

**LBR 4004.1**  
**DISCHARGE IN CASES UNDER CHAPTER 11 SUBCHAPTER V,**  
**CHAPTER 12, AND CHAPTER 13**

**(a) (a) Chapter 12 and Chapter 13 Cases.** Debtor shall file with the Court a combined Certification of Debtor and Motion for Entry of Discharge in order to obtain a discharge under 11 U.S.C. § 1228(a) or § 1328(a).

(1) Timing. The Certification and Motion shall not be filed until after the trustee has filed the Notice of Plan Completion.

(2) Content. The Certification shall be signed by the debtor under penalty of perjury and must substantially comply with the Chapter 13 Debtor's Certifications Regarding Domestic Support Obligations and Section 522(q) (Form B2830).

(3) Limited Notice Required. The Certification and Motion in Chapter 12 and Chapter 13 cases shall be filed electronically with the Court using the Court's Electronic Filing System and provide 21 days' notice to the following:

(A) Parties requesting electronic noticing through the Court's Electronic Filing System; and

(B) Any Domestic Support Obligation (DSO) claim holder and the State child support enforcement agency, if applicable.

**(b) Chapter 11 Subchapter V Cases.** 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.

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

(A) 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

(B) 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.

(2) Limited Notice Required. No notice and hearing of the motion requesting entry of an order of discharge is required in Chapter 11 Subchapter V cases 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.

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As amended 4/1/24, 3/17/23, 3/17/21.