IN THE UNITED STATES BANKRUPTCY COURT

FOR THE SOUTHERN DISTRICT OF ALABAMA

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| IN RE:  \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_,  Debtor(s). | )  )  )  )  ) | Case No. \_\_\_\_\_\_\_\_\_\_\_\_\_ |
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MOTION FOR CHAPTER 13 HARDSHIP DISCHARGE

Debtor(s) moves the court for entry of a hardship discharge under U.S.C. § 1328(b). In support of this motion, debtor(s) shows:

1. The debtor(s) filed a petition for relief under chapter 13 of the Bankruptcy Code, and this court entered an order confirming the plan.
2. Since confirmation, circumstances for which the debtor(s) should not justly be held accountable have changed such that debtor(s) cannot complete payments under the confirmed chapter 13 plan. Here are the changed circumstances:
3. Modification of the plan is not practicable.
4. The value, as of the effective date of the plan, of property actually distributed under the plan on account of each allowed unsecured claim is not less than the amount that would have been paid on such claim if the estate of the debtor(s) had been liquidated under chapter 7. The amount which creditors would have received had this been a chapter 7 case is approximately \_\_\_\_\_\_\_\_\_\_. The amount which has been paid to unsecured creditors in this case to date is approximately \_\_\_\_\_\_\_\_\_\_.
5. \_\_\_\_ The debtor(s) has completed an instructional course concerning personal financial management described in 11 U.S.C. § 111 and has filed a certificate of completion with the court.

\_\_\_\_ The debtor(s) has filed a motion requesting waiver of the requirement for an instructional course regarding personal financial management.

1. 11 U.S.C. § 521(q)(1) is not applicable to the debtor(s), and there is no pending proceeding in which the debtor(s) may be found guilty of a felony of the kind described in § 521(q)(1)(A) or liable for a debt of the kind described in § 521(q)(1)(B).
2. The debtor(s) has not received a discharge under chapter 7, 11, or 12 in a case filed within four years of this case and has not received a discharge under chapter 13 in a case filed within two years of this case.

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Attorney for Debtor(s)

Certificate of Service

I hereby certify that a true and correct copy of the foregoing motion for hardship discharge was served upon the chapter 13 trustee and all creditors who have filed proofs of claim by United States first-class mail, postage prepaid and property addressed, on this \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 202\_\_.

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