

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF FLORIDA**

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**In re:**

**Administrative Order 09-3**

**Amendments to Local Rule 3022-1  
and Related Local Forms to Clarify  
Requirements for Closing Individual  
Chapter 11 Cases with Confirmed Plans**

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After review of Local Rule 3022-1, which sets forth requirements for closing confirmed chapter 11 cases, the court has determined that it is necessary to further clarify closing requirements for individual chapter 11 cases with confirmed plans. Accordingly, it is **ORDERED** that:

1. The Local Form “*Debtor's Statement Re: 11 U.S.C. §522(q)(1) Applicability, Payment of Domestic Support Obligations, Applicability of Financial Management Course and Notice of Deadline to Object*”

A. shall be renamed “*Notice of Deadline to Object to Debtor's Statements Re: 11 U.S.C. §522(q)(1) Applicability, Payment of Domestic Support Obligations and [For Chapter 11 Cases Only] Applicability of Financial Management Course and Statement Regarding Eligibility to Receive a Discharge*”; and

B. shall be amended to require the debtor(s) to separately certify whether or not completion of a financial management course is required prior to issuance of a discharge and to indicate the debtor(s) status regarding eligibility to receive a discharge, including whether the debtor has filed a motion for a discharge under 11 U.S.C. §1141(d)(5).

2. The Local Form “*Final Report and Motion for Entry of Final Decree*” shall be amended to permit the filer to indicate, if applicable, that a motion for discharge under 11 U.S.C. §1141(d)(5) has been filed. This form is also amended to relocate the listings for Clerk of Court and U.S. Trustee fees and costs under the section for other administrative fees and costs to the section of the form where other administrative fees and costs are listed.

3. Local Rule 3022-1(A) shall be amended as set forth below to require that the Local Form “*Final Report and Motion for Entry of Final Decree*” and the Local Form “*Notice of Deadline to Object to Debtor's Statements Re: 11 U.S.C. §522(q)(1) Applicability, Payment of Domestic Support Obligations and [For Chapter 11 Cases Only] Applicability of Financial Management Course and Statement Regarding Eligibility to Receive a Discharge*”, be filed in conjunction with a motion filed by an individual debtor seeking entry of a discharge prior to completion of payments under the plan under 11 U.S.C. §1141(d)(5).

**Rule 3022-1. Final Decree in Chapter 11 Cases.**

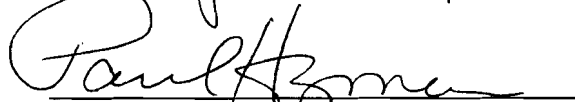
**(A) Deadline for Filing Final Report and Motion for Entry of Final Decree.** Unless otherwise provided in the confirmation order, the proponent of the plan shall file the Local Form "Final Report and Motion for Entry of Final Decree", in a non-individual chapter 11 case, not later than 60 calendar days after the order confirming the plan becomes final, and in an individual chapter 11 case, upon completion of all payments under the confirmed plan, or, if applicable, upon the filing of a motion by an individual debtor seeking entry of a discharge prior to completion of payments under the plan under 11 U.S.C. § 1141(d)(5).

**(B) Required Local Form Statement in Individual Cases.** In an individual chapter 11 case, not later than 60 calendar days after completion of all payments under the confirmed plan, or, if applicable, upon the filing of a motion seeking entry of a discharge prior to completion of payments under the plan under 11 U.S.C. § 1141(d)(5), the debtor shall also file the Local Form "*Notice of Deadline to Object to Debtor's Statements Re: 11 U.S.C. §522(q)(1) Applicability, Payment of Domestic Support Obligations and [For Chapter 11 Cases Only] Applicability of Financial Management Course and Statement Regarding Eligibility to Receive a Discharge*". This statement shall be served on negative notice on all parties of record. Any interested party who fails to file and serve a written objection to the statement within 30 days shall be deemed to have consented to entry of the final decree and discharge of debtor. A certificate of service shall be filed as provided by Local Rule 2002-1(F).

4. As provided by Local Rule 1001-1(C), where the forms amended by this Order are referenced throughout the Local Rules, reference shall mean the form as revised or amended.

**ORDERED** in the Southern District of Florida on

*April 27, 2009*



Paul G. Hyman, Chief Judge  
United States Bankruptcy Court

c: All SD Bankruptcy Judges  
Clerk of Court, U.S. Bankruptcy Court  
Office of the U.S. Trustee