

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF ARIZONA**

**TUCSON DIVISION**  
James A Walsh Courthouse  
38 S. Scott Avenue  
Tucson, AZ 85701  
520- 202-7500

**PHOENIX DIVISION**  
230 N. First Ave., Suite 101  
Phoenix AZ 85003-1706  
602-682-4000  
[www.azb.uscourts.gov](http://www.azb.uscourts.gov)

**YUMA DIVISION**  
325 W. 19<sup>th</sup> St., Ste. D  
Yuma, AZ 85366  
928-783-2288

# **CHAPTER 13**

## **NOTICE TO INDIVIDUAL DEBTORS OF FILING REQUIREMENTS UNDER THE BANKRUPTCY ACT OF 2005**

**ALL BANKRUPTCY CASES FILED ON OR AFTER OCTOBER 17, 2005, ARE SUBJECT TO THE BANKRUPTCY ACT OF 2005. THAT LAW REQUIRES THE FILING OF CERTAIN NEW DOCUMENTS. SINCE YOUR BANKRUPTCY CASE IS SUBJECT TO THE NEW LAW, YOU ARE REQUIRED TO TIMELY FILE ALL THE DOCUMENTS REQUIRED BY THE BANKRUPTCY ACT OF 2005.**

**YOU NEED TO REVIEW THE ATTACHED FILING REQUIREMENTS AND MAKE SURE THAT YOU HAVE FILED ALL THE DOCUMENTS REQUIRED. YOUR CASE COULD BE DISMISSED WITHOUT FURTHER NOTICE IF YOU FAIL TO FILE ALL THE REQUIRED DOCUMENTS WITHIN THE TIME PERIODS STATED.**

**ALSO INCLUDED IS A NOTICE TO INDIVIDUAL CONSUMER DEBTOR REQUIRED TO BE GIVEN TO YOU BY SECTION 342(b) OF THE BANKRUPTCY ACT OF 2005. PLEASE READ AND RETAIN IT. IT DOES NOT NEED TO BE FILED WITH THE COURT.**

**THE FOLLOWING DOCUMENTS, IF THEY WERE NOT FILED WITH THE BANKRUPTCY PETITION, ARE REQUIRED TO BE FILED NO LATER THAN SEVEN DAYS FROM THE DATE THE PETITION WAS FILED. IF ANY OF THESE DOCUMENTS IS NOT FILED WITHIN THAT TIME, YOUR CASE CAN BE DISMISSED.**

1. Mailing List of Creditors. This must be filed in the attached format.
2. Statement of Social Security Number. If you did not submit this form with your petition, you need to complete it and file it within 7 days. (Form attached)
3. Credit Counseling Certificate. Attached is a list of those providers approved, for the state of Arizona, by the Office of the United States Trustee to provide credit counseling. You may also check the following web site to see if there are any new approved providers, [www.usdoj.gov/ust](http://www.usdoj.gov/ust) or call 602-682-4000. The credit counselor will provide you the certificate you need to file with the court. There is no form.

**THE FOLLOWING DOCUMENTS, IF THEY WERE NOT FILED WITH THE BANKRUPTCY PETITION, ARE REQUIRED TO BE FILED NO LATER THAN FOURTEEN DAYS FROM THE DATE THE PETITION WAS FILED. IF ANY OF THESE DOCUMENTS ARE NOT FILED WITHIN THAT TIME, YOUR CASE CAN BE DISMISSED.**

1. Schedules A through J and Summary (Form available from Clerk's Office)
2. Statement of Financial Affairs (Form available from Clerk's Office)
3. Individual Debtor Statement of Current Monthly Income and Disposable Income
4. Declaration of Evidence of Employers' Payments Within 60 Days
5. Chapter 13 plan

### **PREVIOUS BANKRUPTCY FILINGS**

If you had a previous case pending within the preceding year that was dismissed, you are advised that pursuant to 11 USC Section 362(c)(3), the automatic stay provided by Section 362(a) when the bankruptcy petition is filed will terminate in 30 days of the filing of your petition, unless you file a motion with the court seeking a continuation of the automatic stay and the court determines that the second case was filed in good faith. If you do not file this motion, the stay will terminate in 30 days. If you do file a motion, please title it as an Emergency motion.

If you had two or more previous cases pending within the preceding year that were dismissed, you are advised that pursuant to 11 USC Section 362(c)(4), no stay under Section 362 (a) went into effect when your petition was filed. Any party may request that the court enter an order confirming that there is no stay in effect. To obtain a stay, you must file a motion , within 30 days of the date of the filing of the petition, and demonstrate that the new case was filed in good faith. If you do file this motion, please title it as an Emergency motion.

### **COMPLETION OF INSTRUCTIONAL COURSE CONCERNING PERSONAL FINANCIAL MANAGEMENT**

Subject to limited exceptions, an individual debtor must complete an instructional course in personal financial management in order to receive a discharge under chapter 13. You must complete and file a Debtor's Certification of Completion of Instructional Course Concerning Personal Financial Management on the official form. (Form attached) This form must be filed before a discharge can be entered. This form is required to be filed no later than your last payment under your chapter 13 plan. Failure to file the certification could result in your case being closed without entry of your discharge. If your case is closed without entry of a discharge, to reopen the case to obtain your discharge, you could be required to pay a reopening fee of \$235.00. Attached is the list of providers approved, for the state of Arizona, by the Office of the United States Trustee that provide this required financial management course. You may also check the following web site to see if there any new approved providers, [www.usdoj.gov/ust](http://www.usdoj.gov/ust) or call 602-682-4000.