 180 days after entry of order, Code §1330, Rule 7001 Modify Plan Hearing on Confirming Under Chapter 13, is replicated led within 1 Plan vests terest may file below, without aring on objections to plan Chapter 13 hearing is 28 days. Rule 2002(b) property of th a Full Three Year View a Full Three Year View nsecured clai trustee shall appear, Code §1302(b), court must confirm Plan tion of the plan Code §1324, Rule 3015(f) may seek to rais with requirements i stended for or lower payplan, Code the debtor and plan if it meets statutory §1329(b)(2) ause, Rule all creditors. standards, Code §1324, §1325 Code §1327 Order Closing Case otice to Do-Creditors are allowed 90 days to 29 sets of monthly checks have been omitted to fit this drawing nistered, cou receive, deposit and collect their to the page. Procedure Under Chapter 13 is replicated below in a Full Three Year View. ters order Payments by Upon confirmation lecepient charging trustee ustee gives Payments to Payments to Payments to rustee files butes paymen Chapter 13 reditors Under reditors Under in accord with plan as soon as Trustee retains payments received from debtor prior and State child ode 8350(a). Rule ding cha practicable, Code §1326(a)(2) 5009; but cases ma be reopened for **Trustee** support enforc Code §1302(b) ode §1302(d) ode §1302(a 350(b), Rule 5010 Discharge Discharge and Reaffirmation posed payments within 30 days after order for relief, §1328(h) 29 sets of monthly checks have been omitted to fit this drawing Payments by Hearing Court may hold hearing to Payment Under the Plan to the Payment Under Payment Under Payment Under the Plan to the Payment Under Payment Under to the page. Procedure Under Chapter 13 is replicated below in a Full Three Year View. Hearing 10 days before the Plan to the Chapter 13 Code §1326(a)(1) nform debtor on discharge anter 13 trus anter 13 trust hanter 13 true anter 13 trust chanter 13 truste uling, debtor shall appear in person; Court must hold ischarge, court m rants dischar Debtor, and Payments Outside make findings re the Plan direct to olicability of Co hearing on reaffirmation by Discharge §522(q)(1) ınder Code Deadline for debtor to file with deadline for filing Annual Affidavit is 90 days after §341 Meeting U.S. Trustee holds must file most recent for four years prior to bankruptcy is day before date first scheduled for §341 Statement of Completion Notice of Annual filing Annual Affidavit is 45 days before confirmation anniversary, is the date of the last plan payment or Chapter 13 Instructional Affidavit of end of tax year ending after filing of a §1328(b) motion for discharge, Rule 1007(c) eeting of creditors 21 Income, Monthly Course of a course in Code §521(e)(2) sets date for, Code §521(f)(4)(B) Meeting of Meeting, Code §1308(a) 50 days after order for relief Code §521(f)(4)(A) After filing, debtor and gives 21 days notice of, §341 Meeting, Rule 2003(a): debtor mus mpletes a person Expenditures Debtor must fi **Creditors** appear, Code §343; judge ourse, Code §111 Offical Form Form 9, Rule 2002(a)(1) §341(c); chapter 13 §1328(g) if requested. 23, Rule 1007(b)(7) Code §521(f)(4) Months or years may elapse before the events that follow. Procedure Deadline for filing proof of claims is 90 days after Individual debtor's failure to file Deadline for debtor or trustee to Objections to Schedules of the events that follow. Procedure Proof of Claim Deadline for a governmental unit to file a proof of claim is 180 days after Under Chapter 13 is replicated below, without a Full Three Year View. schedules in 45 days results in automatic dismissal of case; co Hearings on Under Chapter 13 is replicated below, without / shortening, file proofs for creditors is 30 notice to claimants of hearings on objection petition Claim for taxes or first date set for §341 Claims shortening, Year View. Debtor must fi therwise, Rul order for relief, Code §502(b) Allowance Code §501(c), Rule 3004 a Full Three schedules of all can extend, Code §521(i)(1),(3) claims, Code must file proof pre-approved by chapter 13 of Claims within 14 days §502(a), Rule 3007; local rule claims, Code §502(b to share in the after order for §1305 elief Rule nay require Procedure is that for a contested matter, "reasonable notice" is Claim of Deadline for objections to claim of exemptions appears to §522(f) Motion Order for Lien be 30 days after conclusion of \$341 Meeting, Rule 4003(b) and (d), Code \$522(l), \$103(a), but some courts may permit later objections in \$522(f) or \$1325(a)(4) contests Exemptions
Debtor must file
within 14 days Avoidance **Failed Case Disposition** Conversion to required and discovery is Order voids §522(f) Lien Chapter 7 permitted Rule 9014 certain liens to **Avoidance** after order for the extent they 9014, on debtor's convert case a impaired an otion to avoid lies oursuant to Code §522(f) Rules 4003(a) Rule 4003(d) Code §522(f) aring 1007(c) Code §1307(a) Stay expires 30 day after filing of mo-Motion to Lift not later than 30 days after Hearin ion unless cour Hardship Preliminary Court grants har ship discharge Hardship Discharge nary hearing, Code §362(e) Stay Final Hearing nay move to lif Discharg **Debtor** debtor who ha failure is justifie Litigation ditors get as much in chapter 7, nodification is not Code §362(d), Rule 4001; stay, Code §362(e) Remedies would have hearing, Code iling fee Code §1328(b) racticable, Cod under chapter Code §523(a) Motion to Order of **Full Three Year View** Dismissal Effect may be Dismiss Any party in Most plans provide for payments for a period of three years; for cause, cour to bar debtor may approve a plan of up to five years, Code §1322(d)(2). Debtors with above median income must commit to five year plans, Code §1325 (b)(4) from filing again within 180 days, of the chapter 13 case, Code §1307(b),(c) Code §109(g) **Creditor** for cause, whicheve is in the interests of the estate, Code Motion to Remedies Order Con-Convert to Chapter 7 verting Case to Chapter 7 §1307(c) Any party in to chapter 7 for Code §701