

Discharge—Chapter 7

Docketing Event

N/A

Negative Notice: N/A

Accompanying Orders: N/A

Code and Rule References:

[11 U.S.C. § 523](#)

[11 U.S.C. § 524](#)

[11 U.S.C. § 727](#)

[Fed. R. Bankr. P. 4004](#)

[Fed. R. Bankr. P. 4006](#)

[Fed. R. Bankr. P. 4007](#)

Fee: N/A

Applicable Chapters: 7

Implemented: 10/26/17

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Description

A discharge in bankruptcy relieves an individual debtor from personal liability on debts incurred before filing the bankruptcy petition with some exceptions. The Bankruptcy Code and Rules list requirements that must be met for the debtor to receive a discharge. The Bankruptcy Code also lists which debts are covered by a discharge.

When the deadline expires for parties to object to a discharge, the Court reviews the docket to determine if all the requirements have been met to enter a discharge.

Requirements for a Chapter 7 discharge:

- Debtor is an individual;
- The objection to discharge deadline has expired;
- No complaint objecting to the debtor's discharge is pending;
- No motion to extend time to file a complaint to object to the debtor's discharge is pending;
- No pending or approved "Waiver of Discharge" is filed;
- No order denying, revoking, or withholding the debtor's discharge has been entered;
- No motion to dismiss is pending;
- No motion to extend time to file a motion to dismiss is pending;
- Case filing fees (and conversion fees, if applicable) have been paid;
- A "Statement of Completion of Course in Personal Financial Management" has been filed or the requirement has been waived by the Court;
- If a Chapter 7 Debtor dies and a Suggestion of Death is filed, the Court will not require the filing of the Certificate of Debtor Education Concerning Personal Financial Management before issuing a discharge;
- No motion to delay or postpone the entry of a discharge is pending;
- No hearing on a reaffirmation agreement is pending;

- No motion to extend time to file a reaffirmation agreement is pending;
- No motion to compel surrender, reaffirmation, or redemption of property is pending;
- Debtor has not received a discharge within a specified time period that is based on the filing date and chapter of the current and prior cases.

A case may be closed by the clerk's office without a discharge if certain required documents are not timely filed. It is not necessary to file a motion to reopen the case in order to file the missing documents and receive a discharge. The most common document that a debtor fails to file is the Certification About a Financial Management Course (Official Form 423). In a joint case, each debtor must take the course and file a separate certification.

Related Forms

[Official Form B 423 – Certification About a Financial Management Course](#)