

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS
STANDING ORDER NO. 21-2
ORDER REQUIRING A MOTION FOR DISCHARGE IN SUBCHAPTER V CASES**

(a) Motion Requesting Entry of an Order of Discharge. In a Chapter 11 case if the debtor elected for subchapter V to apply, the debtor must file a motion requesting entry of an order of discharge after the debtor's plan is confirmed.

(b) Timing of Motion. If the plan was confirmed under

(1) 11 U.S.C. § 1191(a) (as a consensual plan) then, within 14 days of the entry of the order confirming debtor's plan, the debtor must file a motion requesting entry of an order of discharge and must submit to the court a simple proposed order stating that the motion requesting entry of an order of discharge is granted, whereupon the court may enter the simple proposed order and then issue a separate order of discharge, or

(2) 11 U.S.C. § 1191(b) (as a non-consensual plan) then, unless the court approved a written waiver of discharge, the debtor must file a motion requesting entry of an order of discharge as soon as practicable after the debtor completed all payments due within the first 3 years of the plan or such longer period not to exceed 5 years as the court had fixed, and the debtor must contemporaneously submit to the court a simple proposed order stating that the motion requesting entry of an order of discharge is granted, whereupon the court may enter the simple proposed order and then issue a separate order of discharge.

(c) Limited Notice Required. No notice and hearing of the motion requesting entry of an order of discharge is required except that Debtor must serve the motion upon the debtor, the trustee, the US Trustee, all indenture trustees, creditors that hold claims for which proofs of claim have been filed, and parties in interest expressly requesting notice.

These procedures will be effective beginning on the date of this order.

IT IS SO ORDERED this 11th day of November, 2021.

s/ Dale L. Somers

DALE L. SOMERS

Chief Judge

s/ Robert D. Berger

ROBERT D. BERGER

Judge

s/ Mitchell L. Herren

MITCHELL L. HERREN

Judge