

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF MISSISSIPPI**

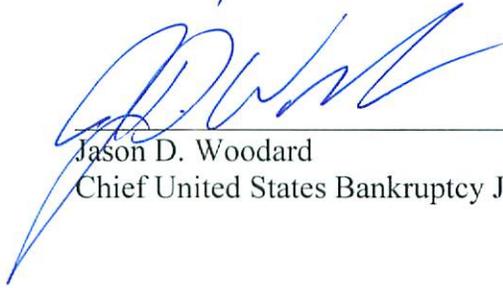
**STANDING ORDER ADOPTING PROCEDURES FOR
OBTAINING DISCHARGE IN COMPLETED CHAPTER 13 CASES**

The Bankruptcy Abuse Prevention and Consumer Protection Act of 2005 (“BAPCPA”) requires certain disclosures and certifications to be made by the debtor before a discharge may be entered. This Amended Standing Order establishes the standards and procedure whereby the debtor may comply with the disclosure requirements and obtain a discharge in chapter 13 cases. The requirements of this Standing Order must be met in order to receive a discharge, including a hardship discharge pursuant to 11 U.S.C. §1328(b), from and after January 1, 2009. This Standing Order does not apply to cases commenced prior to October 17, 2005, nor does it apply in those cases where a discharge has been waived or denied.

1. Unless the debtor is not entitled to a discharge, the filing of the *Notice of Completion of Plan Payments* by the Chapter 13 Trustee will constitute notice that each debtor must file a *Debtor’s Certification and Motion for Entry of Chapter 13 Discharge Pursuant to 11 U.S.C. §1328(a) and (h)*, hereinafter referred to as the “Motion” (a copy of which may be found on the court’s website under *Bankruptcy Forms*). The Motion must be signed by the debtor(s), filed with the court, and a copy served by the debtor(s) on all creditors and parties in interest included on the court’s mailing matrix within 30 days of the filing date of the Chapter 13 Trustee’s *Notice of Completion of Plan Payments*.
2. The Motion will include verifications by the debtor regarding satisfaction of plan requirements, entitlement to a discharge, and the status of Domestic Support Obligations. The Motion will also verify that the debtor is not disqualified by the provisions of 11 U.S.C. §1328(h) from receiving a discharge.
3. If a response or objection to the Motion is not filed within twenty-one days of the date of service as reflected on the Certificate of Service, and provided the debtor is otherwise entitled, the court will enter a discharge order. Entry of the discharge order constitutes a finding that 11 U.S.C. §1328(h) has been satisfied and that there is no reasonable cause to believe that the entry of discharge should be delayed. If a response or objection is filed to the Motion, the matter will be set for hearing.
4. If the Motion is not timely filed by the debtor(s), the case may be closed without the entry of discharge.
5. If the debtor(s) is/are unable to certify as to the truth and correctness of the assertions on the form Motion but believe(s) that a discharge is warranted nevertheless, debtor(s) should draft and file a Motion for Discharge explaining why the assertions in the form Motion can not be certified and further explaining why a discharge should be granted.

6. This order supersedes and replaces the Amended Standing Order Adopting Procedures for Obtaining Discharge in Completed Chapter 13 Cases entered on February 1, 2010.

SO ORDERED, this the 6th day of February, 2017.



Jason D. Woodard
Chief United States Bankruptcy Judge