

## LOCAL RULE 4004-1: DISCHARGE- INDIVIDUAL CHAPTER 11

- (a) **Discharge Following the Completion of Plan Payments.** Following the completion of payments due under a confirmed plan, an individual debtor may file a Notice of Completion of Plan Payments and Request for Discharge. The Notice shall state whether the debtor has made all payments due under the plan, whether 11 U.S.C. § 1141(d)(3) is applicable, and whether the debtor is required to file the statements set forth in Fed. R. Bankr. P. 1007(b)(7) and (8). The Notice shall be served by the debtor on all creditors and the United States Trustee.
- (b) **Discharge at Confirmation.** An individual debtor seeking a discharge at confirmation shall provide conspicuous notice in bold print on the face of the plan and disclosure statement indicating that debtor seeks a discharge at confirmation. The debtor shall describe in the plan and disclosure statement the grounds constituting cause to grant the debtor a discharge at confirmation, whether 11 U.S.C. § 1141(d)(3) is applicable, and whether the debtor is required to file the statements set forth in Fed. R. Bankr. P. 1007(b)(7) and (8).
- (c) **Discharge Prior to the Completion of Plan Payments.** An individual debtor seeking a discharge following confirmation but prior to the completion of plan payments shall file a motion requesting discharge and serve the motion on all creditors and the United States Trustee. The Motion shall state whether the requirements of 11 U.S.C. § 1141(d)(5)(B)(i) and (ii) have been met; whether 11 U.S.C. § 1141(d)(3) is applicable, and whether the debtor is required to file the statements set forth in Fed. R. Bankr. P. 1007(b)(7) and (8).
- (d) **Objections.** Any party objecting to the granting of a discharge pursuant to paragraphs (a) or (c) shall, within twenty-one (21) days after service of the motion or notice, serve upon the debtor and debtor's counsel and file with the Court an objection. Any party objecting to the granting of a discharge pursuant to paragraph (b) shall, within the time period set forth by an order fixing the last day for filing written objections to confirmation, serve upon the debtor and debtor's counsel and file with the Court an objection.

### Notes:

(2010) This rule is new.