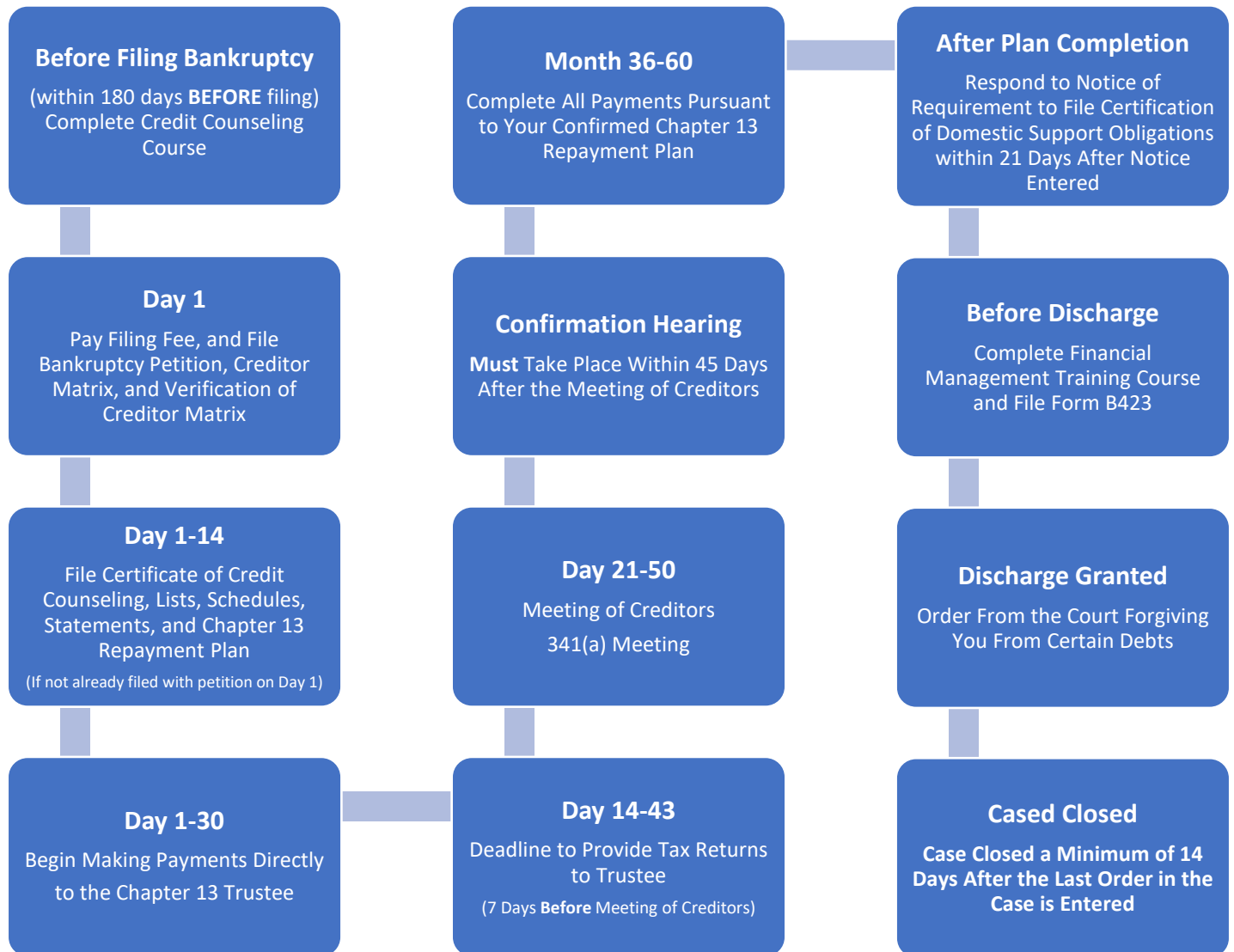


Anatomy of a Chapter 13 Bankruptcy Case



Before Filing Bankruptcy:

- Before filing for bankruptcy, you must complete a credit counseling course from an approved credit counseling agency. These courses generally last 60 to 90 minutes, and may be completed in person, online, or over the phone. A list of approved credit counseling agencies can be found at:
https://www.justice.gov/ust/eo/bapcpa/ccde/CC_Files/CC_Approved_Agencies_HTML/cc_missouri/cc_missouri.htm
- You will receive a Certificate of Credit Counseling upon completion of the course.
- You may complete the credit counseling course any time within 180 days **BEFORE** you file for bankruptcy, but it **MUST** be completed **BEFORE** you file your bankruptcy petition.

Day 1:

- Filing a bankruptcy petition, creditor matrix, and verification of creditor matrix ([Local Form 2](#)), along with paying the filing fee of \$313.00, officially opens your bankruptcy case. You must file these three documents and pay the filing fee on **Day 1** of your bankruptcy case to avoid dismissal. The "bankruptcy petition package" refers to the complete set of court documents required to be filed in the bankruptcy case. ([See Filing Requirements](#))
- The rest of the "bankruptcy petition package" may be filed on **Day 1** of your bankruptcy case or within 14 days after filing your petition, with the exception of the Statement About Your Social Security Numbers ([Official Form B121](#)). Official Form B121 may be filed on **Day 1** or within 7 days after filing your petition.
- The Bankruptcy Court suggests you file Official Form B121 on **Day 1**. Failure to do so will result in the delay of the scheduling of your Meeting of Creditors. After Official Form B121 has been filed, the Bankruptcy Court will mail you and any creditors a notice entitled, "Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, Deadlines." This notice informs your creditors of the bankruptcy case, provides information about various court deadlines, and contains the date, time, and location of the Meeting of Creditors, which will take place **Day 21-50**
- You can bring your filing fee and "bankruptcy petition package" to the Public Service Counter of the Bankruptcy Court Clerk's Office for filing or utilize the Bankruptcy Court's [filing drop box](#). The filing fee must be paid via cash, cashier's check, or money order in the exact amount due. Cashier's checks and money orders should be made payable to: **Clerk, U.S. Bankruptcy Court.**
- The filing fee in a Chapter 13 bankruptcy case may not be waived. However, debtors may ask the court for permission to pay the filing fee in installments via application. ([See Local Rule 1006](#) and [Local Form 1](#))
- For more information on the bankruptcy process you can visit the [Don't Have an Attorney](#) page on the Bankruptcy Court's website.
- Bankruptcy Court Employees are forbidden from referring prospective debtors to a lawyer and from providing legal advice. This includes how to complete the bankruptcy forms or which forms may be required in your bankruptcy case. However, the Bar Association of Metropolitan St. Louis sponsors the [Pro Se Assistance Program](#) that provides limited legal assistance and may be able to answer some of your questions.

Day 1-14:

- The Certificate of Credit Counseling you received upon completing your Credit Counseling Course must be filed with your bankruptcy petition package on **Day 1** or within 14 days after filing your petition.
- The documents included in your bankruptcy petition package, including Schedules of Assets and Liabilities, Schedule of Income and Expenditures, and Statement of Financial Affairs, must be filed with your bankruptcy petition on **Day 1** or within 14 days after filing your petition. ([See Filing Requirements](#))

- Your Chapter 13 repayment plan ([Local Form 13](#)) must be filed with your bankruptcy petition on **Day 1** or within 14 days after filing your petition. Your Chapter 13 repayment plan must be submitted for court approval and must provide for payments of fixed amounts to the trustee on a regular basis. The trustee will distribute the funds to creditors according to the terms of the plan.
- You must send a copy of your Chapter 13 repayment plan to each of your creditors.

Day 1-30:

- You must start making payments directly to the Chapter 13 Trustee pursuant to your Chapter 13 repayment plan within 30 days after filing your bankruptcy case. More information about paying the Chapter 13 Trustee can be found [here](#). Even if the court has not yet approved your Chapter 13 repayment plan, you must start making these payments.
- If any secured loan payments or lease payments come due before your plan is confirmed (typically home and automobile payments), you must make adequate protection payments (minimum payments meant to protect the creditor's interest in the property) directly to the secured lender or lessor - deducting the amount paid from the amount you would otherwise pay to the trustee.

Day 14-43:

- You must provide your Chapter 13 Trustee with a copy of your two most recent federal and state tax returns and pay advices for the 60 days prior to filing your bankruptcy petition at least 7 days before the date first set for your Meeting of Creditors. Your Chapter 13 Trustee's address will be listed in a notice entitled, "Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, Deadlines" which you will receive from the court after filing your bankruptcy petition.

Day 21-50:

- After filing your bankruptcy petition, the court will mail you and any creditors a notice entitled, "Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, Deadlines." This notice informs your creditors of the bankruptcy case, provides information about various court deadlines, and contains the date, time, and location of the Meeting of Creditors. You **MUST** attend this meeting.
- The Meeting of Creditors is a chance for the Chapter 13 Trustee overseeing your bankruptcy case, as well as any creditors who wish to attend, to ask you questions regarding your financial affairs and property. Because this is not a Court hearing, there will be no judge present during the Meeting of Creditors. However, you will be under oath as you answer questions regarding your financial situation.
- Due to the COVID-19 Pandemic, the Meeting of Creditors will be held telephonically. Information concerning call in numbers, submission of supporting documents, and photo identification confirming identity will be included on the notice you receive from the court.
- The "Notice of Chapter 13 Bankruptcy Case, Meeting of Creditors, Deadlines" will also give the date, time, and location for your Confirmation Hearing.

Confirmation Hearing:

- The Confirmation Hearing is the time where you, your attorney (if applicable), the Chapter 13 Trustee, and the Judge will meet to review your Chapter 13 repayment plan. This hearing must take place within 45 days after the Meeting of Creditors.
- The Chapter 13 repayment plan must meet certain criteria to be confirmed, such as providing for payment of past due child support, alimony, income taxes, and other “priority” debts (debts that must be paid first). After a Chapter 13 repayment plan is confirmed by the Court, you and your creditors are bound to the terms of the plan. You will continue making payments pursuant to the Chapter 13 repayment plan for the remainder of your Chapter 13 bankruptcy case (36 to 60 months).

Month 36-60:

- Complete all payments pursuant to your confirmed Chapter 13 repayment plan. Your Chapter 13 repayment plan may call for a duration between 36 and 60 months. ([See Chapter 13 Bankruptcy Basics](#))
- You must provide the Chapter 13 Trustee with a copy of your federal and state tax returns each year of your case within 14 days after filing the returns.

After Plan Completion:

- After all payments have been completed, the Chapter 13 Trustee will file a Motion to Return any Excess Funds to Debtor and to Terminate any Payroll Deduction by Employer. If the Motion is granted, the Court will enter an order granting the motion and issue two notices. The notices may not always be entered in the same order. Only one notice requires you to take any action.
- The Court will enter a Notice of Deadline to Object to Discharge Based on 11 U.S.C. § § 522(Q) and 1328(H). This notice gives parties 14 days to object to you receiving a discharge.
- The Court will enter a Notice of Requirement to File Certification of Domestic Support Obligations. Before the Court can issue you a discharge, you MUST certify you have paid all domestic support obligations due through the date of your certification, or that you have not owed any domestic support obligations at the time your petition was filed or since then. Domestic support obligations include child support and alimony payments. This notice requires you to file your certification within 21 days after the notice is issued.

Before Receiving a Discharge:

- You must take a financial management course from an approved agency in addition to the credit counseling course you completed before filing for bankruptcy. The course can be completed in person, on the internet, or over the phone. For a complete list of approved agencies where you can take the course, please visit: https://www.justice.gov/ust/eo/bapcpa/ccde/DE_Files/DE_Approved_Agencies_HTML/de_missouri/de_missouri.htm

- You will receive a Certificate of Completion after completing the Financial Management Course. You are not required to file the Certificate of Completion itself. In the alternative, you may complete Form B423 ("Debtor's Certification of Completion of Post-petition Instructional Course Concerning Personal Financial Management") and file this with the Bankruptcy Court within 60 days after the first date set for your Meeting of Creditors, unless the approved agency through which you took the course has already notified the Bankruptcy Court of your completion.
- Failure to complete the course and file the Certificate of Completion and/or Form B423 will delay your discharge and could even result in your case being closed without a discharge.

Discharge Granted:

- The [discharge](#) is the order from the court forgiving you from certain debts. Once your discharge is granted, your creditors can no longer attempt to collect from you for the debts that were discharged. Not all debts are dischargeable in bankruptcy. ([See Chapter 13 Bankruptcy Basics](#))

Case Closed After Discharge:

- The Bankruptcy Court will wait to close your case a minimum of 14 days after the last order in the case is entered. The discharge order is most commonly the last order to be entered prior to a case being closed. This delay allows any appeal-related deadlines to pass.