

Motion to Declare Secured Claim Satisfied and Lien Released – Chapters 12 and 13

Docketing Event

Bankruptcy > Motions/Applications/Objections > Motion to Declare Secured Claim Satisfied and Lien Released

Negative Notice: Yes.

Accompanying Orders: N/A

Code and Rule References:

[Fed. R. Bankr. P. 5009](#)

[Fed. R. Bankr. P. 7004](#)

[Local Rule 2002-4](#)

Fee: N/A

Applicable Chapters: 12, 13

Implemented: 1/24/2018

Last Revision: 8/14/2020 1:59:43 PM

Description

In a chapter 12 or chapter 13 case, if a claim that was secured by property of the estate is subject to a lien under applicable non-bankruptcy law, the debtor may request entry of an order declaring that the secured claim has been satisfied and the lien has been released under the terms of a confirmed plan. The request shall be made by motion. The motion shall be served on the holder of the claim and any other entity the Court designates in the manner provided by Federal Rule of Bankruptcy Procedure 7004 for service of a summons and complaint.

Filing Checklist

Review the motion to determine if it:

- Is signed;
 - Includes the attorney's name and address complete and consistent with the filing attorney's name and address in CM/ECF; and
 - Is properly served and includes a proper certificate of service;
 - Is filed with negative notice that contains correct language located on the first page;
 - ❖ Response period is 21 days (plus an additional three days for service if any party was served by U.S. Mail).
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Forms

[Motion to Declare Secured Claim Satisfied and Lien Released](#)

[Order Granting Motion to Declare Secured Claim Satisfied and Lien Released](#)