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Mission Statement

The Mission of Debtor Orientation is to educate debtors about the Chapter 13 Bankruptcy process and the protections afforded to them under the Bankruptcy Code. The Chapter 13 Trustee in Canton, Ohio, Toby L. Rosen, firmly believes that education is a key factor in helping you successfully complete your plan. This belief is the driving factor in the Trustee's development and initiation of this program.

Welcome

Please allow me to share with you that this trusteeship understands the trying and difficult circumstances that led to your filing a Chapter 13 bankruptcy case. Unfortunately, bad things can sometimes happen to good people. My entire staff and I empathize with your situation and we pledge to work with you toward the successful completion of your plan. Tomorrow **can** be better for you if we work together.

Communication, understanding, and attentiveness are important factors in all relationships. The financial relationship that now exists between my staff and you is no exception. I cannot stress more forcefully that maintaining good lines of communication is the key to reaching the goal of successfully completing your plan.

This booklet is designed, written, and created to help you understand your responsibilities in the Chapter 13 bankruptcy process. Some of the information contained in this booklet is unique to this district of the Bankruptcy Court and to our Chapter 13 office. As you will discover, the Canton jurisdiction provides a number of opportunities for your financial benefit, growth, and awareness. Not only do we want you to realize the protections afforded to you during the term of your plan, but we also want to help you avoid the pitfalls that made you seek that protection in the first place. Make sure you keep this booklet in a convenient place as a handy reference when questions arise over the life of your plan. Please note, however, that this booklet is not meant to replace the advice of your attorney.

I want to commend you for the responsible choice you have made in dealing with your financial crisis. You have selected the chapter of the Bankruptcy Code that is about the business of "paying back" as well as providing you with a financial fresh start. Once your plan is confirmed, you will have reached a very positive turning point in your financial life, and by completing your plan, you may look forward to a bright financial future. Once again, my staff and I remain committed to helping you reach your goal of successfully completing your plan.

Yours very truly,
Toby L. Rosen

MY CHAPTER 13 CASE

CASE NUMBER _____

ATTORNEY NAME _____

ATTORNEY PHONE NUMBER _____

SEND PLAN PAYMENTS TO:

**Toby L. Rosen, Chapter 13 Trustee
P.O. Box 616
Memphis, TN 38101-0616**

CASE COMMUNICATIONS

1. Open and keep all mail about your case.
2. Contact your attorney about any communications that you do not understand.
3. *Before* going to court, contact your attorney and find out if you should go.

Your case information can be accessed by going to the Trustee's Website at:

www.chapter13canton.com

and registering at ndc.org. You will find a brochure in the first pocket folder of this book.

The second required financial course is available at no cost to you by the Chapter 13 Trustee. This must be completed before your Chapter 13 case is finished and is required for you to receive your discharge.

Sign up to take the class online at www.13class.com. You will find information sheets in the first pocket folder of this book. Your Trustee's identifier number is TEN13012.

Frequently Asked Questions

Who is my Trustee? How do I contact her?

- Your Chapter 13 Bankruptcy Trustee in Canton, Ohio, is **Toby L. Rosen**.
- Our office is located at:
400 W. TUSCARAWAS ST, 4TH FLOOR, CANTON, OH 44702
- Phone: (330)-455-2222 Fax: (330)-455-1240
- Office hours: 8:00am to 4:00pm, Monday-Friday
- We observe all Federal holidays.
- Please leave a message if the person you are trying to reach is unavailable.
 - Make sure to leave:
 - Your name
 - A phone number where you can be reached
 - Your 7-digit case number
 - A brief message about why you are calling
- To arrange an appointment, please call the office using the number above. This way we will be prepared for your visit to best assist you! We cannot guarantee that we will be able to assist you if you arrive at our office without an appointment.

How will I make my payments into the plan?

Through a wage order deduction

- This is a requirement of our Court.
- Until these deductions begin, ***you are responsible for making direct payments to the Trustee.***

By direct payment

- Occasionally, the Court may permit debtors to make payments directly. If this is your case, you must follow these procedures:
 - Payments are allowed only ***as cashier's checks or by money order.***
 - No personal checks or cash are accepted!
 - Payments must show your name and 7-digit case number.
 - After the first payment, monthly payments are due by the *20th of each month.*
 - We cannot accept any payments in our office!
 - We cannot accept payments through 3rd party check processing agencies.
 - Make payments payable to:

Toby L. Rosen, Chapter 13 Trustee

- Mail cashier's checks or money orders to:

Chapter 13 Trustee

P. O. Box 616

Memphis, TN 38101-0616

- The above address is for payments only. If you use it for any purpose other than submitting a payment, we may not receive your correspondence.
- If you are unable to make a payment, ***notify your attorney immediately.***
- **Failure to make payments may cause your case to be dismissed.**

What is a Wage Deduction?

A Wage Deduction is the best way to make payments into your bankruptcy case.

- The Bankruptcy Judge will sign a *Wage Deduction Order* (see Appendix B) and send it to your employer.
- The payments are deducted in equal amounts *from your regular pay* and sent to the Trustee's post office box.
- **YOU are responsible for making payments directly until your employer begins sending them on your behalf.**
- If the amount deducted is incorrect, contact your attorney immediately. **Failure to make the correct payments may result in the Court dismissing your case.**

Can I make extra payments into my Chapter 13 Plan?

- Yes. You can make extra payments as long as you speak with your attorney first.

What happens if I have a problem with my employer due to my filing a Chapter 13 Plan?

Occasionally, a problem with an employer will arise.

- If this is the case, please report any problems to your attorney.
- If your employer has any questions regarding a Wage Deduction Order or the Chapter 13 process, they may contact the Trustee's office at 330-455-2222 ext. 23.

What happens if I change jobs?

- If you obtain new employment, notify your attorney immediately.
- The Court will issue a new wage order deduction on your new employer.
- Remember, just as before, if there is a delay in your payments, ***you are responsible for making payments until your new employer begins sending them on your behalf.***

Do I need to tell my attorney if I move?

Yes. You have a responsibility to call your attorney as soon as you have your new address.

- Your attorney will notify the Trustee and the Court.
- The Court will be in contact with you throughout your bankruptcy and needs to know where to send communications.

I have a question about my case. Who do I ask?

Your attorney!

- The Trustee's office *cannot give legal advice.*
- Any legal questions you have must be directed to your attorney and/or their legal staff.
- Your current attorney will represent you as long as your case is active.

What if my attorney is not responding to my questions or calls?

Make an appointment with your attorney - this is usually the best way to communicate with their office.

- However, if a problem arises, or you are concerned about the representation you are receiving, you may send a letter to the Trustee's office in Canton, Ohio. Please clearly state your concerns and be sure to sign your letter.

Will my creditors continue to call or harass me?

- The Court will send a written notice to all creditors listed in your bankruptcy to notify them that you have filed Chapter 13.
 - Bankruptcy law prevents your creditors from contacting you after receiving notification of your bankruptcy filing.
- If a creditor does contact you:
 - Do not discuss your case with them.
 - Give them your Chapter 13 case number and your attorney's name and phone number.
 - Write down the name and address of the person contacting you, and report this information to your attorney.

What if I forget to list a creditor?

- All creditors must be listed. If you are not sure you have listed all of your creditors, call your attorney.

Why do creditors have to file a Proof of Claim with the Court?

- Creditors cannot receive payments unless they file a proof of claim.
- Creditors will receive proof of claim forms in the mail.
 - Creditors are allowed 90 days from the filing of the petition to fill out this form and file their claim.
 - If the creditor is a government agency, (the IRS, state and local governments, etc.) they have 180 days to file a claim.
- Between six and eight months from the date you filed your case, the Trustee will send you a *Notice of Intent to Pay Claims* (see Appendix C).
 - This lists all of the creditors in your bankruptcy, and indicates whether a Proof of Claim was filed.
 - Make sure you review the *Notice of Intent to Pay Claims* to make sure all of the information is accurate.
 - **Be sure to *contact your attorney* if any of the information is not correct!**

What about my taxes while I am in bankruptcy?

- You must file **all** required tax returns (federal, state, local) on time each year.
- If part of your bankruptcy involves a tax debt, and you are owed a tax refund, the IRS may retain your refund and apply it to your tax debt. If this occurs, notify your attorney.
- Alert your attorney to any correspondence you receive from the IRS, any government agency, or any tax reporting agency.
- Because you cannot borrow money while in bankruptcy, you may not obtain a “rapid refund” or a tax anticipation loan, from a tax preparer.
- Any post-petition taxes that you owe ***must be paid in full and on time***.
 - You are required to provide your attorney with proof of payment of any tax due. Your attorney’s office will forward the documents to the Trustee.
 - If you fail to pay your taxes when due, your case could be dismissed!
- **You are required to send copies of your federal and state tax returns to the Trustee each year while your Chapter 13 case is active.**
 - Send **complete copies** of federal and state tax returns to your attorney. Your attorney’s office will forward your tax documents to the Trustee.
 - Failure to provide the Trustee with complete tax documents could cause your case to be dismissed!
- You may be required to pay a portion of your tax refund into your case. Ask your attorney if you are not sure how much, if any, you need to pay.
 - These payments must be in the form of a money order or cashier’s check and identified as “Tax Refund” along with your name and Chapter 13 case number.
 - If required, mail any tax refund payments to the Trustee’s post office box in Memphis, Tennessee.
 - Failure to pay required funds from tax refunds may cause your case to be dismissed!
- **Required tax documents, proof of payment of any tax due, and any payments from tax refunds must be received by the Trustee by April 15th each year.** Plan on filing your taxes early while you are in the Chapter 13 program in order to meet this deadline.

Here’s a tip: Talk to your attorney about the number of exemptions you claim for your payroll withholding. Changing this number may affect your refund.

Can I use credit while in the plan?

- No. You cannot obtain credit or enter into any sort of loan agreement over \$500.00 without Court permission.
 - This includes co-signing loans for anyone, including student loans.
 - The total remaining balance on all of your credit cards cannot exceed \$500.00 while in Chapter 13.
- If there is an emergency and you need to use credit, contact your attorney. The Court will decide if credit is appropriate for your situation.
 - Be careful! If you use credit without permission, your case could be dismissed.

Can I sell property while in the plan?

- No. You may not sell or transfer any assets worth \$1,000.00 or more at the time of filing without notifying your attorney.
- You may not sell any real estate without permission of the Court.
- Be careful! If you sell assets without permission, your case could be dismissed.

Will I receive statements from the Trustee?

- You and your attorney will annually receive an Interim Statement from the Trustee. (see Appendix D).
- This will include information about the payments you have made into your case and money the Trustee has paid to your creditors.
 - You will only receive this after your plan has been confirmed.

Here's a tip: **Keep all of the statements you receive** during the course of your bankruptcy. You may need them for at least ten years after your plan is discharged to re-establish credit.

What does it mean if my case is dismissed?

Voluntary Dismissal

- If you choose to end your Chapter 13 case, you may be able to do this by contacting your attorney.

Involuntary Dismissal

- Your case could also be dismissed because the Trustee or a creditor files a motion to dismiss your case. There are many reasons but the most common one is that you failed to follow the terms outlined in your plan. For example:
 - Failing to make payments to the Trustee.
 - Failing to send copies of your tax returns.
- If you experience an emergency, contact your attorney.
- If your case is dismissed, creditors may resume collection efforts against you.
 - This means they may again contact you to demand payment.
 - They may add the fees, interest, and penalties that were waived during the time you were in the bankruptcy program.
- **Contact your attorney immediately if you receive a motion to dismiss your case.** They will advise you of available options and how to proceed.

What happens when I complete my plan?

- The Trustee will verify that your plan has ended and will file an Order of Completion of Plan Payments with the Court.
 - When you receive the Order of Completion contact your attorney to have the final bankruptcy forms filed with the Court.
 - You must also take the 2nd portion of the required debtor financial education class if you haven't already done so. See the sheets in the first file pocket of this book for more information.
- You and your employer (if you have one) will be notified to stop making payments.
 - If the Trustee receives more money than is necessary to complete your case, any overpayment will be refunded to you as soon as possible.
- Once all checks paid to your creditors have cleared the bank, the Trustee will submit a *Final Report and Account* to the Court (See Appendix E).
- After the bankruptcy clerk's office reviews your case, and all the appropriate final documents have been filed, you may receive an *Order of Discharge* from the Bankruptcy Court (See Appendix F).
- Add all of these to your collection of important documents that you must keep. You will need them when you begin re-establishing credit.

What happens to any of my debts that are not paid in full?

After successful completion of your Chapter 13 case and discharge by the Court:

- Any remaining *dischargeable* debts will be *legally forgiven (discharged)* upon completion of your plan.
 - Your attorney can advise you as to which of your debts are dischargeable.
 - Creditors whose debts are discharged **cannot** resume collection activity against you.
 - If these creditors try to collect past debts, contact your attorney.

- **Some debts are non-dischargeable.** You will resume making these payments once your Chapter 13 case completes.
 - These may include student loans, child and spousal support obligations, court fines, tax debts, or any debt incurred after your case was filed.
 - You may also be required to resume mortgage payments or vehicle loan payments if they were not paid off during the course of the bankruptcy.
 - Title information for paid vehicle loans will be available from the lien holder or creditor.
 - *Contact your attorney* if you are not sure which, if any, of your debts are non-dischargeable.
 - If you owe student loan debt consult the government's website for student loan consolidation, repayment and forgiveness.

The web address is www.direct.ed.gov

How long will my bankruptcy be on my credit report?

- Assuming you have *successfully completed* your Chapter 13 bankruptcy case, your bankruptcy will be on your credit report for 10 years.

Here's a tip: Keep all of your Chapter 13 documents including interim reports for at least 10 years. You may need them when you begin to re-establish credit. It may not be easy to replace these documents once your Chapter 13 case is closed.

Glossary of Terms

341 Meeting- Also called the Meeting of Creditors. This is a tape-recorded meeting between the debtor, the Trustee, the debtor's attorney, and creditors. The debtor is questioned under oath about assets, liabilities, income, expenses, and the debtor's proposed repayment plan. Debtors are required by bankruptcy law to attend. You must bring a photo ID (driver's license) and proof of Social Security number.

Adversary Proceeding- A separate lawsuit filed in the bankruptcy court concerning a dispute that involves the bankruptcy case. A debtor who is served with an adversary complaint should immediately contact his or her attorney.

Amendment- The filing of a new document in place of an old document – the new document replaces the old.

Appeal- A request to a higher court to review a decision of the bankruptcy court. A notice of appeal must be filed shortly after entry of a final order or judgment.

Assets- Property such as land, houses, vehicles, furniture, clothes, bank accounts, retirement accounts, tax refunds, claims against others, etc.

Automatic Stay- An automatic court order requiring creditors to stop all collection activity against a debtor on pre-bankruptcy debts. It goes into effect upon filing a bankruptcy case.

Bankruptcy Estate- All assets belonging to the debtor at the time the bankruptcy petition is filed, plus income the debtor earns after filing the petition. It could also include a spouse's income and property, as well as inheritances, divorce settlements and life insurance due within 180 days of filing.

Bar Date- Deadline for a creditor to file a claim for payment from the bankruptcy estate. The bar date is 90 days after the first date set for the meeting of creditors. Governmental agencies such as the IRS have 180 days from the petition date to file a claim. The debtor has 30 days *after* the bar date to file a claim for a creditor that has not filed a claim.

Chapter 7- A type of bankruptcy where a debtor can request a discharge of debts after the surrender or sale of the debtor's non-exempt assets. A trustee collects and sells all of the debtors' non-exempt assets, and distributes the net sales proceeds to creditors. A Chapter 7 discharge is more limited than a Chapter 13 discharge.

Chapter 11- This chapter allows the debtor to reorganize and restructure their debts. It is more complex than a Chapter 13 Bankruptcy. Individuals do not usually file this type of bankruptcy.

Chapter 12- This chapter can be used by family farmers and fishermen to reorganize and restructure their debts.

Chapter 13- Chapter 13 allows an individual debtor (and spouse) to propose a plan to pay creditors. Unless it proposes to pay 100%, a plan lasts at least 36 months and in some cases must last 60 months. It can never be longer than five years. An individual is not eligible to file a Chapter 13 case if they have debts exceeding a certain total amount.

Co-Debtor- An individual who takes on a debt with another debtor, or guarantees repayment of a debtor's debt.

Co-Debtor Stay- This is an automatic stay that protects a person who did not file bankruptcy but who is a co-debtor along with the debtor. Joint credit cardholders and co-signers of a debt are protected by the co-debtor stay.

Collateral- Property pledged as security for the payment of a debt.

Confirmation- The act of the bankruptcy court approving a Chapter 13 payment plan.

Co-Signed Debt- Debt for which more than one person is legally responsible.

Conversion- Changing a bankruptcy case from one chapter to another.

Court- the United States Bankruptcy Court that will decide your case. Sometimes the bankruptcy judge is called "the Court."

Cram Down- Also known as "*lien stripping*." A cram down involves a creditor's claim that is split into secured and unsecured portions. The secured portion is equal to the value of the collateral, and the unsecured portion is the balance of the claim that exceeds the value of the collateral. The creditor ends up with two separate claims that may be treated differently under the plan.

Credit Grantor- One who gives a loan or line of credit; also referred to as the "creditor".

Cure Defaults- Bring bills that were past due current and up to date during the term of the plan. For example, catching up past due mortgage payments.

Debt- Money that is owed to another.

Debtor- A person or entity who owes a debt; also a person or entity who files a bankruptcy case.

Default- Not doing all that is required within a given time, such as not making a plan or house payment.

Delinquent- Overdue; not paid on the agreed due date.

Deposition- The recorded testimony of a witness taken under oath at some place *other* than the courtroom.

Discharge- Discharge of debts is one of a debtor's goals in a bankruptcy filing. If the bankruptcy court grants this, creditors cannot collect debts afterwards.

Note: This does **not** happen with a non-dischargeable debt. The court decides if a debt is non-dischargeable.

Discovery- The process by which one party gives needed information or documents to another party before a trial or hearing. This could include interrogatories, requests for documents, requests for admissions, and depositions.

Dismissal- An order terminating the bankruptcy case *before* successful completion and discharge. This order allows creditors to restart collection activities regarding debts that were involved in the bankruptcy. A case may be dismissed *voluntarily* by a debtor, or *involuntarily* by the Court, Trustee, or creditor, for various reasons. These reasons include not making payments on time, not attending the 341 meeting, or not filing complete information with the Court.

Disposable Income- Money the debtor has available that is not used for living expenses or on legal dependents.

Escrow- A sum held in trust or as security by a third party.

Estate- All that a person owns, including real estate, inheritable, and movable property.

Exemptions- Certain property belonging to a debtor that is *not* counted as part of the bankruptcy estate:

*The debtor can keep certain property in order to have a "fresh start" after completion of a bankruptcy. An exemption usually does not affect a lien on property of a debtor. Even though a debtor's asset may be exempt, the debtor still must pay any debt secured by such lien in order to keep the asset, unless the Court says otherwise.

Fair Market Value- The price at which an unrelated seller is ready and willing to sell, and an unrelated buyer is ready and willing to buy, an asset on the open market. The two parties have roughly equal bargaining power in determining this price.

Feasibility- Likelihood that all payments under a debtor's Chapter 13 plan will be paid. It is a requirement for court approval of a bankruptcy plan.

Foreclosure- Process that takes away the debtor's ownership rights in property subject to a lien or mortgage. This property is sold and the money from the sale is used to pay a debt secured by the lien or mortgage.

Fraud- A false statement of an important fact intentionally made by a debtor to a party who is harmed as a result.

Guarantor- Person who promises to repay a debt made by another.

Insolvency- The inability of the debtor to pay current bills as they become due, or if the debtor's total liabilities are greater than the value of his or her assets.

Interrogatories- Written questions that *must* be answered, *on time*, in writing under oath. The answers can be used as evidence later in court.

**Note:* The court may levy a fine against a person who refuses to answer on time.

Involuntary Chapter 7- A liquidation bankruptcy case filed by creditors against a debtor.

Joint Bankruptcy- A single bankruptcy case filed by a married couple.

Jurisdiction- Region in which a court is located; also refers to power of the Court to issue legally binding orders regarding certain matters.

Liability- A debt or obligation.

Lien- A creditor's right to property of a debtor, i.e. mortgage or security interest.

Liquidation- Selling assets for funds to pay creditors.

Liquidation value- The value of an asset if it were sold for funds to pay creditors.

Luxuries- Property that provides pleasure or comfort but is not reasonably necessary to living.

Matrix- List of names and addresses of each creditor arranged in a particular order on a page.

Meeting of Creditors- See 341 Meeting.

Modification of Plan- Changes to a plan filed in a Chapter 13 Bankruptcy case that has already been confirmed by the Court. The court must approve any changes.

Motion- A formal request to a Court to request or allow an action.

Necessities- Items of property or services that are required for living a normal life without being excessive.

**For example,* food, clothing, shelter, etc.

Non-exempt assets – Assets which are not entitled to an exemption (see Exemption defined above).

Non-dischargeable debt- Certain debts that are not covered by the debtor's discharge, including some tax debts, spousal and child support, student loans, criminal fines and restitution, and debts related to drunken driving violations. If a debt is non-dischargeable, creditors can continue collection activities after the case.

Objection to Claim- A pleading that challenges whether a debt is owed, or the amount claimed to be owed. It may be filed by the debtor, debtor's attorney or Trustee.

Offset- Allowing a debt to be reduced by crediting funds from another source against the debt.

**For example:* When the IRS keeps all or part of a debtor's tax refund to pay certain taxes owed by the debtor to the government.

Order- A formal ruling, issued by a judge that allows or requires specific action.

Periodic- Occurring at regular times, usually monthly, quarterly, semi-annually or annually.

Perjury- Lying under oath. Perjury can be a false oath orally or in writing.

Petition- The document filed with the bankruptcy court used to begin a bankruptcy case. The petition may also be known as an *Order for Relief*. The filing of the petition starts the automatic stay. Other documents are often attached to the petition, or must be filed with the bankruptcy court within a certain time after filing of the petition.

Petition Date- The date the bankruptcy petition is filed with the bankruptcy court clerk.

Pleading – A written document.

Post-Petition- Any event occurring after the petition date.

Post-Petition Debts- Any debt incurred after the filing of the petition in the bankruptcy court. They may not be dischargeable or protected by the automatic stay.

Pre-Petition Debts- Any debt which exists at the time of filing the bankruptcy petition.

Preference- A pre-petition payment to a creditor that allows a creditor to receive more of their debt than what other creditors will receive in the bankruptcy. The Trustee may require the creditor to give back certain payments so that the money can be divided equally among similar creditors.

Presiding Officer- The Trustee or a representative of the Trustee who conducts the 341 meeting.

Priority Debts- Unsecured debts that must be paid in full under a Chapter 13 bankruptcy plan. These include certain taxes, alimony, and child support.

Pro Se- A debtor filing bankruptcy without an attorney.

Property- Assets.

Pro Rata Basis- Divided proportionally.

Proof of Claim- A form used by creditors to prove they are owed money and should receive payments from the bankruptcy estate.

Relief from Stay- The court could enter this to allow a creditor to enforce its claims, pursue collection against a debtor, or conduct any other activity that would otherwise violate the automatic stay. When the court grants an *order for relief* (“*lifting*” the stay) the automatic stay protection is canceled.

Restitution- A debt resulting from when a criminal court orders a person to repay money or property to a crime victim. This results from a criminal conviction or plea bargain.

Sanction- A penalty against a party or their attorney for violating a bankruptcy court order or purposely delaying the bankruptcy process.

Schedules- Written information that a debtor files with the bankruptcy court along with filing a bankruptcy petition. These forms provide financial information about the debtor, and are completed under oath that the information contained is accurate. These include a list of assets and liabilities, a schedule of income and expenses, and a list of financial affairs.

Secured Creditor- A creditor who has a lien on property that secures their right to repayment.

Sole Proprietorship- A business owned by a sole individual.

Solvency- The ability to pay all debts and claims as they come due, or where a debtor’s total assets exceed the value of the debtor’s total liabilities. When a debtor’s Chapter 13 case is solvent, the debtor must pay all unsecured creditors a 100% dividend with interest.

Special Class- A claim or group of claims which are allowed to be treated differently than other claims.

Stay- See Automatic Stay.

Substantial Abuse- The court may dismiss a Chapter 7 Bankruptcy case if the debts are *mostly consumer* debts and if the court believes that the Chapter 7 petition represents an *improper use* of the Bankruptcy Code (See Section 707(b) of the Bankruptcy Code). One factor considered is the debtor's financial ability to repay a large portion of their debts in a Chapter 13 case.

Subpoena- A document, usually issued by a court, requiring specific action, such as an appearance at a particular time and date. Failure to obey a subpoena may result in a fine or other punishment for contempt of court.

Summons- A written notice issued by a court or an officer of a court, (a legal document) advising a party that a lawsuit or adversary proceeding has been commenced against them, and of any time limit on a response to such lawsuit or proceeding.

Trustee (Chapter 7)- A person who collects the non-exempt assets of a debtor and sells them to pay creditors.

Trustee (Chapter 13)- A person appointed to collect payments from the debtor or debtor's employer and to pay them to creditors according to a court approved bankruptcy plan.

U.S. Trustee- A governmental entity that monitors the administration of bankruptcy cases in certain states and oversees the Trustee appointed in Bankruptcy cases.

Unsecured Creditor- A creditor whose debt is not secured by property or collateral. Most often this includes credit card debts.