Creditors can initiate a chapter 7 case by filing an involuntary petition, Code §303; if petitioners prove grounds, cou enters an "order for relief," Rule 1013 **Procedure Under Chapter 7** Bankruptcy VisualsTM of the Bankruptcy Code and Rules Voluntary Petition Clerk gives debtor Deadline for statement Lynn M. LoPucki and payment advices is 14 days after order for relief, Rule 1007 8342 notice: debtor Security Pacific Bank Professor of Law, UCLA Law School 1002; creditor list, (b)(1)(E), (c)Copyright 1992, 1995, 2006, 2010 redit counseling from Rule 1007(a)(1): iles Form 22A: an approved agency vithin 180 days before Code §521(b); filing culates dispos-able income, Rul 1007(b)(4) filing the petition. Code §109(h) relief, Code §301; Deadline for filing Statement of Completion is 45 Court may not grant a discharge until completion of the personal financial management course, Rule 4004(c)(1)(H) Instructional stay, Code §362(a) Completion of a course in Course After filing, debto days after first date set for \$341 Meeting, unless enlarged in Court's discretion, Rule 1007(c) Filing Fee completes a persona payable at filing 28 U.S.C. §193 course, Code §727(a)(11) Deadline for §523(a)(2).(4) and (6) complaints is 60 days after first date set for §341 Meeting, Rule Findings and debtor, must file Discharge Exception Litigation **Objections** most recent tax return, 7 days before §341 f plaintiff brings the action in Bankruptcy Court, 54(a) - (c), 58 from discharg §341 Meeting U.S. trustee holds to Discharge Code \$523(c), it is in the form of an adversary apply with so Discharge and Reaffirmat Discharge of Debto proceeding, Rules 4007(e), 7001(6) Within 30 days U.S. Trustee file meeting of creditors 21 to 40 days after order for of Debt **Meeting of** Hearing §521(e)(2) 7054, 7058 otion to disn ischarge, court u Court may hold hearing t Creditors. relief, Rule 2003(a); debto form debtor on discharg Official Form to grant debtor's diswhether for abuse or statement why must appear, Code §343; adge does not attend, Code §341 Meeting, Rule 2002(a)(1 Discharge uling, debtor shall appear in person, Court must hold §707(b) Abuse debtor's case wi be presumed to l notion is charge, Rule §341(c): trustee must 004(e); clerk mails otice of entry to reditors, Rule an abuse, Code §704(b)(1)(A) earing on reaffirmation b appropriate, ode §704(b)(2) unrepresented debtor, Code §524(d) is 60 days after first date Judgments F.R. Civ. P. 52. set for §341 Meet Rule 4004(a) Objection to Discharge Litigation **Objections** Objections to granting the debtor a chapter 004(g) discharge must be in the form of adversar to Discharge apply with sor ceedings, Rules 4004(d), 7001(4) Deadline for performing intention is 30 days after first date set for §341 Meeting or such Rules 7052, 7054, 7058 Statement of Deadline for filing stateme longer time as court fixes, Code §521(a)(2)(B). surrender property not Intention is 30 days after petition Debtors failure to abide by deadline does i redeemed or contracted for Deadline to rescind agreement is later of and before §341 Meeting Code §521(a)(2)(A) reaffirmation is 45 days after Statement forfeit property right, Code §521(a)(2)(C), but ntent to re-Debtor Attorne Reaffirmation stay expires, Code §362(h) meeting, Code §521(a)(6) Deadline for filing entry of discharge or 60 days after filing of agreement, Code §524(c)(4) of Intention Declaration Agreement Reaffirmation etc. Code §521(a)(2)(A), reaffirmation agreements is 60 days after first date set for §341 Meeting, Rule 4008 tates debtor ully advised o filed in require shall be held befo form, Code §524(k), shall b Reaffirmation ntry of discharge it Form 8 accompanied by Official Form 27 cover sheet, Rule 4008 than scheduled agreement, Code §524(c)(2), (k) Code §524(c)(3 (k)(5) avments Code §524(m)(1) Objections to is 30 days after con-Exemptions Property is clusion of §341 Objections Order Closing Case **Objections to Exemptions** and hearing, Rule nters order filed, Code §522(1) Rule 4003(b) Claim of Hearing 4003(c), and enter Motion to Procedure is that for a contested matter lischarging trustee Exemptions and closing case, Code §350(a), Rule 5009; but cases may Redeem "reasonable notice" is required and debtor's right to discovery is permitted, Rule 9014 ocedure is that for a con §722 Redemption ested matter . "rea §522(f) Motion within 14 days Hearing ters order: valuation contests right e reopened for cause, Code §350(b Rule 5010 relief, Rules 4003(a), 1007 afforded "opportunit for hearing," Rule disputes value Code §722, §522(f) Lien Rule 9014 ens, Rule resolved 4003(d): time **Avoidance** 9014, on debtor's for filing may be subject of local rule notion to avoid lie suant to Code §522(f) Deadline for tardy filing of priority claims Individual debtor's failure to file Schedules of **Proof of Claim** Deadline for filing proofs of claims is 90 days after first Deadline for debtor or trustee to file proofs for creditors, Code Deadline for a governmenta unit to file a proof of claim is 180 days after order for is earlier of 10 days after mailing to creditors of summary of trustee's final Liabilities schedules in 45 days results in Hearings on Claims Cour date set for §341 Meetin Rule 3002(c) therwise, Rule 8501(c) is 30 days after interest may Allowance can extend, Code §521(i)(1),(3) report and comi ment of final ile schedule: Rule 3007 distribution, Code §726(a)(1) relief, Code §502(b)(9) of all liabilitie to claims, Code §502(a), Rule solved obje of Claims vithin 14 days to share in the to claims, Code §502(b); enters state, Rule 3007; local rule relief, Rule may require affidavits 1007(b), (c) Transmittal of Notice of Desire Creditor Notice days to receive, deposit and collect their checks, estate Funds Truste Schedule of Motion to eases and executor contracts is 60 days Order to As-Assumption If creditor agrees Final Accour Order for Executory Contracts o Assume ndividual debte Hearing or ume or Reject If trustee rejects. property leases is 120 90 days, further extension dicate willing rustee may om order for relie ourt approv debtor may have nay give notice ness to have debtor may **Distribution** necks and Code §365(d)(4)(B) Executory nove to ass ode §365(d) Code §365(d)(4) opportunity to assu stee to Payment of Divirites check to within 14 days hearing on comonditioned or property lease of the Estate issume a truste Contracts lerk sends rejected personal property lease, Code §365(p) ode §347 eases, execu cure of defaults within 30 days o ims, expenses ontracts, Code nmary to of the estate on 1007(b)(1)(C) §365(a), Rule sumes, trustee ma sell and assign contract Code §365(f), Rule 6006(a) Order Notice of stee's sale is 21 Confirming Sale vs. Rules Statute of limitations for trustee Liquidation Sales may be ecovery action is later of two ears after order for relief or on Sale procedur Schedules of and debtor, Rulpublic or private of the Estate Delivery Orde eadline for Deliver order is 45 days afte Code §542: adversar Abandonment 2002(a), gives Delivery Order ear after trustee's app common but no required, Rule court approval Collection of price within 14 days liens and payment Code §544-§549 order requiring ode §521(a)(6) ofained at after order for operty that i ollateral to rustee and debtor to delive of the Estate relief, Code §521(a)(1), Rul f inconse-uential value ollateral to quires adeq 1007(b)(1)(A), ustee. Code Ĉode §554 Minimum notice of hearing on application Order to Em-ploy Attorney 21 days, Rule 2002(a) Appointment of Interim Application Rule 2016; Fees of rustee must U.S. trustee trustee's Trustee and appoints, Code §701; trustee qualifies, Rules 2008, 2010 to employ attorneys, Code §327(a), Rule 2014(a) Attorney §326(a), Code §330(a)