

INFORMATION REGARDING DOMESTIC SUPPORT OBLIGATIONS

The Trustee has certain notice requirements in a Chapter 13 case in which the debtor owes a *domestic support obligation*. A domestic support obligation is a debt that is:

- owed for alimony, maintenance, or support,
- owed to a spouse, former spouse, child, or child's parent, legal guardian or responsible relative; and
- established by an agreement (a separation agreement, property settlement agreement), a court order (including a divorce decree), or any determination by an appropriate governmental unit.

(See 11 U.S.C § 101(14A)) for the complete formal definition of domestic support obligation).

If you have an obligation as described above, it is a *domestic support obligation* in your bankruptcy case, ***even if you were completely up-to-date in payments under your agreement or order at the time your case was filed.***

In order for the Trustee to fulfill his noticing requirements, it is necessary for you to complete and return the certification enclosed. If this is a joint filing by husband and wife, then each of you must complete and return a copy of the certification.

IMPORTANT REMINDER ABOUT YOUR DSO: If you owe a domestic support obligation, being a debtor in Chapter 13 makes it more critical than ever to stay up to date on all payments coming due after the bankruptcy petition is filed. The Bankruptcy Court cannot confirm your Chapter 13 plan unless all post-petition domestic support obligations are current at the time of confirmation. Once you successfully complete the payments due under you plan, the Court cannot process your bankruptcy discharge unless you continue to be up to date with all post-petition domestic support payments at the time of discharge. Obviously, keeping current with such payments is another very important factor in the success of a Chapter 13 case. ***(If you are behind with domestic support obligation at the time the petition is filed, the pre-petition arrears must be covered and paid in your plan.)***

IT IS VERY IMPORTANT THAT YOU TALK WITH YOUR ATTORNEY IF YOU HAVE ANY QUESTIONS OR CONCERNS ABOUT COMPLETING THE DOMESTIC SUPPORT OBLIGATION CERTIFICATE OR ANY OTHER ISSUES RELATED TO ANY ALIMONY OR SUPPORT OBLIGATION THAT YOU HAVE. IF YOU DO NOT HAVE AN ATTORNEY, WE STRONGLY ENCOURAGE YOU TO OBTAIN COMPETENT CHAPTER 13 COUNSEL TO ASSIST YOU WITH THIS AND OTHER COMPLEX ISSUES IN YOUR CASE.

CERTIFICATION REGARDING DOMESTIC SUPPORT OBLIGATIONS

I, the Debtor named below, state as follows:

- I do not have any obligation to pay alimony, maintenance or support to a spouse, former spouse, child, child’s parent, legal guardian or responsible relative.

OR

- I owe the following obligation(s) for alimony, maintenance or support:

alimony child support other owed to:

Name: _____

Address: _____

Phone: _____

I am current OR in arrears on this obligation.

[If you have more than one domestic support obligation, copy this form or use additional sheets to provide the same information for those additional debts. The information to be provided is for the actual individual creditor (spouse, former spouse, etc.) to whom the alimony or support is owed, not the support agency that might be collecting the debt.]

I HEREBY CERTIFY under penalties of perjury that the information in this Certificate, including any additional sheets provided, is true, correct and complete as of the date written below.

Signature of Debtor: _____

Type or Print Name of Debtor: _____

Date Certificate is Signed: _____

Write Your Case Number: _____