

# CHAPTER 13

## Frequently Asked Questions

### **What is going to happen now that I filed a Chapter 13 Bankruptcy?**

- You need to discuss your individual concerns, legal rights, and specific questions with your attorney. We cannot give you legal advice.
- The Chapter 13 Trustee and her staff will administer payments to your creditors.
- Your 1<sup>st</sup> payment to the Chapter 13 Trustee is due within 30 days after the filing of your Case. Please review the Greeting Letter that was mailed to you which includes the date your payments are due.
- If you have agreed that your plan payments are to be deducted from your paycheck, you are responsible for making sure those payments are received by our office. If the Trustee does not receive your payments, you will risk having your case dismissed.

### **What Trustee fees are charged in Chapter 13?**

- The Chapter 13 Trustee receives a fee of up to ten percent (10%) of the amount paid under the plan. The percentage can change at any time. The fee is listed on the Trustee's website on the Home Page, [www.ch13md.com](http://www.ch13md.com).

### **Why am I missing plan payments when my employer has sent them directly to you?**

- Perhaps you stopped making payments before your employer was able to start the deductions or perhaps there is a delay in the mail. If you feel your employer missed a payment, please contact them. If there are too many missed payments, the Trustee will notify you by mail. Be sure to respond to the Trustee to avoid a Motion to Dismiss for failure to make Plan payments.

### **May I change to Chapter 7 if my Chapter 13 case is still open?**

- You should contact your attorney if you are considering converting your case.

### **Can I get out of Chapter 13 early?**

- You can request a payoff from the Trustee. She will review your case to determine if you are eligible for early payoff.

### **What if I am temporarily unable to make my Chapter 13 payments?**

- It is very important to contact your attorney if you ever expect to miss a payment due to layoff, medical disability, etc.

### **May I make a higher payment than is required under my plan?**

- It is very important to contact your attorney to discuss making a higher Plan payment which could result in a Plan modification being required.

### **What if I later decide that I no longer want to make payments and to continue with the Chapter 13 plan?**

- Contact your attorney regarding discontinuing your Chapter 13 Plan.

**How do I find out how much is owed to creditors under my plan?**

- The Trustee mails a report once a year. Be sure to review the Annual Report carefully and contact the Trustee’s office and/or your attorney immediately if you have any questions or concerns.

**What happens to creditors who were not listed on my schedules?**

- Contact your Attorney if you have any questions or concerns about a particular creditor.

**What if I don't agree with how much a creditor is receiving?**

- Contact your attorney so that an Objection to Claim can be filed.

**Can I incur new debt after I filed my Chapter 13 plan?**

- Should you need a vehicle please see the Trustee website forms “Instructions for Request to Purchase a Vehicle” and “Request to New Post-Petition Credit to Purchase a Vehicle”, under FORMS. Contact the Trustee’s office for additional questions.
- Contact your attorney for all other request

**Will a Chapter 13 bankruptcy affect my credit rating?**

- Contact your attorney for any questions about your credit rating.

**What happens when all payments have been completed?**

- The Trustee will begin the audit to close your case. Review the Trustee’s website for the closing process. Once the audit is completed, the Trustee will notify Court electronically that your plan has been completed. Court will process the Discharge Document after your attorney files the Affidavit or Motion for Discharge and order is signed depending on what is needed for your particular case. Should you have questions regarding that process or any legal questions, contact your attorney. We cannot answer any questions regarding Court processes.
- Any overpayment will be refunded to you.

**Obtaining copies of documents:**

Copies of documents and other paperwork filed in your case, including discharge orders, can be obtained from the Clerk of the Bankruptcy Court. Do not contact the Trustee for these documents. The Clerk can be contacted at:

**Clerk, Greenbelt Division**  
6500 Cherrywood Lane, Suite 300  
Greenbelt, MD 20700  
301-344-8018

**Clerk, U.S. Bankruptcy Court**  
333 Constitution Ave., NW, Room 1225  
Washington, DC 20001  
202-354-3280

**Clerk, Baltimore Division**  
101 W. Lombard Street, Suite 8530  
Baltimore, MD 21201  
410-962-2688