

Revised Chapter 12 Closing Procedures

In order to comply with Fed. R. Bankr. P. 5009(a), the Clerk's Office will be following new procedures when finalizing and/or closing chapter 12 cases. Pursuant to this rule, parties are entitled to a 30 day objection period following the filing of the trustee's final report and account.

Additionally, the Clerk's Office will also be tracking cases for individual debtors for the filing of the Certification Regarding Domestic Support Obligations which is required before an Order of Discharge may be entered pursuant to 11 U.S.C 1228(a) and (f). **A new [local form](#) and ECF event have been created to satisfy this new requirement.**

How will this impact debtors?

1. **New objection period at the end of the case-** In the past a case would be reviewed for discharge immediately following the filing of the trustee's final report and account*. With the new procedures, the Case Administrator will docket and serve the *Notice of Chapter 12 Trustee's Final Report and Account and Deadline to Object*. This will set a 33 day deadline pursuant to Fed. R. Bankr. P. 5009(a). This notice and objection period will also run in dismissed and converted cases.
2. **Individual debtors must file the [local form regarding domestic support obligations](#)** - Individual debtors will now be required to file a certification regarding domestic support obligations before a case can be discharged. Copies of the forms will be mailed to debtors via the BNC upon docketing of the notice to file. In the event the form is not timely filed, the case will be closed without the entry of a discharge. A motion to reopen accompanied by the required filing fee will be required in the event a debtor wishes to reopen the case, file the form and receive their discharge.

Are there new events associated with the new process?

Yes. Please note that #3 is for registered ECF participants/attorneys.

1. *Notice of Chapter 12 Trustee's Final Report and Account and Deadline to Object* [Court event]
2. *Notice of Requirement to File DSO Statement Form (Requires Local Form - Ch.12)* [Court event]
3. *Certification Regarding Domestic Support Obligations (Requires Local Form - Ch.12)* [Attorney event; found under Bankruptcy>>Other in ECF]

Are there new forms associated with the new process?

Yes.

1. *Notice of Requirement to File Chapter 12 Debtor's Certification(s) regarding Domestic Support Obligations and Section 522(q)(Local Idaho Form)*.
2. *Certification Regarding Domestic Support Obligations (Local Form - Ch.12)*. This form will be generated through the docketing of the notice event and mailed to debtors. Blank [forms](#) are also available on the Court's website.

*The chapter 12 trustee is now also filing a notice of plan completion.