

T.L.B.R. 4004-1 Discharge

- (a) Financial Management Course Certification in individual debtor Chapter 7 and 13 cases. The Court cannot grant a discharge to individual debtors in Chapter 7 and 13 cases without receipt of a statement regarding completion of a course in personal financial management as required by I.B.R. 1007(b)(7). Chapter 7 and 13 cases that have been fully administered, other than the granting of a discharge and the filing of the financial management course certification, will be closed by the Court without the entry of a discharge; a new filing fee will be required to reopen the case to file the financial management certification and to permit the entry of the discharge.

- (b) Individual debtor cases in which 11 U.S.C. § 522(q)(1) applies. The Court cannot grant a discharge if there is reasonable cause to believe that Section 522(q)(1) may be applicable to the debtor and there is a conviction of a felony as defined in Section 3156 of Title 18, or pending any proceeding in which the debtor may be found guilty of a felony of the kind described in Section 522(q)(1)(A), or may be liable for a debt of the kind described in Section 522(q)(1)(B). Prior to the entry of the discharge, any party, including the debtor, a creditor, case trustee, and United States Trustee, with knowledge that Section 522(q)(1) may apply to the debtor shall file a statement justifying the assertion that there is reasonable cause to believe Section 522 (q)(1) applies.