

BAPCPA §341 Checklist for Chapter 13 Cases

(This checklist is intended to provide you with a basic overview of how your Chapter 13 case will work. This is only a general guide, and, thus, the Trustee could request additional documents. Debtor engaged in business will have to submit additional documents pursuant to the Self-employed Guidelines.)

The debtor should provide the Trustee, at least 15 days after the filing of the petition the following (FRBP 1007 (c)):

1. **Credit Counseling Certificate** from an approved Agency, issued 180 days prior to the petition filing date. (Filed at the Court.)
2. If the credit counseling was obtained after the petition date, copy of the motion filed describing exigent circumstances which merit **Section 109 waiver**.
3. Means test completed using **Form B22C**.
4. **Pay stubs** for the **six months prior to the petition date** or certification by employer for the same period (Gross income less deductions must be included **accompanied with a summary list detailing the dates and amounts of each pay stub**). Also pay stubs or equivalent for the period between the petition date and the meeting of creditors date.
5. If the debtor is self-employed, the following must be provided: (a) copies of bank statements for the six months prior to the petition date; **or**; (b) a sworn statement by debtor indicating his income and that he/she has no bank accounts.
6. If debtor shares household with a partner, include partner's income on #7 of Form B22C.
7. If above median income, documentation demonstrating that the additional amounts claimed in Form B22C are reasonable and necessary for the expenses specified on #26, #42, #43 and #44 of such form. The Trustee may require, during the 341 Meeting of Creditors or prior to confirmation of the Chapter 13 plan, evidence for any other expenses that he deems necessary to comply with his duties.
8. Pre-confirmation adequate protection payments to a creditor holding an allowed claim shall be listed in debtor's Chapter 13 plan, including the following: (a) creditor's name, (b) address, (c) account number and (d) payment amount.
9. A duly supported proof of claim with evidence of perfection of security must be filed for all pre-confirmation adequate protection payments. (Note Amendment to FRBP 3004.)
10. Certified tax returns for the four years due prior to the petition date or certification by Tax Authority that returns were filed.
11. If a business case, the debtor should provide evidence or certifications for all pertinent tax returns including CRIM, FICA, FUTA, etc.
12. If exemptions claimed are other than Federal, the debtor must provide information regarding where he/she has lived for the 730 days prior to the filing date.
13. Name, address and phone numbers for all Domestic Support Obligation (DSO) **holders**. (If residing outside PR also the name, address and phone number of the related **DSO Agency**.)
14. DSO Agency certification indicating the debtor's direct monthly payment and that he/she is current with these direct payments (not to be confused with DSO arrears). This certification is necessary for fast-track hearings in the event that the case is recommended favorably by the Trustee. In the event that DSO was determine through Court Judgment or mutual agreement, submit copy of the Judgment and a letter from DSO holder stating that the amount of DSO payments and whether Debtor is current

of the same.

15. Statement of non-dischargeable debts that will have to be included on the Trustee's final report.

The following should be provided at the 341 Meeting of Creditors:

10. Evidence of value of real property listed in Schedule A.
11. Mortgage loan(s) payoff letter(s) and evidence of perfection of security interest.
12. Copy of any lawsuits/ garnishments.
13. Copy of quotation for car insurance.
14. Copy of divorce property settlement agreement, if applicable.
15. Copy of lease, if you own real property.
16. Proof of all mortgage payments made since your case was filed.

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