

Rule 2082-1

Chapter 12 - General

(a) **Applicability**

This rule applies only to cases under Chapter 12 of the Bankruptcy Code.

(b) **Tax Returns**

The debtor shall provide to the trustee, and any creditor who requests, at least seven (7) days before the meeting of creditors, a copy of federal income tax returns filed for the three (3) years prior to the year in which the petition is filed together with all schedules thereto.

(c) **Debtor Eligibility Challenges**

Challenges to the eligibility of the debtor should be initiated at the earliest possible time in the case. Such challenges may be made by fourteen (14) days notice and hearing to the Master Mailing List pursuant to LBR 2002-1.

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~~(d) **Domestic Support Obligation Certificate**~~

~~Upon completion of all payments by the debtor under the plan, each debtor shall file a Domestic Support Obligation Certificate.~~

(e) **Discharge of Debtor**

Upon completion of all payments under the plan, the debtor(s) shall file a motion for entry of discharge on the prescribed local form (*LF 2082-1*) and provide ten (10) days notice to the Master Mailing List or file a written request to waive discharge.

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF WASHINGTON

In re:)
)
) Case No.
)
) **DEBTOR’S MOTION FOR ENTRY**
) **OF DISCHARGE IN CHAPTER 12**
) **CASE AND NOTICE THEREOF**
)
 _____ Debtor(s))

To: Creditors and Parties in Interest

I/We the undersigned debtor(s) move the court for entry of a discharge in this case pursuant to 11 U.S.C. § 1228 by certifying under penalty of perjury that:

1. All plan payments have been completed and the final account has been filed.
2. *Pursuant to 11 U.S.C. Section 1228(a), I certify that:*
 - I owed no domestic support obligation when I filed my bankruptcy petition, and I have not been required to pay any such obligation since then.*
 - I am or have been required to pay a domestic support obligation. I have paid all such amounts that my Chapter 12 plan required me to pay. I have also paid all such amounts that became due between the filing of my bankruptcy petition and today.*

If you checked the second box, you must provide the information below:

My current address: _____

My current employer and my employer’s address: _____

~~(Check ONE): 11 U.S.C. § 1228(a) DOES NOT apply or DOES apply.
If 11 U.S.C. § 1228(a) applies, the debtor’s certification regarding domestic support obligations has been filed.~~

3. (Check ONE): There IS or There IS NOT a pending proceeding in which the debtor(s) may be found guilty of a felony or liable for a debt of a kind described in 11 U.S.C. § 522 (q)(1).

PLEASE TAKE NOTICE that should you wish to object to this motion, you must file an objection within 10 days of the date of this notice with the Clerk of the Bankruptcy Court at 904 W. Riverside, Suite 304, Spokane, WA 99201 and provide a copy to the attorney for the debtor(s) below. If you timely file an objection to this motion, you will be notified of the date, time and place of the hearing on the motion.

Should you fail to object within the time set forth above, the Court may grant the motion for entry of discharge without further notice to you.

Dated: _____

Debtor

Debtor

Attorney for Debtor(s)

Name: _____

Address: _____

Rule 4001-1

Automatic Stay

(a) Relief From Automatic Stay

(1) Notice

(A) As to Property of the Estate

A party in interest desiring relief from the automatic stay of an act against property of the estate shall file a motion and give fourteen (14) days notice in accordance with **FRBP 4001 and** LBR 2002-1 to the debtor(s), attorney for the debtor(s), trustee, United States Trustee, those requiring notice under FRBP 2002(i) and FRBP 4001, and any other party known to movant claiming an interest in the subject property.

(B) As to Other Acts

A party in interest desiring relief from the automatic stay of an act other than against property of the estate shall file a motion and give fourteen (14) days notice to the debtor and debtor's attorney in accordance with LBR 2002-1.

(C) Content of Notice

The notice and motion shall describe the property or interest involved, including a statement as to its fair market value and encumbrances thereon.

(D) General Provision

The date of the request shall be the date that a motion requesting a modification to the automatic stay is filed along with the certificate required by LBR 2002-1(b)(4).

(2) When an Objection is Made

(A) If an objection is timely filed and served, the party desiring relief from the stay shall obtain a hearing date and time from the court's Web site and shall notify the objecting party of the date of the hearing.

(B) The preliminary hearing will be by telephonic conference and based on affidavits only, but may be supported by written memoranda.

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