

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE
SOUTHERN DISTRICT OF GEORGIA**

GENERAL ORDER NUMBER 2015-3

Discharge Requirements

Discharge in Chapter 11, 12 and 13 Cases. A discharge cannot be entered for an individual debtor unless the debtor files a certification of eligibility for discharge. In Chapter 11 and 12 cases, the certification should be filed contemporaneously with a motion for discharge. In Chapter 13 cases, the certification should be filed within thirty (30) days after the filing of the trustee's notice of completion of plan payments.

(a) Certifications. All certifications shall substantially conform to the proper local form and contain the following statements:

- (1) a statement concerning payment of domestic support obligations;
- (2) a statement concerning compliance with 11 U.S.C. §§ 1141(d)(5)(C), 1228(f), or 1328(h), and § 522(q);
- (3) in Chapter 11 or Chapter 13 cases, a statement concerning completion of an instructional course concerning personal financial management described in 11 U.S.C. §111;
- (4) in Chapter 13 cases, a statement concerning compliance with § 1328(f)'s requirement of no discharge if the debtor received a discharge in a prior bankruptcy case filed within the prescribed periods.

(b) Service. The debtor shall serve the certification of eligibility for discharge on the United States Trustee, the trustee, all domestic support obligation recipients, and all parties in interest. Unless a party in interest timely files an objection to the certification of eligibility for discharge, the court may find without a hearing that there is no reasonable cause to believe that:

- (1) Section 522(q)(1) may be applicable to the debtor; and
- (2) There is pending any proceeding in which the debtor may be found guilty of a felony of the kind specified in §522(q)(1)(A) or liable for a debt of the kind described in §522(q)(1)(B).

Hardship Discharge.

(a) Certifications. A motion for hardship discharge under §1228(b) or §1328(b) shall conform to the proper local form. In addition to the certifications listed above, the motion shall include the following statements:

(1) a factual statement showing entitlement to discharge under §1228(b) or §1328(b); and

(2) a statement concerning satisfaction of the best interest of creditors test under §1325(a)(4).

(b) Service. The debtor shall serve the motion for hardship discharge on the United States Trustee, the trustee, all domestic support obligation recipients, and all parties in interest.


This order shall be effective January 4, 2016.

IT IS FURTHER ORDERED that General Order 2007-8, filed October 17, 2007, is vacated.

Dated this 20th day of November, 2015.



Susan D. Barrett
Chief United States Bankruptcy Judge


Edward J. Coleman, III
United States Bankruptcy Judge
John S. Dalis
United States Bankruptcy Judge
Lamar W. Davis, Jr.
United States Bankruptcy Judge