

Index

ABANDONMENT OF PROPERTY

- Notice, form for trustees, **8:141**
- Request to trustee regarding property in which creditor holds security interest, letter, **8:28**

ACCOUNTANTS, CHAPTER 7 CASES

- Employment by trustees, **2:25**
- Meeting of creditors, **2:20**

ACCOUNTS RECEIVABLE

- Forms** (this index)
- Trustees, demand for payment, letter, **8:40**

ADDITIONAL DEBT

- Chapter 13 Cases** (this index)

ADJOURNMENT

- Chapter 13 Cases** (this index)

ADJUSTMENT OF DEBTS OF INDIVIDUAL DEBTORS WITH REGULAR INCOME

- Chapter 13 Cases** (this index)

ADMINISTRATIVE EXPENSES

- Application for order authorizing payment, form for trustees, **8:120**

ADVERTISING

- Chapter 7 cases, attorneys as debt relief agencies, **2:7, 2:9**

AGENDA

- Chapter 7 cases, discharge hearing, **2:21**

AGREEMENTS

- Contracts and Agreements** (this index)

ALIMONY

- Support of Children or Spouse** (this index)

AMENDMENTS

- Lists, schedules and/or statements, form for debtors, **8:56**

ANNUITIES

- Chapter 7 cases, excluded property, **2:12**

APPEAL AND REVIEW

- Generally, **6:1**
- Appellate record, contents, **6:5**
- Finality, **6:2**
- Forms** (this index)
- Jurisdiction, **6:3**
- Notice of appeal, contents, **6:5**
- Standard of review, **6:7**
- Stay pending appeal, **6:6, 8:156**
- Timing of appeals, **6:4**

APPRAISERS AND APPRAISALS

- Chapter 7 cases, employment by trustees, **2:25**
- Letter to trustee accompanying appraisal obtained by creditor, **8:30**

APPROVAL OF COURT

- Chapter 7 cases, reaffirmation of debt, **2:21**

ASSIGNMENT OF CLAIMS

- Waiver and request for order of subrogation and order, form

ASSIGNMENT OF CLAIMS

—Cont'd

for creditors, **8:115**

ATTORNEYS

Fees. **Attorneys' Fees** (this index)

Forms (this index)

Letters (this index)

Withdrawal of Counsel (this index)

ATTORNEYS' FEES

Chapter 7 Cases (this index)

Forms (this index)

**AUCTIONS AND
AUCTIONEERS**

Chapter 7 cases, employment by trustees, **2:25**

Report of sale, form for trustees, **8:145**

AUTOMATIC STAYS

Chapter 7 cases

Creditors' rights and remedies, **2:22**

Evaluation of need for relief, **2:4**

Chapter 13 cases, advantages of, **3:2**

Letters (this index)

AUTOMOBILES

Motor Vehicles (this index)

BAD FAITH

Good Faith (this index)

**BANKRUPTCY ABUSE
PREVENTION AND
CONSUMER PROTECTION
ACT OF 2005 (BAPCPA)**

Generally, **1:1 to 1:7**

Background and legislative history, **1:1, 1:2**

Chapter 7 Cases (this index)

Chapter 13 Cases (this index)

Determination of need, **1:5**

BANKRUPTCY ABUSE

**PREVENTION AND
CONSUMER PROTECTION
ACT OF 2005 (BAPCPA)**

—Cont'd

Enactment and structure of Bankruptcy Code, **1:2**

Evaluation of need for bankruptcy, **1:5**

Exemptions, **2:15**

Homestead exemption, **2:15**

Individual liquidation cases, **2:1**

Jurisdiction of bankruptcy court, **1:7**

Opt out, restrictions on, **2:15**

Organization of bankruptcy court, **1:7**

Rules of bankruptcy court, **1:7**

**BANKRUPTCY AMENDMENTS
AND FEDERAL
JUDGESHIP ACT OF 1984**

Chapter 7 cases, means test calculations, **2:2**

BAPCPA

Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (BAPCPA) (this index)

BONDS AND UNDERTAKINGS

Chapter 7 cases, trustees, **2:25**

Release of surety from further liability on bond, letter, **8:43**

BOOKS AND RECORDS

Appellate record, contents, **6:5**

Chapter 7 cases

Meeting of creditors, **2:20**

Objections to discharge, **2:23**

Trustees, request to attorney for debtor, letter, **8:39**

BUDGETS

Chapter 7 cases, evaluation of need for relief, **2:4**

INDEX

BURIAL PLOTS

Chapter 7 Cases (this index)

CAFETERIA EXEMPTION

Chapter 7 Cases (this index)

CERTIFICATE OF SERVICE

Chapter 13 cases, form for
attorney for debtor, **8:71**

CHAPTER 7 CASES

Generally, **1:3, 1:6, 2:1 to 2:25**

Accountants (this index)

Adjournment

Discharge hearing, **2:21**

Meeting of creditors, **2:20**

Agenda of discharge hearing, **2:21**

Attorneys

Debt relief agencies. Attorneys
as debt relief agencies,
below

Employment by trustees, **2:25**

Fees. Attorneys' fees, below

Attorneys as debt relief agencies

Generally, **2:6 to 2:10**

Disclosures by debt relief agen-
cies, **2:8**

Potential liability under Rule
9011, **2:10**

Requirements imposed on debt
relief agencies, **2:9**

Restrictions on debt relief agen-
cies, **2:7**

Attorneys' fees

Creditors' rights and remedies,
2:22

Debt relief agencies, attorneys
as, **2:10**

"Fee only" arrangements, **2:5**

Automatic Stay (this index)

Books and Records (this index)

Burial plots. Homesteads and
burial plots, below

Cafeteria exemption. Wildcard
exemption, below

Checklists (this index)

CHAPTER 7 CASES—Cont'd

Community property, **2:13**

Constitutional Law (this index)

Conversion to Chapter 13, **3:1**

Credit counseling and debtor
education, **2:4**

Creditors' rights and remedies

Generally, **2:22 to 2:24**

Debts excepted from discharge,
2:24

Objections to discharge, **2:23**

Discharge

Advice to debtor of and request
that debtor contact attorney
if problems arise, letter,
8:15

Agenda of hearing, **2:21**

Creditors' rights and remedies,
above

Hearing, **2:20, 2:21**

Disclosures by debt relief agen-
cies, **2:8**

Duties of debtor, **2:20**

Electronic filing of petitions, **2:19**

Evaluation of need for relief

Generally, **1:5, 2:1 to 2:4**

Credit counseling and debtor
education, **2:4**

Means test calculations, **2:2, 2:3**

Excluded property, **2:12**

Exemptions

Means test calculations, **2:2**

Property of estate, below

Extension of time

Credit counseling and debtor
education, **2:4**

Discharge hearings, **2:20**

Federal exemptions, **2:17**

Filing of Papers (this index)

Forms (this index)

**Fraud and Fraudulent Convey-
ances** (this index)

Good faith, attorney "fee only"
arrangements, **2:5**

CHAPTER 7 CASES—Cont'd

Health aids
 Federal exemptions, **2:17**
 Lien avoidance, **2:16**
 Health insurance
 Excluded property, **2:12**
 Means test calculations, **2:3**
 Homesteads and burial plots
 Federal exemptions, **2:17**
 Opt out by individual states, **2:15**
 Household goods and furnishings
 Federal exemptions, **2:17**
 Lien avoidance, **2:16**
 Jointly held property, **2:13**
Joint Petitions (this index)
Letters (this index)
 Lien avoidance, **2:16**
 Loan value of life insurance contracts, **2:14**
 Means test calculations, **2:2, 2:3**
Meetings of Creditors (this index)
Motor Vehicles (this index)
Notice (this index)
Objections (this index)
 Opt out by individual states, **2:15**
Pensions and Retirement (this index)
 Petition
 Filing, **2:19**
 Preparation, **2:18**
 Preparation of petition, **2:18**
 Professional books, Tools of the trade and professional books, below
 Professional persons employed by trustee, **2:25**
 Property of estate
 Generally, **2:11 to 2:17**
 Excluded property, **2:12**
 Federal exemptions, **2:17**
 Jointly held and community property, **2:13**

CHAPTER 7 CASES—Cont'd

Property of estate—Cont'd
 Lien avoidance, **2:16**
 Opt out by individual states, **2:15**
 Rights of action and loan value of life insurance contracts, **2:14**
Reaffirmation of Debts (this index)
 Rights of action, **2:14**
 Schedules, preparation of, **2:18**
Schools and Education (this index)
 Spillover exemption. Wildcard exemption, below
Support of Children or Spouse (this index)
Taxes (this index)
 Tools of the trade and professional books
 Federal exemptions, **2:17**
 Lien avoidance, **2:16**
Trustees (this index)
 Waiver
 Credit counseling and debtor education, **2:4**
 Objections to discharge, **2:23**
 Wildcard exemption
 Federal exemptions, **2:17**
 Means test calculations, **2:2**

CHAPTER 13 CASES

Generally, **1:4, 1:6, 3:1 to 3:15**
 Additional debt. Forms for attorney for debtor, below
 Adjustments of debt, **1:4**
 Advantages of Chapter 13, **3:2**
 Attorney's "fee only" arrangements, **2:5**
 Certificate of service of plan, form for attorney for debtor, **8:71**
Checklists (this index)
 Confirmation of plan
 Generally, **3:6**

INDEX

CHAPTER 13 CASES—Cont'd

Confirmation of plan—Cont'd
Advice to debtor regarding date of hearing, letter, **8:22**
Attorney for debtor, form for, **8:70**
Recommendation, form for trustees for, **8:147**
Consummation of plan, **3:8**
Conversion to Chapter 7. Forms for attorney for debtor, below
Creditors and claims, **3:7**
Discharge, **3:9**
Eligibility for relief, **3:1**
Evaluation of need, **1:5**
Filing of plan, **3:4**
Forms for attorney for debtor
Generally, **8:66 to 8:90**
Additional debt
Application by debtor to incur, **8:72**
Order granting leave to incur, **8:73**
Certificate of service of plan, **8:71**
Confirmation of plan, **8:70**
Conversion to Chapter 7
Notice and petition, **8:78**
Order, **8:79**
Hardship discharge
Application, **8:81**
Order, **8:82**
Limited power of attorney for trustee, **8:68**
Payments to trustee, authorization of debtor to make, **8:67**
Plan, **8:69**
Postpetition claims
Application for allowance, **8:74**
Order for allowance, **8:75**
Suspension of payments under plan
Application, **8:76**

CHAPTER 13 CASES—Cont'd

Forms for attorney for debtor—Cont'd
Suspension of payments under plan—Cont'd
Order, **8:77**
Termination of payroll deductions, **8:80**
Wage deductions, direction to employer to remit to trustee, **8:66**
Fraud and Fraudulent Conveyances (this index)
Hardship discharge
Generally, **3:9**
Forms for attorney for debtor, above
Letters (this index)
Limited power of attorney for trustee, form for attorney for debtor, **8:68**
Meetings of Creditors (this index)
Motion for order dismissing Chapter 13 case, post confirmation, **8:150**
Motor vehicles
Hanging paragraph, above
Provisions of plan, **3:3**
Notice (this index)
Objection to confirmation of plan, **3:6**
Order dismissing Chapter 13 case, post confirmation, **8:151**
Payments to trustee, authorization of debtor to make, form for attorney for debtor, **8:67**
Plan, forms for attorney for debtor, **8:69**
Post confirmation
Motion for order dismissing Chapter 13 case, **8:150**
Order dismissing Chapter 13 case, **8:151**
Postpetition claims. Forms for attorney for debtor, above

CHAPTER 13 CASES—Cont'd

- Provisions of plan
 - Generally, **3:3**
 - Form for attorney for debtor,
8:69
- Support of Children or Spouse**
(this index)
- Suspension of payments under
plan. Forms for attorney for
debtor, above
- Taxes** (this index)
- Termination of payroll deductions,
form for attorney for debtor,
8:80
- Trustees, meeting of creditors, **3:5**
- Wage deductions, direction to
employer to remit to trustee,
form for attorney for debtor,
8:66

CHARGES

- Fees and Charges** (this index)

CHARITABLE

CONTRIBUTIONS

- Chapter 7 cases, means test
calculations, **2:3**

CHECKLISTS

- Generally, **8:1 to 8:7**
- Chapter 7 cases, representation of
creditors, **8:6**
- Chapter 13 cases
 - Creditors, representation of, **8:7**
 - Handling of cases, **8:5**
- Consumer bankruptcy cases,
handling of, **8:4**
- Creditors, representation of
 - Chapter 7 cases, **8:6**
 - Chapter 13 cases, **8:7**
- Data packet of debtor, **8:3**
- Subchapter V
 - Generally, **8:157 to 8:161**
 - Affidavit and disclosure state-
ment of mediator, **8:166**
 - Agreement to mediate, **8:164**

CHECKLISTS—Cont'd

- Subchapter V—Cont'd
 - Certification in support of
confirmation of plan, **8:160**
 - Confidentiality agreement,
8:163
 - Confirmation hearing order,
8:159
 - Domestic support obligations
and filing of required tax
returns, individual debtor's
certification of confirma-
tion regarding, **8:161**
 - Liquidation, debtor's plan of
reorganization or, **8:157**
 - Reorganization or liquidation,
debtor's plan of, **8:157**
 - Request for mediation, **8:162**
 - Settlement agreement reached
at mediation, **8:165**
 - Status report, **8:158**
- Trustees
 - Duties, **8:1**
 - Service as, **8:2**

CHILD SUPPORT

- Support of Children or Spouse**
(this index)

CM/ECF

- Case Management/Electronic
Case Filing (CM/ECF)** (this
index)

COMMODITY BROKERS

- Chapter 13 cases, eligibility for
relief, **3:1**

COMMUNITY PROPERTY

- Chapter 7 cases, **2:13**

COMPENSATION

- Chapter 7 cases, trustees, **2:25**
- Forms** (this index)

**COMPLIANCE WITH COURT
ORDERS**

- Chapter 7 cases, objections to dis-
charge, **2:23**

INDEX

CONCEALMENT OF PROPERTY

Chapter 7 cases, objections to discharge, **2:23**

CONDOMINIUMS

Chapter 7 cases, debts excepted from discharge, **2:24**

CONFIRMATION OF PLAN

Chapter 13 Cases (this index)
Small Business Reorganization Act of 2019 (SBRA), **7:7**

CONSENT OF COURT

Chapter 7 cases, reaffirmation of debt, **2:21**

CONSTITUTIONAL LAW

Chapter 7 cases
Attorneys as debt relief agencies, **2:6, 2:7**
Credit counseling and debtor education, **2:4**
Means test calculations, **2:2, 2:3**
Self-incrimination, meeting of creditors, **2:20**

CONSUMER DEBT

Chapter 13 cases, provisions of plan, **3:3**

CONSUMMATION OF PLAN

Chapter 13 cases, **3:8**

CONTRACTS AND AGREEMENTS

Chapter 7 cases, attorneys as debt relief agencies, **2:9**
Executory Contracts (this index)

CONVERSION

Chapter 7 cases, conversion to Chapter 13, **3:1**
Chapter 13 Cases (this index)

COOPERATIVE APARTMENTS

Chapter 7 cases, debts excepted from discharge, **2:24**

COSTS AND EXPENSES

Administrative expenses, form of application for order authorizing payment, **8:120**
Chapter 7 cases, attorneys as debt relief agencies, **2:10**
Chapter 13 cases, confirmation of plan, **3:6**

COUNSEL

Attorneys (this index)

CREDIT BUREAUS

Chapter 13 cases, successful completion of plan by debtor, letter, **8:24**

CREDIT COUNSELING AND DEBTOR EDUCATION

Chapter 7 cases, **2:4**

CREDIT REPORTS

Electronic discovery, **5:2**

CRIMES

Chapter 7 cases, objections to discharge, **2:23**
Embezzlement (this index)

CRIME VICTIMS' REPARATION BENEFITS

Chapter 7 cases, federal exemptions, **2:17**

CURTESY

Chapter 7 cases, property of estate, **2:13**

DAMAGES

Chapter 7 cases, creditors' rights and remedies, **2:22**

DEBT RELIEF AGENCIES

Attorneys as debt relief agencies.
Chapter 7 Cases (this index)

DEFERRED COMPENSATION

Chapter 7 cases, excluded property, **2:12**

DISABILITY BENEFITS

Chapter 7 cases, federal exemptions, **2:17**
Chapter 13 cases, eligibility for relief, **3:1**

DISABILITY INSURANCE

Chapter 7 cases, means test calculations, **2:3**

DISCHARGE

Chapter 13 cases, **3:9**
Chapter 7 Cases (this index)
Forms (this index)
Small Business Reorganization Act of 2019 (SBRA), **7:8**

DISCLOSURES

Chapter 7 cases, debt relief agencies, **2:8**

DISCOVERY

Bankruptcy, **5:1 to 5:3**
Chapter 7 cases, meeting of creditors, **2:20**
Electronic Discovery (this index)

DISPUTED DEBTS

Chapter 13 cases, eligibility for relief, **3:1**

DISSOLUTION OF MARRIAGE

Chapter 7 cases, lien avoidance, **2:16**

DOWER

Chapter 7 cases, property of estate, **2:13**

DRIVING UNDER THE INFLUENCE

Chapter 7 cases, debts excepted from discharge, **2:24**
Chapter 13 cases, exceptions from discharge, **3:9**

EDUCATION

Schools and Education (this index)

ELECTRONIC DISCOVERY

Generally, **5:2**
Federal Rules of Civil Procedure, relationship to, **5:3**
Problems associated with, **5:2**

ELECTRONIC FILING

Chapter 7 cases, petitions, **2:19**

EMBEZZLEMENT

Chapter 7 cases, debts excepted from discharge, **2:24**
Chapter 13 cases, exceptions from discharge, **3:9**

EMERGENCIES

Chapter 13 cases, consummation of plan, **3:8**

EQUAL PROTECTION

Chapter 7 cases, means test calculations, **2:2, 2:3**

EXAMINATION OF DEBTOR

Forms (this index)
Motion of trustee and order directing debtor to appear, form for trustees, **8:142**

EXCLUDED PROPERTY

Chapter 7 cases, **2:12**

EXECUTORY CONTRACTS

Chapter 7 cases, preparation of petition and schedules, **2:18**
Chapter 13 cases, provisions of plan, **3:3**

EXEMPT PROPERTY

Chapter 7 Cases (this index)
Forms (this index)

EXIGENT CIRCUMSTANCES

Chapter 7 cases, credit counseling and debtor education, **2:4**

EXPENSES

Costs and Expenses (this index)

INDEX

EXTENSIONS OF TIME

Chapter 7 Cases (this index)

Forms (this index)

FALSE STATEMENTS

Chapter 7 cases, creditors' rights and remedies, **2:22**

FARMERS

Chapter 13 cases, eligibility for relief, **3:1**

FEDERAL JUDICIARY CASE

MANAGEMENT/

ELECTRONIC CASE FILES
(CM/ECF) SYSTEM

Chapter 7 cases, filing of petition, **2:19**

“FEE ONLY” ARRANGEMENTS

Chapter 7 cases, attorneys' fees, **2:5**

FEES AND CHARGES

Application and order to delay payment of fee for filing complaint, form for trustee, **8:138**

Attorneys' Fees (this index)

Chapter 7 cases, filing of petition, **2:19**

Disclosure, form for debtors, **8:44**

FILING OF PAPERS

Chapter 7 cases

Petitions, **2:19**

Reaffirmation of debt, **2:21**

Chapter 13 cases, filing of plan, **3:4**

Electronic Filing (this index)

Fees and Charges (this index)

FINALITY

Appeal and review, **6:2**

FINANCIAL MANAGEMENT

COURSE

Chapter 7 cases, objections to discharge, **2:23**

FINES AND PENALTIES

Chapter 7 cases, debts excepted from discharge, **2:24**

Chapter 13 cases, exceptions from discharge, **3:9**

FIRST AMENDMENT

Chapter 7 cases, attorneys as debt relief agencies, **2:7**

FISHERMEN

Chapter 13 cases, eligibility for relief, **3:1**

FORMS

Generally, **8:44 to 8:135**

Accounts receivable. Trustees, below

Affidavit and disclosure statement of mediator, **8:166**

Agreement to mediate, **8:164**

Appeal and review

Additional items, designation of, appellee, **8:155**

Appellant

Designation of record, **8:154**

Stay pending appeal, motion for, **8:156**

Appellee, designation of additional items, **8:155**

Designation of

Additional items, appellee, **8:155**

Record, appellant, **8:154**

Notice of appeal and statement of election, Official Form B147, **8:152**

Stay pending appeal, motion for, appellant, **8:156**

Attorneys. Trustees, below

Attorneys' fees. Debtors, below

Chapter 13 Cases (this index)

Compensation. Trustees, below

Confidentiality agreement, **8:163**

Creditors

Generally, **8:99 to 8:117**

FORMS—Cont'd

Creditors—Cont'd

Assignment of claim, waiver
and request for order of
subrogation and order,
8:115

Automatic stays

Complaint for relief from
stay, **8:109, 8:112**

Judgment/order for relief
from stay, **8:110, 8:113**

Motion for relief from stay,
8:111

Examination of debtor

Application for order direct-
ing appearance, **8:101**

Order directing appearance,
8:102

Extension of time to file com-
plaint objecting to dis-
charge or to discharge-
ability of debt

Motion, **8:103**

Order, **8:104**

Fraudulent cash advances

Complaint to determine
dischargeability of debt,
8:107

Judgment declaring debt non-
dischargeable and for
amount of debt, **8:108**

Fraudulent transfer

Complaint objecting to dis-
charge of debtor, **8:105**

Judgment denying discharge
and for amount of debt,
8:106

Lien, motion for order, cancel-
lation or discharge of, **8:99**

Loss mitigation request, **8:88**

Mortgage, motion for order,
cancellation or discharge
of, **8:99**

Motion for redemption

Redemption of property,
8:118

FORMS—Cont'd

Creditors—Cont'd

Notice of mortgage forbearance,
8:98

Order authorizing redemption

Redemption of property,
8:119

Redemption of property

Complaint for relief from
automatic stay, to
reclaim property and to
bar debtor's right of
redemption, **8:112**

Order sustaining complaint
for relief from automatic
stay, to reclaim property
and to bar debtor's right
of redemption, **8:113**

Response to debtor's applica-
tion to redeem, **8:114**

Report of attendance at bank-
ruptcy hearing, **8:116**

Stipulated order providing for
pre-confirmation adequate
protection, **8:117**

Withdrawal of counsel, order
authorizing, **8:100**

Debtors

Certification in support of
motion to amend plan to
extend repayment period,
8:85

Certification of plan completion
and request for discharge,
8:86

Loss mitigation request, **8:87**

Motion to amend plan to extend
repayment period, **8:83**

Motion to approve, permanent
home mortgage, **8:94**

Motion to approve, Trial home
mortgage, **8:96**

Motion to correct Social Secu-
rity numbers, **8:89**

Motion to reinstate case, **8:90**

INDEX

FORMS—Cont'd

Debtors—Cont'd

- Motion to vacate order of dismissal, **8:90, 8:92, 8:93**
- Order to reinstate case, **8:91**
- Order to reopen case, **8:92, 8:93**
- Order to vacate order of dismissal, **8:91**
- Permanent home mortgage notification, Order, **8:95**
- Stipulated order modifying plan, **8:84**
- Trial home mortgage, Order, **8:97**

Debtors

- Generally, **8:44 to 8:81**
- Amendment to lists, schedules and/or statements, **8:56**
- Attorneys' fees
 - Application for payment from estate, **8:45**
 - Disclosure, **8:44**
 - Order fixing fee, **8:46**
- Chapter 13 Cases** (this index)
- Domestic support obligation, complaint to determine dischargeability of, **8:54**
- Educational loan debt, complaint to determine dischargeability of, **8:55**
- Exempt property, liens on
 - Motion to avoid, **8:59**
 - Order for avoidance, **8:60**
- Fees, disclosure of, **8:44**
- Judicial liens
 - Motion to avoid, **8:57**
 - Order for avoidance, **8:58**
- Motion for order permitting withdrawal of counsel, **8:61**
- Order authorizing withdrawal of counsel, **8:62**
- Reaffirmation agreement
 - Motion for approval, **8:52**

FORMS—Cont'd

Debtors—Cont'd

- Reaffirmation agreement—Cont'd
 - Order on motion for approval, **8:53**
- Redemption of property
 - Complaint, **8:48**
 - Motion to redeem personal property and for order finding balance of debt is dischargeable, **8:50**
 - Order sustaining complaint to redeem property and finding remainder of debt dischargeable, **8:49**
 - Order sustaining motion to redeem property and finding remainder of debt dischargeable, **8:51**
- Stays
 - Agreed order to lift stay in adversary proceeding, **8:63**
 - Agreed order to modify stay on real property in adversary proceeding, **8:64**
 - Motion and order to extend automatic stay, **8:65**
 - Utility services, complaint to determine reasonableness of deposit and to enjoin discontinuance, **8:47**
- Discharge hearing outside district.
 - Debtors, above
- Examination of debtor. Creditors, above
- Exemptions
 - Debtors, above
 - Trustees, below
- Extensions of time
 - Creditors, above
 - Trustees, below
- Fraudulent cash advances. Creditors, above

CONSUMER BANKRUPTCY HANDBOOK WITH FORMS

FORMS—Cont'd

Fraudulent transfer. Creditors,
above
Late filing of claim. Trustees,
below
Liens
Debtors, above
Trustees, below
Mortgage, motion for order,
cancellation or discharge of,
8:99
Objections. Creditors, above
Reaffirmation agreement. Debtors,
above
Redemption of property
Creditors, above
Debtors, above
Request for mediation, **8:162**
Settlement agreement reached at
mediation, **8:165**
Stays
Creditors, above
Debtors, above
Pending appeal, motion for,
appellant, **8:156**
Trustees
Generally, **8:120 to 8:151**
Abandonment of property of
estate, notice of, **8:141**
Accounts receivable, collection
of
Complaint, **8:136**
Judgment, **8:137**
Administrative expenses,
application for order
authorizing payment of,
8:120
Application requesting redac-
tion, personal information,
8:122
Attorney, employment under
general retainer
Affidavit of proposed
attorney, **8:134**
Application, **8:133**

FORMS—Cont'd

Trustees—Cont'd
Attorney, employment under
general retainer—Cont'd
Order, **8:135**
Attorney, service by trustee as
Application, **8:131**
Order, **8:132**
Auction, report of sale at, **8:145**
Compensation, interim allow-
ance of
Application, **8:129**
Order, **8:130**
Confirmation in Chapter 13
case, recommendation as
to, **8:147**
Disbursement not from net
realization of estate,
application and order
authorizing, **8:143**
Examination of debtor, motion
of trustee and order direct-
ing debtor to appear for,
8:142
Exemptions claimed by debtor,
objection to
Order sustaining objection,
8:124
Extension of time for trustee to
assume or reject executory
contract or lease
Motion, **8:125**
Order, **8:126**
Fee for filing complaint,
application and order to
delay payment of, **8:138**
Late filing of claim, objection
by trustee due to
Generally, **8:121**
Lien with inadequate descrip-
tion of property, determi-
nation of nature, extent or
validity of
Complaint, **8:127**
Judgment, **8:128**

INDEX

FORMS—Cont'd

Trustees—Cont'd

Meeting of creditors, motion to dismiss case for failure to attend, **8:139**

Motion for order dismissing Chapter 13 case, post confirmation, **8:150**

Order directing redaction, personal information, **8:123**

Order dismissing Chapter 13 case, post confirmation, **8:161**

Personal information

Application requesting redaction, **8:122**

Order directing redaction, **8:124**

Private sale, report of, **8:146**

Redaction

Application requesting, personal information, **8:122**

Order directing, personal information, **8:114**

Revocation of discharge, motion for, **8:140**

Tax refunds, request to district director of IRS for turnover of, **8:144**

Unclaimed moneys, payment into court

Application, **8:148**

Order, **8:149**

Unclaimed moneys. Trustees, above

Withdrawal of counsel

Motion for order, **8:61**

Order authorizing withdrawal of counsel, **8:62, 8:100**

FRAUD AND FRAUDULENT CONVEYANCES

Chapter 7 cases

Debts excepted from discharge, **2:24**

FRAUD AND FRAUDULENT CONVEYANCES—Cont'd

Chapter 7 cases—Cont'd

Objections to discharge, **2:23**

Preparation of petition and schedules, **2:18**

Chapter 13 cases

Exceptions from discharge, **3:9**

Forms (this index)

FRAUDULENT CASH ADVANCES

Forms (this index)

FUTURE INCOME

Chapter 7 cases, means test calculations, **2:2**

Chapter 13 cases, provisions of plan, **3:3**

GARNISHMENT

Chapter 7 cases, means test calculations, **2:2**

GOOD FAITH

Chapter 7 cases, attorney “fee only” arrangement, **2:5**

Chapter 13 cases, confirmation of plan, **3:6**

HANGING PARAGRAPH

Chapter 13 Cases (this index)

HARDSHIP DISCHARGE

Chapter 13 Cases (this index)

HEALTH AIDS

Chapter 7 Cases (this index)

HEALTH EDUCATION

ASSISTANCE LOANS

Chapter 7 cases, debts excepted from discharge, **2:24**

HEALTH INSURANCE

Chapter 7 Cases (this index)

HIGHER EDUCATION ACT OF 1965

Chapter 7 cases, excluded property, **2:12**

HOMEOWNERS'

ASSOCIATIONS

Chapter 7 cases, debts excepted from discharge, **2:24**

HOMESTEADS

Chapter 7 Cases (this index)

HOUSEHOLD GOODS AND FURNISHINGS

Chapter 7 Cases (this index)

HOUSING EXPENSES

Chapter 7 cases, means test calculations, **2:3**

IDENTIFICATION

Chapter 7 cases, preparation of petition and schedules, **2:18**

IMMUNITY

Chapter 7 cases, objections to discharge, **2:23**

INCOME TAXES

Chapter 7 cases, debts excepted from discharge, **2:24**

INITIAL APPOINTMENT

Chapter 7 cases, confirmation letter, **8:8**

Chapter 13 cases, confirmation letter, **8:16**

INSIDERS OF FINANCIAL INSTITUTIONS

Chapter 7 cases, debts excepted from discharge, **2:24**

INSTALLMENT PAYMENTS

Chapter 7 cases, filing fees for petitions, **2:19**

INSURANCE

Request to trustee for information regarding insurance and protection from vandalism, letter, **8:29**

INTERNET

Chapter 7 cases, credit counseling and debtor education, **2:4**

INTERVIEWS

Chapter 7 cases, evaluation of need for relief, **2:4**

IOLTA

Interest on Lawyers Trust Accounts (IOLTA) (this index)

JEWELRY

Chapter 7 cases, federal exemptions, **2:17**

JOINTLY HELD PROPERTY

Chapter 7 cases, **2:13**

JOINT PETITIONS

Chapter 7 cases
Evaluation of need for relief, **2:4**

Federal exemptions, **2:17**

Chapter 13 cases, eligibility for relief, **3:1**

JURISDICTION

Appeal and review, **6:3**

Bankruptcy court, **1:7**

LARCENY

Chapter 7 cases, debts excepted from discharge, **2:24**

LAWYERS

Attorneys (this index)

LEASES

Chapter 7 cases, preparation of petition and schedules, **2:18**

LEGISLATIVE HISTORY

Bankruptcy Code provisions, **1:1, 1:2**

LETTERS

Generally, **8:8 to 8:43**

Automatic stays. Creditors, below

INDEX

LETTERS—Cont'd

Chapter 7 cases

Generally, **8:8 to 8:15**

Discharge, advice to debtor of and request that debtor contact attorney if problems arise, **8:15**

Execution of completed petition and schedules, request that debtor return to office for, **8:10**

Informational forms to be completed by debtor in preparation for initial interview, cover letter for, **8:9**

Initial appointment, confirmation of, **8:8**

Meeting of creditors, advice to debtor regarding date of, **8:12**

Reaffirmation of debt, letter to debtor regarding, **8:14**

Surrender of nonexempt property to trustee, instruction to debtor regarding, **8:13**

Transmission of documents to interim trustee, **8:11**

Chapter 13 cases

Generally, **8:16 to 8:25**

Confirmation of plan, advice to debtor regarding date of hearing on, **8:22**

Congratulations to debtor on completion of plan, **8:25**

Credit bureau, successful completion of plan by debtor, **8:24**

Creditors, letter explaining nature and purpose of plan, **8:20**

Employer of debtor, solicitation of cooperation in carrying out plan, **8:19**

Execution of completed petition and schedules, request that

LETTERS—Cont'd

Chapter 13 cases—Cont'd

debtor return to office for, **8:18**

Informational forms to be completed by debtor in preparation for initial interview, cover letter for, **8:17**

Initial appointment, confirmation of, **8:16**

Meeting of creditors, advice to debtor regarding date of, **8:21**

Objection to claim, advice to debtor regarding date of hearing on, **8:23**

Creditors

Generally, **8:26 to 8:38**

Abandonment of property in which creditor holds security interest, request to trustee for, **8:28**

Acceptance of employment and fee arrangements, **8:26**

Appraisal obtained by creditor, letter to trustee accompanying, **8:30**

Insurance and protection from vandalism, request to trustee for information regarding, **8:29**

Objection to claim by trustee, advice to creditor on hearing, **8:37**

Objection to discharge or to dischargeability of debt
Advice to creditor, **8:32**

Trial date on complaint, **8:34**

Outcome of contested matter or adversary proceeding and creditor's right to appeal, advice to creditor regarding, **8:38**

Proof of claim, request for documents necessary for, **8:27**

LETTERS—Cont'd

Creditors—Cont'd

Reaffirmation agreement and debtor's right to rescind, advice to creditor regarding, **8:36**

Reclaiming of property or relief from automatic stay

Complaint, letter to clerk of bankruptcy court accompanying, **8:31**

Trial date on complaint, **8:33**

Redemption of property by debtor, advice to creditor on hearing on motion or complaint for, **8:35**

Objections. Creditors, above

Trustees

Generally, **8:39 to 8:43**

Account receivable, demand for payment, **8:40**

Books and records, request to attorney for debtor of, **8:39**

Preference, surrender of and reconveyance of property, demand for, **8:42**

Release of surety from further liability on bond, **8:43**

Surrender of property of estate, demand for, **8:41, 8:42**

LIENS

Avoidance, **2:16**

Forms (this index)

LIFE INSURANCE

Chapter 7 cases, federal exemptions, **2:17**

LIMITED POWER OF ATTORNEY

Chapter 13 cases, form for attorney for debtor, **8:68**

LIQUIDATION CASES FOR INDIVIDUAL DEBTORS

Chapter 7 Cases (this index)

LIST OF CREDITORS

Chapter 7 cases, preparation of petition and schedules, **2:18**

LOAN VALUE

Chapter 7 cases, life insurance contracts, **2:14**

MALICIOUS INJURY TO ANOTHER

Chapter 7 cases, debts excepted from discharge, **2:24**

Chapter 13 cases, exceptions from discharge, **3:9**

MEANS TEST CALCULATIONS

Chapter 7 cases, **2:2, 2:3**

MEDIAN INCOME

Chapter 7 cases, means test calculations, **2:2**

MEETINGS OF CREDITORS

Chapter 7 cases

Generally, **2:20**

Advice to debtor regarding date of meeting, letter, **8:12**

Chapter 13 cases

Generally, **3:5**

Advice to debtor regarding date of meeting, letter, **8:21**

Dismissal of case for failure to attend, form for trustee, **8:139**

MODIFICATION

Chapter 13 cases, consummation of plan, **3:8**

MONEY ORDERS

Chapter 7 cases, excluded property, **2:12**

MORTGAGES

Chapter 7 cases, lien avoidance, **2:16**

INDEX

MORTGAGES—Cont'd

- Chapter 13 cases
 - Cancellation and discharge of, motion for order authorizing, **8:99**
 - Provisions of plan, **3:3**

MOTOR VEHICLES

- Chapter 7 cases
 - Debts excepted from discharge, **2:24**
 - Evaluation of need for relief, **2:4**
 - Federal exemptions, **2:17**
 - Lien avoidance, **2:16**
 - Means test calculations, **2:3**
- Chapter 13 Cases** (this index)
- Driving Under the Influence** (this index)
- Electronic discovery, **5:2**

NOMINAL PAYMENTS

- Chapter 13 cases, confirmation of plan, **3:6**

NOTICE

- Appeal
 - Bankruptcy Appellate Panel, **8:153**
 - Contents, **6:5**
 - District Court, **8:153**
 - Statement of election, Official Form B147, **8:152**
- Chapter 7 cases
 - Attorneys as debt relief agencies, **2:8**
 - Filing of petition, **2:19**
 - Meeting of creditors, **2:20**
- Chapter 13 cases
 - Creditors and claims, **3:7**
 - Filing of plan, **3:4**
 - Meeting of creditors, **3:5**

OBJECTIONS

- Chapter 7 cases
 - Creditors' rights and remedies, **2:22**

OBJECTIONS—Cont'd

- Chapter 7 cases—Cont'd
 - Discharge, **2:20, 2:22, 2:23**
 - Federal exemptions, **2:17**
- Chapter 13 cases, confirmation of plan, **3:6**
- Forms** (this index)
- Letters** (this index)

ORGANIZATION

- Bankruptcy court, **1:7**

PACER

- Public Access to Court Electronic Records (PACER)** (this index)

PAWNED PROPERTY

- Chapter 7 cases, excluded property, **2:12**

PENALTIES

- Fines and Penalties** (this index)

PENSIONS AND RETIREMENT

- Chapter 7 cases
 - Excluded property, **2:12**
 - Federal exemptions, **2:17**
 - Opt out by individual states, **2:15**
- Chapter 13 cases, eligibility for relief, **3:1**

PERSONAL INFORMATION

- Redaction, **8:122**

POSTPETITION CLAIMS

- Chapter 13 Cases** (this index)

POWERS OF APPOINTMENT

- Chapter 7 cases, excluded property, **2:12**

PREJUDICE

- Chapter 7 cases, extension of time to object to discharge, **2:20**

**PRIOR DISCHARGE IN
BANKRUPTCY**

Chapter 7 cases, objections to discharge, **2:23**

PRISONERS

Chapter 7 cases, debts excepted from discharge, **2:24**

PRIVATE SALES

Report, form for trustee, **8:146**

PROFESSIONAL BOOKS

Chapter 7 Cases (this index)

PROFESSIONAL PERSONS

Chapter 13 cases, eligibility for relief, **3:1**

PUBLIC ACCESS

Remote hearings, **4:3**

**PUBLIC ACCESS TO COURT
ELECTRONIC RECORDS
(PACER)**

Chapter 7 cases, filing of petition, **2:19**

PUBLIC ASSISTANCE

Chapter 7 cases, federal exemptions, **2:17**

REAFFIRMATION OF DEBTS

Advice to creditor regarding agreement and debtor's right to rescind, **8:36**

Chapter 7 cases

Generally, **2:21**

Letter to debtor, **8:14**

Forms (this index)

RECORDS

Books and Records (this index)

REDACTION

Creditor's motion, **8:118**

Order

Personal information, **8:123**

Personal information, **8:122**

REDEMPTION OF PROPERTY

Advice to creditor on hearing on motion or complaint for redemption by debtor, **8:35**

Forms (this index)

REMOTE HEARINGS

Generally, **4:1**

Governing rules, **4:2**

Parties, Applicability, **4:4**

Public access, Applicability, **4:3**

REPLACEMENT VALUE

Chapter 7 cases, preparation of petition and schedules, **2:18**

REPORTS

Attendance at bankruptcy hearing, form for creditors, **8:108**

RESIDENCE

Chapter 7 cases, opt out by individual states, **2:15**

Chapter 13 cases, provisions of plan, **3:3**

Electronic discovery, **5:2**

RES JUDICATA

Chapter 7 cases, debts excepted from discharge, **2:24**

RESTITUTION

Chapter 7 cases, debts excepted from discharge, **2:24**

Chapter 13 cases, exceptions from discharge, **3:9**

RETIREMENT

Pensions and Retirement (this index)

REVOCATION

Motion for revocation of discharge, form for trustee, **8:140**

“RIDE THROUGH” OPTION

Chapter 7 cases, creditors' rights and remedies, **2:22**

INDEX

RULES

- Bankruptcy court, **1:7**
- Governing
- Remote hearing, **4:2**

SCHEDULES

- Chapter 7 cases, preparation, **2:18**

SCHOOLS AND EDUCATION

- Chapter 7 cases
 - Educational savings, excluded property, **2:12**
 - Loans for educational purposes, debts excepted from discharge, **2:24**
 - Means test calculations, **2:3**
- Loans for educational purposes
 - Chapter 7 cases, debts excepted from discharge, **2:24**
 - Chapter 13 cases, exceptions from discharge, **3:9**
- Complaint to determine dischargeability, form for debtors, **8:55**

SECURITIES FRAUD

- Chapter 7 cases, objections to discharge, **2:23**

SECURITIES LAWS

- Chapter 7 cases, debts excepted from discharge, **2:24**

SELF EMPLOYED PERSONS

- Chapter 13 cases, eligibility for relief, **3:1**

SELF-HELP

- Chapter 7 cases, creditors' rights and remedies, **2:22**

SELF-INCRIMINATION

- Chapter 7 cases, meeting of creditors, **2:20**

SETOFF

- Chapter 7 cases, creditors' rights and remedies, **2:22**

SIGNATURES

- Chapter 7 cases, preparation of petition and schedules, **2:18**
- Electronic discovery, **5:2**

SMALL BUSINESS

REORGANIZATION ACT OF 2019 (SBRA)

- Generally, **7:1 to 7:10**
- Administration, **7:3**
- Committees, **7:4**
- Discharge, **7:8**
- Duties of the subchapter V debtor, **7:6**
- Eligibility, **7:2**
- Key provisions, **7:10**
- Plan and confirmation, subchapter V, **7:7**
- Preference law, changes to existing, **7:9**
- Professionals, **7:4**
- Subchapter V
 - Debtor, duties of the subchapter V, **7:6**
 - Duties of debtor, **7:6**
- Forms
 - Generally, **8:157 to 8:161**
 - Certification in support of confirmation of plan, **8:160**
 - Confirmation hearing order, **8:159**
 - Liquidation, debtor's plan of reorganization or, **8:157**
 - Reorganization or liquidation, debtor's plan of, **8:157**
 - Status report, **8:158**
- Forms
 - Affidavit and disclosure statement of mediator, **8:166**
 - Agreement to mediate, **8:164**
 - Confidentiality agreement, **8:163**

SMALL BUSINESS

**REORGANIZATION ACT
OF 2019 (SBRA)—Cont'd**

Subchapter V—Cont'd

Forms—Cont'd

Domestic support obligations
and filing of required tax
returns, individual debt-
or's certification of
confirmation regarding,
8:161

Request for mediation, **8:162**

Settlement agreement
reached at mediation,
8:165

Plan and confirmation, **7:7**

Trustee, **7:5**

Trustee, subchapter V, **7:5**

SMALL LOAN COMPANIES

Chapter 7 cases, lien avoidance,
2:16

SOCIAL SECURITY

Chapter 7 cases, federal exemp-
tions, **2:17**

Chapter 13 cases, eligibility for
relief, **3:1**

SPEECH, FREEDOM OF

Chapter 7 cases, attorneys as debt
relief agencies, **2:7**

SPENDTHRIFT TRUSTS

Chapter 7 cases, excluded prop-
erty, **2:12**

SPILOVER EXEMPTION

Chapter 7 Cases (this index)

SPOUSAL SUPPORT

Support of Children or Spouse
(this index)

STANDARD OF REVIEW

Appeal and review, **6:7**

**STATEMENT OF FINANCIAL
AFFAIRS**

Chapter 7 cases, preparation of
petition and schedules, **2:18**

**STATEMENT OF FINANCIAL
AFFAIRS—Cont'd**

Chapter 13 cases, filing of plan,
3:4

STATEMENT OF INTENTION

Chapter 7 cases, preparation of
petition and schedules, **2:18**

STAYS

Appeal, pending, **6:7, 8:156**

Forms (this index)

STOCKBROKERS

Chapter 13 cases, eligibility for
relief, **3:1**

**SUPPORT OF CHILDREN OR
SPOUSE**

Chapter 7 cases

Creditors' rights and remedies,
2:22

Debts excepted from discharge,
2:24

Federal exemptions, **2:17**

Lien avoidance, **2:16**

Chapter 13 cases

Exceptions from discharge, **3:9**

Provisions of plan, **3:3**

Complaint to determine discharge-
ability, form for debtors, **8:54**

SURRENDER OF PROPERTY

Chapter 7 cases, instruction to
debtor, **8:13**

Trustees, demand letter, **8:41, 8:42**

SUSPENSION OF PAYMENTS

Chapter 13 Cases (this index)

TAXES

Chapter 7 cases

Debts excepted from discharge,
2:24

Returns, preparation of petition
and schedules, **2:18**

Chapter 13 cases

Exceptions from discharge, **3:9**

INDEX

TAXES—Cont'd

- Chapter 13 cases—Cont'd
 - Provisions of plan, **3:3**
- Tax Reform Act of 1986** (this index)
- Turnover of refunds by district director of IRS, form for trustee, **8:144**

TELEPHONE

- Chapter 7 cases, credit counseling and debtor education, **2:4**

TOOLS OF THE TRADE AND PROFESSIONAL BOOKS

- Chapter 7 Cases** (this index)

TRADESMEN

- Chapter 13 cases, eligibility for relief, **3:1**

TRUSTEES

- Chapter 7 cases
 - Generally, **2:25**
 - Attorneys as debt relief agencies, **2:10**
 - Meeting of creditors, **2:20**
- Chapter 13 cases, meeting of creditors, **3:5**
- Checklists** (this index)
- Forms** (this index)
- Letters** (this index)
- Small Business Reorganization Act of 2019 (SBRA), **7:5**

UNCLAIMED MONEYS

- Forms** (this index)

UNDERTAKINGS

- Bonds and Undertakings** (this index)

UNEMPLOYMENT COMPENSATION

- Chapter 7 cases, federal exemptions, **2:17**

UNIFORM FRAUDULENT CONVEYANCES ACT

- Chapter 7 cases, preparation of petition and schedules, **2:18**

UNSCHEDULED DEBTS

- Chapter 7 cases, debts excepted from discharge, **2:24**

UTILITY SERVICES

- Chapter 7 cases, means test calculations, **2:4**
- Complaint to determine reasonableness of deposit and to enjoin discontinuance, form for debtors, **8:47**

VAGUENESS

- Chapter 7 cases, means test calculations, **2:2**

VALUE OF PROPERTY

- Chapter 7 cases, preparation of petition and schedules, **2:18**

VANDALISM

- Request to trustee for information regarding insurance and protection from vandalism, letter, **8:29**

VEHICLES

- Motor Vehicles** (this index)

VETERANS' BENEFITS

- Chapter 7 cases, federal exemptions, **2:17**

WAGE DEDUCTIONS

- Chapter 13 cases, direction to employer to remit to trustee, form for attorney for debtor, **8:66**

WAGE GARNISHMENT

- Chapter 7 cases, means test calculations, **2:2**

WAIVER

- Chapter 7 Cases** (this index)

CONSUMER BANKRUPTCY HANDBOOK WITH FORMS

WELFARE

Chapter 7 cases, federal exemptions, **2:17**

WILDCARD EXEMPTION

Chapter 7 Cases (this index)

**WILLFUL INJURY TO
ANOTHER**

Chapter 7 cases, debts excepted from discharge, **2:24**

WILLFUL INJURY TO

ANOTHER—Cont'd

Chapter 13 cases, exceptions from discharge, **3:9**

WITHDRAWAL OF COUNSEL

Motion for order permitting withdrawal of counsel, **8:61**

Order authorizing withdrawal of counsel, **8:62, 8:100**