

## Chapter 13 and 12 Trustee Office

José R. Carrión-Morales, Esq.

# BULLETIN

2013-2

MAY 7, 2013

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To : Members of the Debtors' Bankruptcy Bar

From : José R. Carrión-Morales  
Chapter 13 Trustee

RE : Chapter 13 Trustee's Certification for Discharge  
Compliance with Section 1328(a) and LBR 3015-2(j)

Section 1328(a) creates an obligation on the debtor, as a condition for the discharge, to certify to the Court being up to date in all his DSO obligations. Pursuant to LBR 3015-2(j)(1) the Chapter 13 Trustee must certify to the Court debtor's compliance with Section 1328(a).

In order for the Trustee to comply with LBR 3015-2(j)(1), effectively immediately, every debtor must provide the Chapter 13 Trustee (electronically through – TEDFA<sup>1</sup>), no later than 30 days after the last payment made under the confirmed plan, under penalty of perjury, a Certification of Compliance with Bankruptcy Code Section 1328(a) substantially similar to the attached form named Debtor DSO Cert for Discharge 1328(a) choosing the applicable certification. (You can download the form in Word Format accessing my Office website: [www.ch13-pr.net](http://www.ch13-pr.net) selecting “Attorneys” – “Downloads” tabs.)

If no certification, substantially similar to the form herein included, is not received within 30 days after the last payment of the plan, the Trustee, in compliance with LBR(j)(1)(C) will certify the Court being unable to determine if debtor has or had DSO, or if is up to date with them.

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<sup>1</sup> TEDFA – DSO Documents Group - [Debtor DSO Cert for Discharge 1328\(a\)](#)

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF PUERTO RICO

In Re:

Case No.:

Chapter 13

XXXX-XX-  
XXXX-XX-

Debtor(s)

Debtor(s)' DSO Certification of Compliance With Bankruptcy Code Section 1328(a)

*[Certificación de (los) Deudores del Cumplimiento con la Sección 1328(a) del Código de Quiebras]*

TO THE CHAPTER 13 TRUSTEE:

Pursuant to Bankruptcy Code Section 1328(a) the subscribing debtor(s), of the case of reference, hereby certifies, under penalty of perjury, the following: *[Conforme la Sección 1328(a) del Código de Quiebras el (los) suscribiente(s) deudor(es), del caso de referencia, por la presente certifica(n), bajo pena de perjurio, lo siguiente:]*

I (We) certify having completed all payments under the Chapter 13 plan approved by this Court. *[Yo (Nosotros) certifico (certificamos) haber completado todos los pagos bajo el plan de Capítulo 13 aprobado por éste tribunal.]*

I (We) certify that there were no Domestic Support Obligations due to be paid by the debtor. *[Yo (Nosotros) certifico (certificamos) que no habían obligaciones de manutención a ser pagadas por el deudor.]*

I (We) certify that all my Domestic Support Obligations, payable under judicial or administrative order, or by statute, that became due on or before the date of this certification (including amounts due before the petition was filed, but only to the extent provided for by the plan) have been paid. *[Yo (Nosotros) certifico (certificamos) que todas mis obligaciones de manutención, cuyo pago era exigible bajo orden judicial o administrativa, o por ley, y que vencieron en o antes de la fecha de esta certificación (inclusive aquellas cantidades vencidas antes de que esta petición fuera radicada, pero solo en la medida provista por el plan) han sido pagadas.]*

I (We) certify that after the order for relief under this Chapter there is no Court order approving a written waiver of discharge request. *[Yo (Nosotros) certifico (certificamos) que después de la orden de alivio bajo éste Capítulo no hay orden del tribunal aprobando una solicitud escrita renunciando la orden de descargo.]*

In \_\_\_\_\_, Puerto Rico this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.  
En \_\_\_\_\_, Puerto Rico hoy día \_\_\_\_\_ de \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
DEBTOR NAME (*Nombre Deudor*)

\_\_\_\_\_  
DEBTOR NAME (*Nombre Deudor*)