

## Motion to Administratively Close Chapter 11 Individual Case

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### **Docketing Event**

Bankruptcy > Motions/Applications/Objections > Motion to Administratively Close Individual Chapter 11 Case

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**Negative Notice: Yes.**

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**Accompanying Orders: N/A.**

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### **Code and Rule References:**

[11 U.S.C. § 362\(c\)\(2\)\(A\)](#)

[11 U.S.C. § 1101\(2\)](#)

[11 U.S.C. § 1112\(b\)\(4\)\(B\)](#)

[11 U.S.C. § 1115\(a\)\(1\) and \(2\)](#)

[11 U.S.C. § 1127\(e\)](#)

[11 U.S.C. § 1141\(a\), \(d\)\(5\)](#)

[28 U.S.C. § 1930](#)

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**Fee: N/A**

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**Applicable Chapters: 11**

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**Implemented: 2/9/2016**

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**Last Revision: 3/15/2019 3:26:28 PM**

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### **Description**

An individual Chapter 11 debtor is not eligible for discharge until the debtor completes all payments under the plan or the Court grants an early discharge. Chapter 11 individual cases could remain open for an extended period of time. This would cause the debtor to have to pay U.S. Trustee quarterly fees and to continue file quarterly reports.

To reduce these obligations, the Court allows an individual Chapter 11 case to be administratively closed upon the filing of a Motion to Administratively Close Individual Chapter 11 Case. The case can be reopened for entry of a discharge upon filing of a Motion to Administratively Reopen Individual Chapter 11 Case (after completion of all plan payments). Should a party wish to file a pleading during the time the case is administratively closed, a Motion to Reopen is required. No filing fee is assessed for filing the Motion to Reopen.

This procedure addresses the Motion to Administratively Close Individual Chapter 11 Case only. Separate procedures for processing Motions to Administratively Reopen Individual Chapter 11 Cases are available.

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### **Filing Checklist**

Review the motion to determine if:

- The motion is signed;
- The motion has the attorney's name and address complete and consistent with the filing attorney's name and address in CM/ECF
- The motion is properly served and includes a proper certificate of service;
- The motion is filed with negative notice that contains the correct language and is located on the first page; and

- ❖ **Note:** Response period is 21 days (plus an additional three days for service if any party was served by U.S. Mail).
- There are no outstanding motions, applications, or adversary proceedings to be addressed.
  - ❖ **Note:** The Court must resolve all pending items before an order granting the motion is entered—unless specific language is included in the motion and the order retains jurisdiction over a matter once the case is closed.

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**Forms**

[Motion to Administratively Close Individual Chapter 11 Case](#)

[Order Granting Motion to Administratively Close Individual Chapter 11 Case](#)

- ❖ **Note:** Use of the sample motion is encouraged. Use of the sample order is required.