

Reaffirmation Agreements and Related Papers—Chapter 7

Docketing Event

- Bankruptcy > Miscellaneous > Reaffirmation Agreement
 - Bankruptcy > Motions/Applications/Objections > Motion for Approval of Reaffirmation Agreement
 - Bankruptcy > Miscellaneous > Rescission of Reaffirmation Agreement
-

Negative Notice: N/A

Accompanying Orders: N/A

Code and Rule References:

[11 U.S.C. § 524\(c\),\(d\),\(k\), and \(m\)](#)

[Fed. R. Bankr. P. 4008\(a\)](#)

[Official Form B2400A/B ALT](#)

[Official Form B427](#)

[Official Form B2400B \(Motion for Approval of Reaffirmation Agreement\)](#)

Fee: N/A

Applicable Chapters: 7

Implemented: 2/9/2016

Last Revision: 4/13/2018 8:41:08 AM

Description

A reaffirmation agreement is a voluntary agreement made between debtor and creditor to repay an otherwise dischargeable debt.

A hearing will be scheduled for all reaffirmation agreements filed by an unrepresented debtor. At the hearing, the Court may advise the debtor of the legal ramifications of the agreement and will decide if the agreement is in the best interest of the debtor. For represented debtors, a hearing may be scheduled in certain situations. Upon review of the reaffirmation agreement, a court order will be entered only when court approval is required.

The debtor may rescind a reaffirmation agreement any time before the Court issues the discharge or within 60 days after the agreement is filed with the Court, whichever is the latest.

Reaffirmation agreements should be filed using the Official Forms.

Filing Checklist

Review the reaffirmation agreement to determine if:

- ☐ Uses an Official Form;
- ☐ Attaches a Cover Sheet ([Official Form B427](#));
- ☐ Is signed by the debtor and creditor;
- ☐ Is signed before the Court issued a discharge;
- ☐ Is signed by attorney of record and box checked (if attorney elects not to sign, a hearing may be set at the direction of the judge);
- ☐ Is filed before the case was closed; and

- ☐ Includes a signed and dated certificate of service.