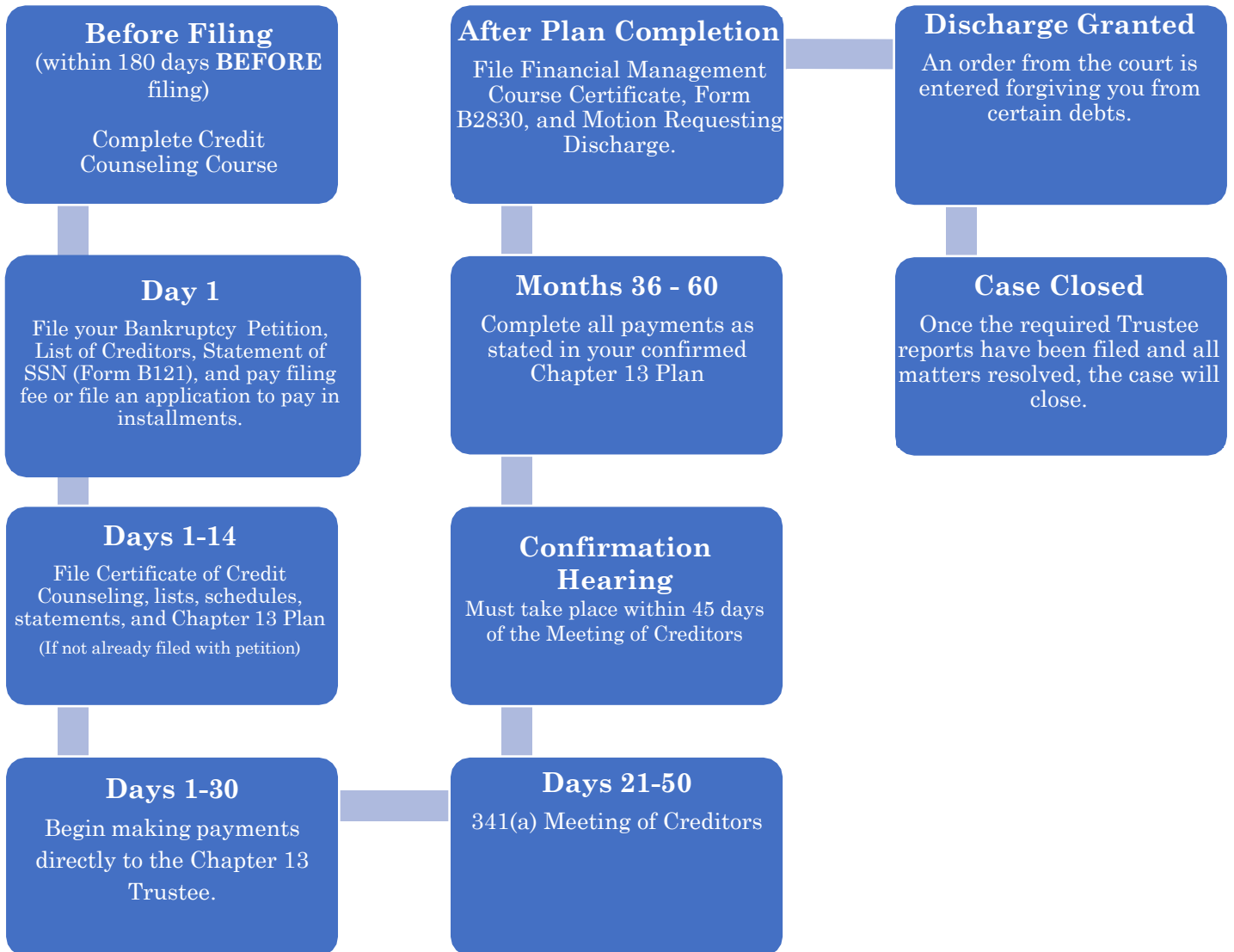


# Anatomy of a Chapter 13 Bankruptcy Case



## Important information

- For more information on the bankruptcy process, you can visit the Filing Without an Attorney page on the bankruptcy court's website: <https://www.meb.uscourts.gov> > **Filing Without an Attorney**
- Bankruptcy court employees cannot provide legal advice, including how to complete bankruptcy forms, or refer prospective debtors to a lawyer. We recommend you hire an attorney to help you navigate this complicated legal process. If you choose to file without an attorney, there is an instructional pamphlet on filling out bankruptcy forms at the following website: [https://www.uscourts.gov/sites/default/files/instructions\\_individuals.pdf](https://www.uscourts.gov/sites/default/files/instructions_individuals.pdf).

**Before filing for 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 online or over the phone. A list of approved Credit Counseling agencies can be found on the bankruptcy court's website: <https://www.meb.uscourts.gov> > **Filing Without an Attorney > Approved Credit Counseling Agencies.**
- When you complete the course, you will receive a Certificate of Credit Counseling, which must be filed with the court along with your bankruptcy petition.
- 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, or your case may be dismissed.

**Day 1:**

- Filing a bankruptcy petition officially opens your bankruptcy case. At the time of filing, you will have to pay a filing fee. A list of fees is located on the bankruptcy court's website: <https://www.meb.uscourts.gov> > **Fees.** If you have trouble paying the filing fee, the bankruptcy court may grant you permission to pay in installments. You will need to file the appropriate form for this option to be considered by the court. The filing fee in a Chapter 13 bankruptcy case cannot be waived.
- [Official Form B121](#), (Statement About Your Social Security Number), must be filed when you file your bankruptcy petition -- Day 1. If you do not file Official Form B121 on Day 1, your meeting of creditors will be delayed. Only after Official Form B121 is filed will the court mail you and your creditors a notice entitled, "Notice of Chapter 13 Bankruptcy Case." This notice informs your creditors of that your bankruptcy case has been filed, provides information about various court deadlines, and contains the date, time, and Zoom link for the Meeting of Creditors, which will take place between days 21 and 50.
- For a list of all required documents, please refer to the Chapter 13 Checklist on the bankruptcy's court's website: <https://www.meb.uscourts.gov> > **Filing Without an Attorney.** For information on locating the appropriate forms, see <https://www.meb.uscourts.gov> > **Forms.**
- To file your bankruptcy petition you may:
  1. Bring your filing fee and bankruptcy petition package to the bankruptcy court clerk's office;
  2. Mail all documents and your filing fee to either of our mailing addresses: U.S. Bankruptcy Court, 537 Congress Street, Portland, ME 04101 OR U.S. Bankruptcy Court, 202 Harlow Street, Bangor, ME 04401; or
  3. Prepare your petition documents with our Electronic Self-Representation (eSR) program: <https://www.meb.uscourts.gov> > **Filing Without an Attorney > Electronic Self Representation.**

The filing fee must be paid via cashier's check or money order made payable to U.S. Bankruptcy Court. Cash and credit cards are not accepted.

**Days 1-14:**

- If you did not file all the required documents with the petition on Day 1, you must file them within 14 days of filing the petition. If you don't, your case may be dismissed. Please refer to the Order to Comply that was issued by the Court, as this will contain the applicable deadlines.
- Your Chapter 13 Plan (Local Form 2) must be filed with your bankruptcy petition on Day 1 or within 14 days after filing your petition. Your Chapter 13 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 your creditors according to the terms of the plan.
  - You will be required to file a Notice of Confirmation Hearing (Local Form 2A) with the court and send a copy to all your creditors. The hearing date for this Confirmation Hearing will be included in the Notice of Meeting of Creditors. You must also file a Certificate of Service (Local Form 2C) with the court. Be sure to list the creditors' mailing addresses, as that shows the court how the creditors were served.

**Days 1-30:**

- Within 30 days of filing your bankruptcy petition, you must start making plan payments in the amount stated on your Chapter 13 Plan, even if the court has not yet approved your Chapter 13 Plan. You should send all plan payments directly to the Chapter 13 Trustee.

**Days 21-50:**

- After you file the necessary documents to open your bankruptcy case, the bankruptcy court will mail you and your creditors a notice entitled, "Notice of Chapter 13 Bankruptcy Case." This notice informs your creditors of the bankruptcy case, provides information about various court deadlines, and contains the date, time, and Zoom link for the 341(a) Meeting of Creditors and the date, time, and location of your confirmation hearing. You must attend the 341(a) Meeting of Creditors and the confirmation hearing.
- The 341(a) Meeting of Creditors is a chance for the Chapter 13 Trustee overseeing your bankruptcy case and any creditors who wish to attend to ask you questions regarding your financial affairs and your property. Because this is not a court hearing, there will be no judge present during the meeting. However, you will be under oath as you answer questions regarding your financial situation.
- The 341(a) Meeting of Creditors will be held via Zoom call. Information concerning call in numbers will be included on the notice you receive from the court. You will receive the Notice of Meeting of Creditors via regular mail. Please contact the Chapter 13 Trustee directly for any documentation that they may require prior to the meeting.

**Confirmation Hearing:**

- At the confirmation hearing, you, any creditors, the Chapter 13 Trustee, and the judge will meet to review your Chapter 13 Plan. This hearing must take place within 45 days after the 341(a) Meeting of Creditors.

- To be confirmed, the Chapter 13 Plan must meet certain criteria, 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 Plan is confirmed by the court, you and your creditors are bound to the terms of the plan. You will continue making payments as stated in your Chapter 13 Plan for the remainder of your Chapter 13 bankruptcy case.

**Months 36-60:**

- Complete all payments that are outlined in your confirmed Chapter 13 Plan. Your plan may call for a duration between 36 and 60 months. ([See Chapter 13 Bankruptcy Basics](#))

**After Plan Completion:**

- After all payments have been completed, you are required to file a Motion Requesting Discharge, Chapter 13 Debtor’s Certifications Regarding Domestic Support Obligations and Section 522(q) (Official Form B 2830), and Financial Management Course Certificate of Completion. Financial Management Courses must be taken with an approved course provider. The course can be completed online or over the phone. For a complete list of approved agencies where you can take the course, please visit <https://www.meb.uscourts.gov> > **Filing Without an Attorney > Approved Debtor Education Providers.**
- Failure to meet any of these requirements 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 Closing:**

- The bankruptcy court will not close your case until all required Trustee reports have been filed and any pending motions have been resolved.