
Practice Changes Under Amended Local Bankruptcy Rules

Effective July 1, 2008

United States Bankruptcy Court Middle District of Alabama

**Frank M. Johnson, Jr. Federal Building
One Church Street, Ground Floor
Montgomery, AL**



**The mission of the Bankruptcy Clerk's Office for the Middle District of Alabama is
to provide the highest quality service to the judges, bar, litigants, and public**

Amendments to the Local Bankruptcy Rules were recently promulgated by the Bankruptcy Court for the Middle District of Alabama and will become effective July 1, 2008. Practitioners are strongly encouraged to thoroughly review the amendments. A redline copy of the local rules as well as Word and WordPerfect versions of the amended local forms are available at: www.almb.uscourts.gov/Announcements/lbramendments.htm

The purpose of this guide is to summarize major practice changes that will be required under the amended rules. Should you have any questions or require assistance, please call the Clerk's Office at 334-954-3800.

Contents

Motions for Relief from Stay in Chapter 13 Cases	2
Discharge in Chapter 12 and 13 Cases	2
Installment Payments for Filing Fees in Chapter 13 Cases	3
Notice of Rule 2004 Examination	3
Claims for Mortgages on Residential Real Property	4
Excusal of Plan Payments	4
Additional 9007-1 Motions	4
Flowcharts	5
Forms	8

Motions for Relief from Stay in Chapter 13 Cases

- Pursuant to LBR 4001-1, all motions for relief from stay will now be set for hearing and will no longer require a statement indicating whether the filer is willing to consider an adequate protection agreement.
 - If an agreement is reached between the parties, proposed orders should only be filed after obtaining a determination from the Ch. 13 Trustee that feasibility of the plan is not affected. If feasibility is affected, the plan will be modified by the terms of the order.

ECF Event: **Bankruptcy>Motions/Applications>Relief from Stay (All Chapters)**
[Flowchart](#)

Discharge in Chapter 12 and 13 Cases

- Pursuant to LBR 4004-1, within 30 days of the Trustee's filing of a notice of completion of plan payments, a Motion for Discharge and Debtor's Certification of Compliance must be filed using [Local Form 6](#) (Ch. 13) or [Local Form 7](#) (Ch. 12). The new local forms contain certifications regarding domestic support obligations and 522(q) exemptions. As a result, a Certificate Regarding § 522 Exemptions (Local Form 4) and Certificate Regarding Domestic Support Obligations (Local Form 5) will no longer be required to be filed as a condition for discharge.
 - A Motion for §1228 (a) or §1328(a) Discharge must be filed using the negative notice language provisions of LBR 9007-1.
 - A Motion for Hardship Discharge pursuant to 1328(b) should be filed using [Local Form 6-hardship](#), but should not contain the negative notice language as it will be set for hearing.
 - If the certifications contained on Local Forms 6 and 7 cannot be made, a motion for a discharge hearing should be filed.
 - A certificate of completion of an instructional course concerning personal financial management must be filed before the filing of the Motion for Discharge, Motion for Hardship Discharge or Motion for Discharge hearing.

ECF Event (Motion for Discharge): **Bankruptcy>Motions/Applications>Rule 9007-1 Motion (NEW)**

ECF Event (Motion for Hardship Discharge): **Bankruptcy>Motion>Hardship Discharge**

ECF Event (Certificate): **Bankruptcy>Miscellaneous>Certificate of Financial Management Course for Debtor**
[Flowchart](#)

Installment Payments for Filing Fees in Chapter 13 Cases

- Pursuant to LBR 1006-1, installments other than the initial payment may be paid either directly to the Clerk or through the Chapter 13 plan.
 - An Application to Pay Filing Fee in Installments (Official Form 3) is still required to be filed with the petition, as well as a minimum initial payment of \$50 paid directly to the Clerk.
 - Cases with unpaid filing fees 120 days from the time of filing will be subject to dismissal.
 - The Chapter 13 plan should indicate the initial amount paid directly to the clerk and any remaining balance, if any, to be paid through the plan. The Chapter 13 Plan (Local Form 3) required to be used pursuant to LBR 3015-1 has been revised to quickly and easily reflect such information.

ECF Event (Application): **Bankruptcy>Misc>Installment Payment All Chapters**

ECF Event (Plan): **Bankruptcy>Plan>Chapter 13 Plan**

Notice of Rule 2004 Examination

- Pursuant to LBR 2004-1, all Rule 2004 examinations should be filed with the court as a Notice of Rule 2004 Examination. Such examinations will no longer be required to be filed as a motion.
 - Prior to filing a notice, the examining party must first attempt to confer with the party to be examined or his attorney.
 - If the parties are in agreement, the examining party shall file a Notice of Rule 2004 Examination, identifying the person to be examined and the date, location and time of the examination.
 - If the parties cannot reach an agreement, the examining party shall file a Notice of Rule 2004 Examination in accordance with Bankruptcy Rule 7004.
 - The notice shall identify the person to be examined and the date, location and time of the examination.
 - The examining party shall certify the efforts made to reach an agreement.
 - The examination shall not be scheduled on a date that is less than 30 days from the date of service.
 - The notice shall include the following legend:

THE PERSON TO BE EXAMINED SHALL APPEAR AT THE TIME AND PLACE SET FORTH HEREIN AND MAKE HIMSELF AVAILABLE FOR EXAMINATION UNLESS HE HAS FILED AN OBJECTION NOT MORE THAN 20 DAYS AFTER SERVICE. FAILURE TO APPEAR OR TIMELY OBJECT MAY BE PUNISHED AS A CONTEMPT OF COURT.

ECF Event: **Bankruptcy>Notices>Notice of Rule 2004-1 Examination**

[Flowchart](#)

Claims for Mortgages on Residential Real Property

- Pursuant to LBR 3002-1, in those instances where the debtor's plan proposes to maintain the contractual monthly mortgage payments through payments to the Chapter 13 Trustee, holders of a mortgage secured by residential real property shall file a proof of claim for the "contractual" monthly payment. The claim should include the amount of the contractual monthly payment and escrow amount. If during the pendency of the plan, the contractual monthly payment should change due to a change in interest rates or escrow amounts, then the creditor shall either amend its claim or file a notice advising the debtor and the Trustee of the change.

ECF Event: **Bankruptcy>Claims>File Claims**

Excusal of Plan Payments

- Pursuant to LBR 3015-5, a debtor seeking a temporary suspension of plan payments must first submit in writing to the trustee a request for a temporary excusal of the debtor's payments.
 - If the trustee denies the debtor's request, and the debtor desires to continue with the request for excusal of payments, the debtor may file a Motion to Excuse Plan Payments with the court.
 - If the payments are excused either by the trustee or by the Court's order granting the motion to excuse the plan payments, such payments will only be excused for the period of time covered by the request and/or motion.

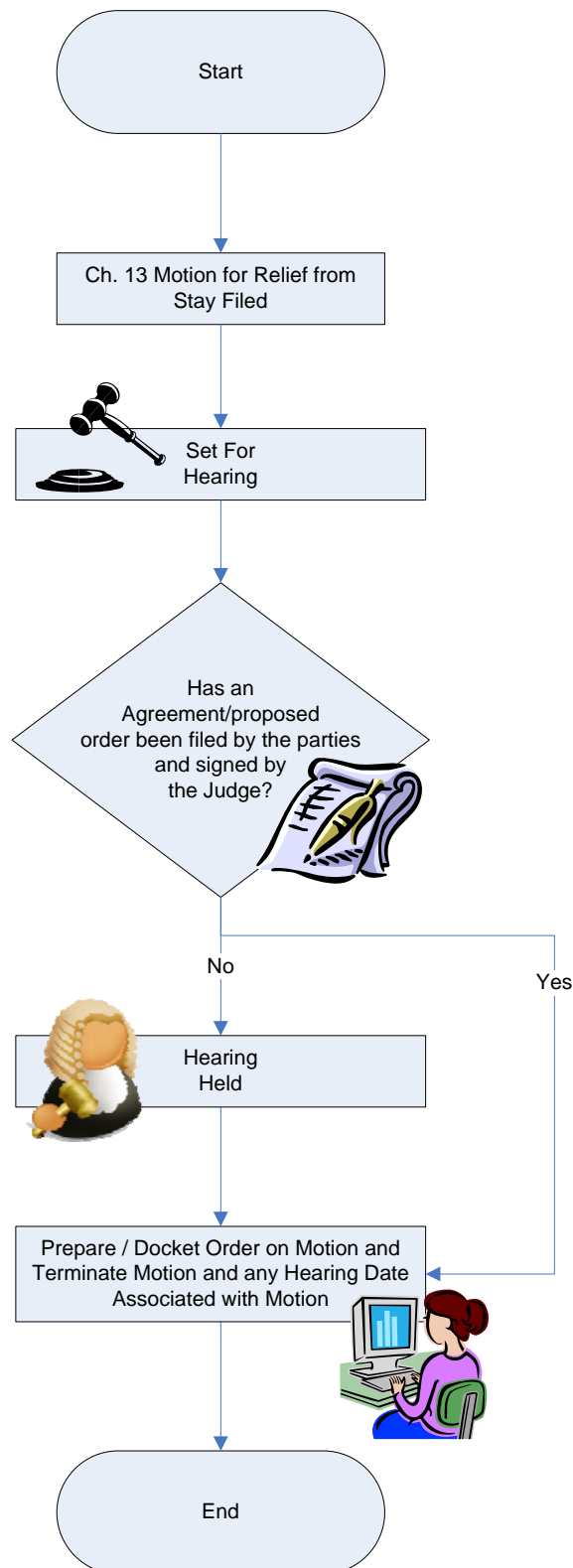
ECF Event: **Bankruptcy>Motions/Applications>Payments**

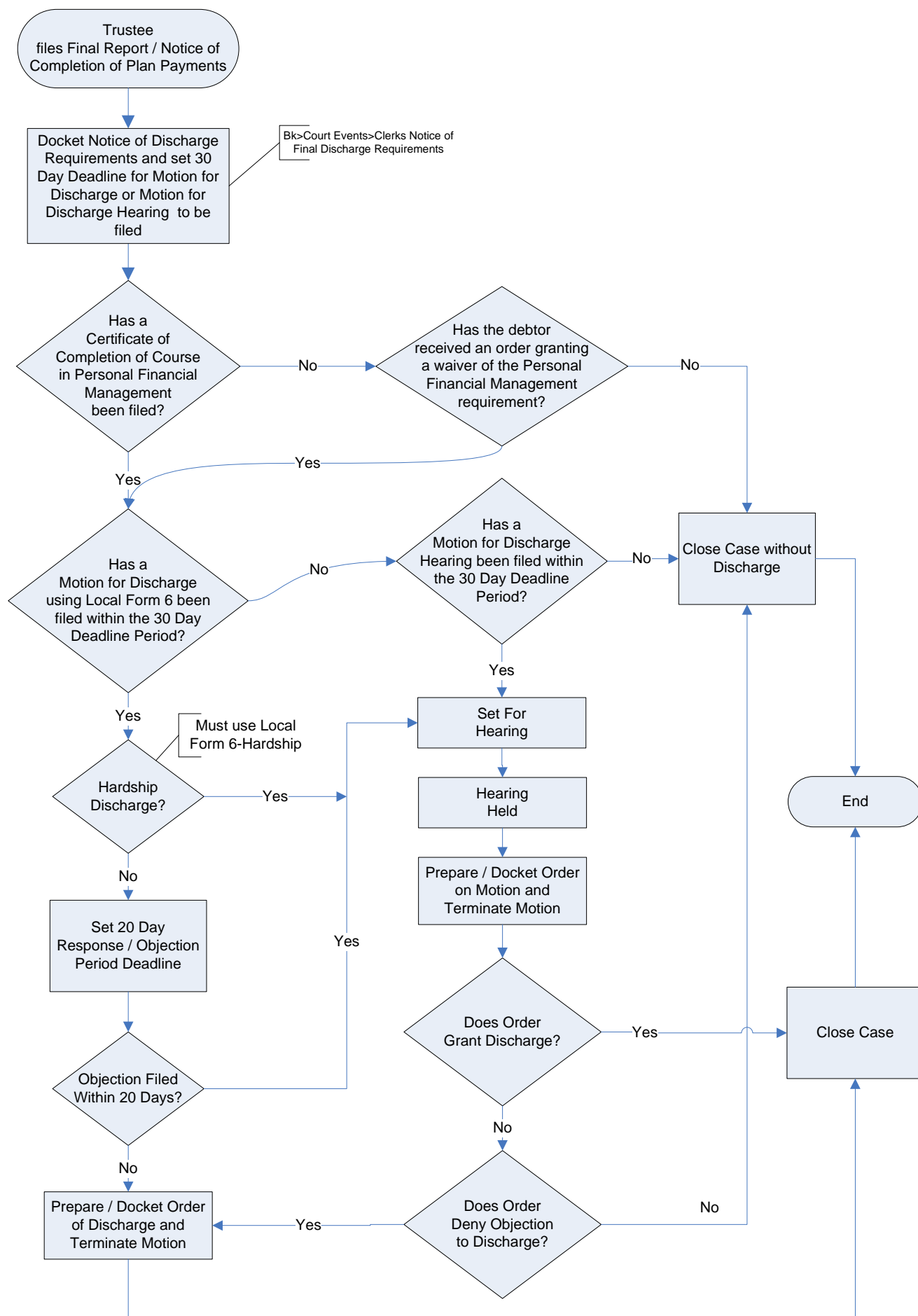
Additional 9007-1 Motions

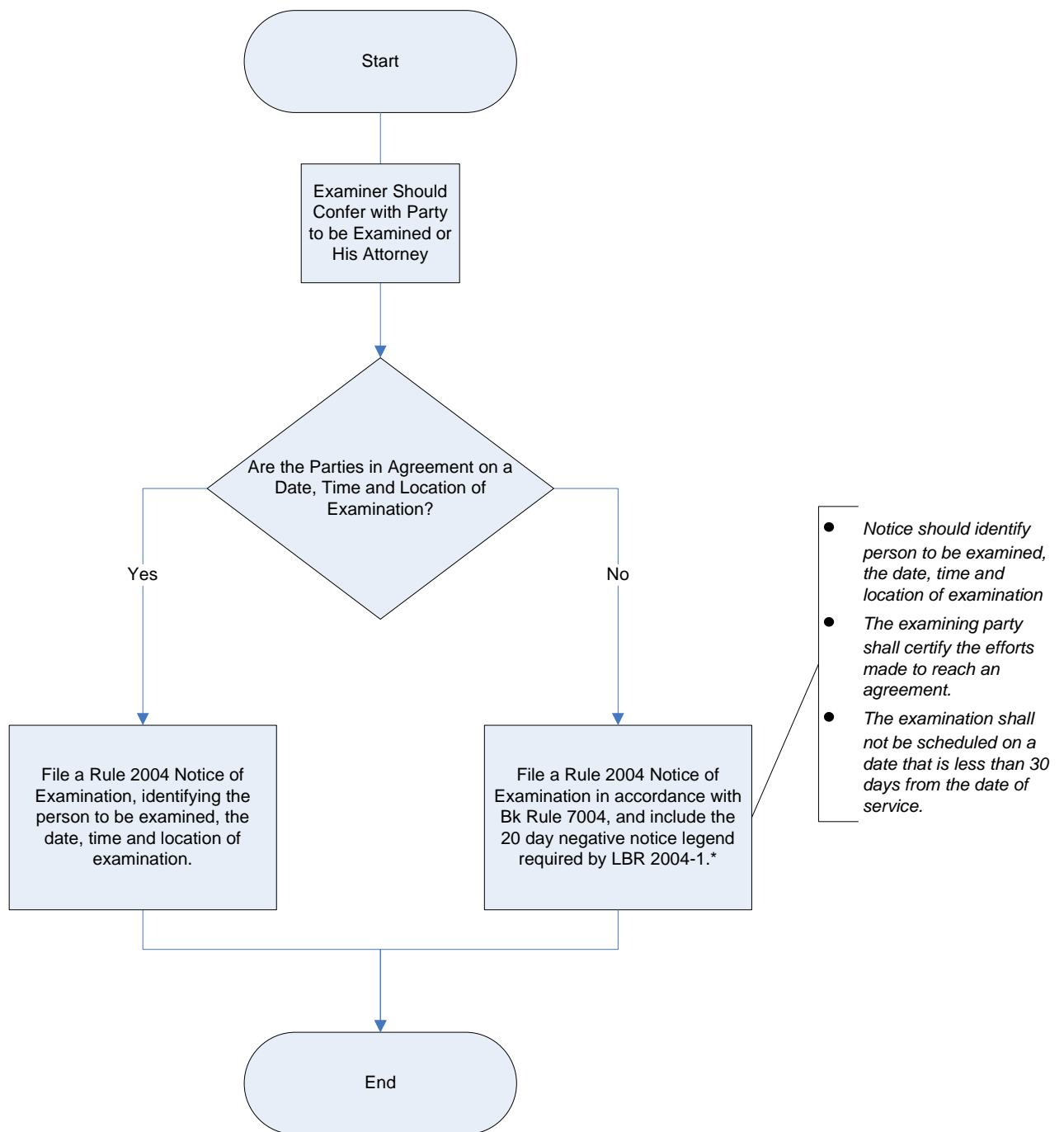
- The following motions that should be filed using the negative notice provisions of LBR 9007-1 have been added:
 - Motions to convert a case from Chapter 7 to another Chapter.
 - Motions for discharge under Sections 1328(a) and 1228(a). Also see LBR 4004-1.
 - Motions to incur debt in chapter 13 cases.
 - Applications to employ professional persons pursuant to 11 U.S.C. § 327.
 - Motions to Limit Service to creditors who have previously filed claims in Chapter 7, 12 and 13 cases provided the claims bar date has passed. No governmental entity shall be included in motions to limit service.

ECF Event: **Bankruptcy>Motions/Applications>Rule 9007-1 Motion (NEW LOCAL RULES MOTIONS)**

* Due to technical limitations, the ECF event above was created for 9007-1 motions added by the amendments. All other 9007-1 motions are still filed using ECF event *Bankruptcy>Motions/Applications>Rule 9007-1 Motion*.







* Negative Notice Legend

THE PERSON TO BE EXAMINED SHALL APPEAR AT THE TIME AND PLACE SET FORTH HEREIN AND MAKE HIMSELF AVAILABLE FOR EXAMINATION UNLESS HE HAS FILED AN OBJECTION NOT MORE THAN 20 DAYS AFTER SERVICE. FAILURE TO APPEAR OR TIMELY OBJECT MAY BE PUNISHED AS A CONTEMPT OF COURT.

**UNITED STATES BANKRUPTCY COURT FOR THE
MIDDLE DISTRICT OF ALABAMA**

IN RE:

CASE NO.

Debtor(s)

CHAPTER 13 PLAN

Check If Amended Plan

CREDITOR'S RIGHTS WILL BE AFFECTED BY THIS PLAN. You should read this and other documents sent to you carefully and discuss them with your attorney.

TO FILE AN OBJECTION TO CONFIRMATION. An Objection to Confirmation must be filed not later than seven (7) days prior to the date fixed for the Confirmation hearing and must state with particularity the grounds for the objection. See LBR 3015-2, which can be found at www.almb.uscourts.gov/lrules/index.htm, and must state with particularity the grounds for the objection.

PROOFS OF CLAIM. Creditors must file a proof of claim to be paid. Confirmation of this plan does not bar the debtor, Trustee or a party in interest from objecting to a claim.

1. PAYMENT AND LENGTH OF PLAN

Debtor(s) shall pay _____ per _____ to the Chapter 13 Trustee beginning _____

The length of the plan is _____ months.

2. FILING FEES

The Filing fee as prescribed by LBR 1006-1 shall be paid as follows:

Filing Fee paid in full directly to the Clerk of Court with the petition

Filing Fee is being paid in installments pursuant to LBR 1006-1 directly to the Clerk of Court.

Filing Fee is being paid in installments pursuant to LBR 1006-1 through the debtor's Chapter 13 plan as follows:

3. ATTORNEY'S FEES FOR DEBTOR(S)' BANKRUPTCY COUNSEL

The following attorney's fees shall be paid through the debtor's plan payments:

Total attorney fee

Amount paid by the debtor prior to filing directly to attorney

Net attorney fee being paid through the Chapter 13 plan disbursements

4. SECURED CLAIMS PAID THROUGH THE PLAN

The Debtor proposes that the Trustee make adequate protection payments prior to the confirmation of this Plan, pursuant to § 1326(a)(1) to the following creditors indicated below holding a purchase money security interest in personal property. Only those creditors entitled to §1326(a)(1) adequate protection payments will receive pre-confirmation payments through the debtor's payments to the Trustee. The Trustee shall commence making such payments to creditors holding allowed claims secured by an interest in personal property consistent with the Trustee's distribution process and only after the timely filing of a proof of claim by such creditor. The Trustee shall receive the percentage fee fixed under 28 U.S.C. § 586(e) on all adequate protection payments. Pre-confirmation adequate protection payments shall be applied to the principal of the creditor's claim. Upon confirmation of this plan all secured creditors will receive adequate protection payments as set out below along with the payment of the debtor's attorney's fees. At such time as the debtor's attorney's fees have been paid in full, the creditor's claim shall be paid its specified monthly plan payments on the terms and conditions listed below as required under Section 1325(a)(5).

Creditor	Collateral Description	910/365 Claim? Yes/No	Amount of Debt	Collateral Value	Interest Rate	§1326 PMSI Adeq Prot? Yes/No	Adeq Prot Pymt	Specified Monthly Pymt

5. LONG TERM DEBTS MAINTAINED THROUGH PLAN

The Debtor proposes that the Trustee maintain the following long term debts through the plan. The Trustee shall make payments prior to confirmation of this Plan, to all of the following long term creditors indicated below. The Trustee shall commence making such payments to creditors holding allowed secured claims consistent with the Trustee's distribution process and only after the timely filing of a proof of claim by such creditor. The Trustee shall receive the percentage fee fixed under 28 U.S.C. § 586(e) on all payments. Upon confirmation of this plan said long term creditors will receive payments as set out below along with the payment of the debtor's attorney's fees.

Creditor	Collateral Description	Amount of Debt	Collateral Value	Monthly Payment

6. SURRENDERED PROPERTY

Debtor surrenders the following collateral. Upon confirmation, the automatic stay (including the co-debtor stay) is lifted as to surrendered collateral. Any claim submitted by such creditor will receive no distribution under this Plan until an amended proof of claim is filed by such creditor, reflecting any deficiency balance remaining following surrender.

Creditor	Collateral Description	Amount of Debt	Value of Collateral

7. CURING DEFAULTS

Pursuant to §1322(b)(5) the debtor shall cure defaults with respect to the creditors indicated below. Trustee shall pay the allowed claims for arrearages at 100% through this Plan. The amount of default to be cured under this provision shall be the amount of the allowed claim filed by the creditor. The "amount of arrearage" listed herein is an estimate, and in no way shall this estimate limit what the Trustee shall distribute to said creditor under this plan to cure the default.

Creditor	Collateral Description	Amount of Arrearage	Interest Rate	Monthly Payment

8. DIRECT PAYMENTS

The following secured creditors or holders of long-term debt will be paid directly by the debtor to the creditor. The debtor shall make all §1326 pre-confirmation adequate protection payments directly to the following creditors pursuant to the terms of the contract with the creditor. The debtor shall continue to make all payments to the creditor directly pursuant to the terms of the contract following the confirmation of the debtor's

Creditor	Collateral Description	Amount of Debt	Value of Collateral	Date Payment to Resume	Direct Pymt Amount

9. DOMESTIC SUPPORT OBLIGATIONS

The Debtor proposes that prepetition Domestic Support Obligation arrearage claims indicated below shall be paid in full through this plan pursuant to §507(a)(1) unless the claimant agrees to some other treatment or the Court orders otherwise. The Debtor shall directly pay all ongoing Domestic Support Obligations that become due after filing of the petition.

Creditor	Total Arrearage	Specified Monthly Payment

The Debtor shall directly pay all ongoing Domestic Support Obligations that become due after filing of the petition.

10. PRIORITY CLAIMS (Excluding Domestic Support Obligations)

The Debtor will pay all priority claims pursuant to § 507 unless claimant expressly agrees otherwise including the following

Claimant	Type of Priority	Scheduled Amount	Monthly Payment

11. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Executory contracts and/or leases receive the following designated treatment. For all executory contracts or unexpired leases being assumed by the debtor pursuant to this plan, the debtor shall make all pre-confirmation §1326 adequate protection payments directly to the Lessors pursuant to the terms of the contract. For all contracts assumed, the debtor shall continue to make all payments directly to the creditor pursuant to the terms of the contract following the confirmation of the debtor's plan.

Creditor	Collateral Description	Reject	Assume

12. SPECIALLY CLASSIFIED UNSECURED CLAIMS

The following claims shall be paid as specially classified unsecured claims and shall receive the following designated treatment:

Creditor	Amount of Debt Specially Classified	Interest Rate	Specified Monthly Payment

13. UNSECURED CLAIMS

Allowed non-priority unsecured claims shall be paid through the distribution of the debtor's chapter 13 plan at a rate of _____%, or pro rata participation in a "POT" Plan of _____ for the benefit of unsecured creditors, or until all allowed claims are paid in full. If this proposed dividend to unsecured creditors is less than 100%, debtors propose to pay to the Trustee all projected disposable income for the applicable commitment period for the benefit of unsecured creditors as required by §1325(b).

14. OTHER PLAN PROVISIONS

(a) **Lien Retention:** Allowed secured claim holders shall retain liens until liens are released or upon completion of all payments under this plan.

(b) **Vesting of Property of the Estate**

Property of the Estate shall revert in the Debtor(s) upon confirmation of the debtor's plan.

Property of the Estate shall remain property of the estate subsequent to confirmation of this plan.

All property of the Estate whether it remains in the estate or reverts with the debtor upon confirmation of the plan shall remain in the debtor's possession and control. The debtor shall have use of property of the estate, subject to the requirements of §363 of the Bankruptcy Code.

(b) **Direct Payments by Debtor:** Secured creditors and lessors to be paid directly by the Debtor(s) may continue to mail to Debtor(s) the customary monthly notices or coupons notwithstanding the automatic stay.

(b) **Other Provisions of the Plan Not Elsewhere Described:**

--

Debtor Signature

Date

Joint Debtor Signature

Date

Debtor Counsel's Signature

Date

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA**

In re

CASE NO.

Debtor(s)

CHAPTER 13

**MOTION FOR DISCHARGE UNDER 11 U.S.C. SECTION 1328(a) AND
DEBTOR'S CERTIFICATION OF COMPLIANCE WITH 11 U.S.C. SECTION 1328**

PURSUANT TO LBR 9007-1, THIS MOTION WILL BE TAKEN UNDER ADVISEMENT BY THE COURT AND MAY BE GRANTED UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN 20 DAYS OF SERVICE. RESPONSES MUST BE SERVED UPON THE MOVING PARTY AND FILED ELECTRONICALLY OR BY U.S. MAIL ADDRESSED TO CLERK, U.S. BANKRUPTCY COURT, ONE CHURCH STREET, MONTGOMERY, ALABAMA 36104.

The debtor(s) in the above captioned matter certifies as follows:

1. The Chapter 13 Trustee has issued a Trustee's Notice of Plan Completion and Final Report and Accounting, and/or debtor has otherwise been notified by the Trustee that he/she/they have completed payments under the Plan. The debtor is requesting the court to issue a discharge in this case pursuant to 11 U.S.C. Section 1328(a).

2. The debtor(s) has completed an instructional course concerning personal financial management described in 11 U.S.C. § 111 and has filed either the PFMI Certificate or Official Form 23 with this Court (or an order has entered waiving this requirement).

3. Certification Concerning Domestic Support Obligations (check one):

☐ The debtor has not been required by a judicial or administrative order or by statute to pay any domestic support obligation as defined in 11 U.S.C. § 101(14A);

Or

☐ The debtor certifies that all amounts payable under any domestic support obligation (required by a judicial or administrative order or by statute), that are due on or before the date of this certification (including amounts due before the petition was filed, but only to the extent provided for by the plan) have been paid. The name of each holder of a domestic support obligation is as follows:

4. The debtor is not attempting to discharge debts owed to the following creditors:

5. Certification concerning 11 U.S.C. § 1328(h): The debtor certifies that 11 U.S.C. § 522(q)(1) is not applicable to the debtor(s), and there is not pending any proceeding in which the debtor may be found guilty of a felony of the kind described in section 522(q)(1)(A) or liable for a debt of the kind described in section 522(q)(1)(B).

6. The debtor(s) has not received a discharge under chapter 7, 11, or 12 in a case filed during the 4-year period preceding the filing of the instant case and has not received a discharge under chapter 13 in a case filed during the 2-year period preceding the filing of the instant case.

WHEREFORE, debtor(s) respectfully prays that this Court will enter discharge under 11 U.S.C. Section 1328(a).

By signing this motion/certification, I/we acknowledge that all of the statements contained herein are true and accurate and that the Court may rely on each of these statements in determining whether to grant me/us a discharge in this Chapter 13 case. The Court may revoke my/our discharge if the statements relied upon herein are proven to be inaccurate.

Dated: _____

Debtor

Joint Debtor

/s/

(ASB- -) Attorney for Debtor

Address

Phone Number

E-mail address

CERTIFICATE OF SERVICE

I hereby certify that on this date, a true and correct copy of the foregoing Motion for Discharge was served upon all creditors and parties in interest as follows:

by CM/ECF:

Curtis C. Reding, Trustee

Teresa Jacobs, Bankruptcy Administrator

by First Class Mail, postage prepaid:

Other:

Dated: _____

/s/

Attorney for debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA**

In re

CASE NO.

Debtor(s)

CHAPTER 13

**MOTION FOR HARDSHIP DISCHARGE UNDER 11 U.S.C. SECTION 1328(b) AND
DEBTOR'S CERTIFICATION OF COMPLIANCE WITH 11 U.S.C. SECTION 1328**

COMES NOW the debtor(s), and moves this Honorable Court for entry of a hardship discharge under section §1328(b) of the Bankruptcy Code and in support of said motion certifies and states as follows:

1. That on _____, the debtor(s) filed a petition for relief under Chapter 13 of the Bankruptcy Code, and on _____ this Court entered an order confirming the debtor's plan.
2. That subsequent to confirmation, circumstances have changed whereby debtor is unable to complete payments under this confirmed chapter 13 plan. Describe circumstances:
3. Debtor's failure to complete payments under the plan is due to circumstances for which debtor(s) should not justly be held accountable.
4. The value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on such claim if the estate of the debtor(s) had been liquidated under Chapter 7. The dividend which creditors would have received had this been a Chapter 7 case is _____. The dividend which has been paid to unsecured creditors in this case is approximately ____%.
5. Modification of debtor's plan is not practicable.
6. The debtor(s) has completed an instructional course concerning personal financial management described in 11 U.S.C. § 111 and has filed either the PFMI Certificate or Official Form 23 with this Court (or an order has entered waiving this requirement).
7. The debtor is not attempting to discharge debts owed to the following creditors:
8. Certification concerning 11 U.S.C. § 1328(h): The debtor certifies that 11 U.S.C. § 522(q)(1) is not applicable to the debtor(s), and there is not pending any proceeding in which the debtor may be found guilty of a felony of the kind described in section 522(q)(1)(A) or liable for a debt of the kind described in section 522(q)(1)(B).
9. The debtor(s) has not received a discharge under chapter 7, 11, or 12 in a case filed during the 4-year period preceding the filing of the instant case and has not received a discharge under chapter 13 in a case filed during the 2-year period preceding the filing of the instant case.

WHEREFORE, debtor(s) respectfully prays that this Court will enter discharge under 11 U.S.C. Section 1328(b).

By signing this motion/certification, I/we acknowledge that all of the statements contained herein are true and accurate and that the Court may rely on each of these statements in determining whether to grant me/us a discharge in this Chapter 13 case. The Court may revoke my/our discharge if the statements relied upon herein are proven to be inaccurate.

Dated: _____

Debtor

Joint Debtor

/s/

(ASB- -) Attorney for Debtor

Address

Phone Number

E-mail address

CERTIFICATE OF SERVICE

I hereby certify that on this date, a true and correct copy of the foregoing Motion for Hardship Discharge was served upon all creditors and parties in interest as follows:

by CM/ECF:

Curtis C. Reding, Trustee

Teresa Jacobs, Bankruptcy Administrator

by First Class Mail, postage prepaid:

Other:

Dated: _____

/s/

Attorney for debtor(s)

**IN THE UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF ALABAMA**

In re

CASE NO.

Debtor(s)

CHAPTER 12

**MOTION FOR DISCHARGE UNDER 11 U.S.C. SECTION 1228(a) AND
DEBTOR'S CERTIFICATION OF COMPLIANCE WITH 11 U.S.C. SECTION 1228**

PURSUANT TO LBR 9007-1, THIS MOTION WILL BE TAKEN UNDER ADVISEMENT BY THE COURT AND MAY BE GRANTED UNLESS A PARTY IN INTEREST FILES A RESPONSE WITHIN 20 DAYS OF SERVICE. RESPONSES MUST BE SERVED UPON THE MOVING PARTY AND FILED ELECTRONICALLY OR BY U.S. MAIL ADDRESSED TO CLERK, U.S. BANKRUPTCY COURT, ONE CHURCH STREET, MONTGOMERY, ALABAMA 36104.

The debtor(s) in the above captioned matter certifies as follows:

1. The Chapter 12 Trustee has issued a Trustee's Notice of Plan Completion and Final Report and Accounting, and/or debtor has otherwise been notified by the Trustee that he/she/they have completed payments under the Plan. The debtor is requesting the court to issue a discharge in this case pursuant to 11 U.S.C. Section 1228(a).

2. Certification Concerning Domestic Support Obligations (check one):

☐ The debtor has not been required by a judicial or administrative order or by statute to pay any domestic support obligation as defined in 11 U.S.C. § 101(14A);

Or

☐ The debtor certifies that all amounts payable under any domestic support obligation (required by a judicial or administrative order or by statute), that are due on or before the date of this certification (including amounts due before the petition was filed, but only to the extent provided for by the plan) have been paid. The name of each holder of a domestic support obligation is as follows:

3. The debtor is not attempting to discharge debts owed to the following creditors:

4. Certification concerning 11 U.S.C. § 1228(f): The debtor certifies that 11 U.S.C. § 522(q)(1) is not applicable to the debtor(s), and there is not pending any proceeding in which the debtor may be found guilty of a felony of the kind described in section 522(q)(1)(A) or liable for a debt of the kind described in section 522(q)(1)(B).

WHEREFORE, debtor(s) respectfully prays that this Court will enter discharge under 11 U.S.C. Section 1228(a).

By signing this motion/certification, I/we acknowledge that all of the statements contained herein are true and accurate and that the Court may rely on each of these statements in determining whether to grant me/us a discharge in this Chapter 12 case. The Court may revoke my/our discharge if the statements relied upon herein are proven to be inaccurate.

Dated: _____

Debtor

Joint Debtor

/s/

(ASB- -) Attorney for Debtor

Address

Phone Number

E-mail address

CERTIFICATE OF SERVICE

I hereby certify that on this date, a true and correct copy of the foregoing Motion for Discharge was served upon all creditors and parties in interest as follows:

by CM/ECF:

Curtis C. Reding, Trustee

Teresa Jacobs, Bankruptcy Administrator

by First Class Mail, postage prepaid:

Other:

Dated: _____

/s/

Attorney for debtor(s)