

FORMS ARE GENERIC SUGGESTIONS. PARTIES AND THEIR ATTORNEYS SHOULD REVISE THEM TO ADDRESS THE UNIQUE CIRCUMSTANCES OF EACH CASE.

UNITED STATES BANKRUPTCY COURT
MIDDLE DISTRICT OF FLORIDA
____ DIVISION
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In re _____,
Debtor*.
_____)
)
) Case No. __-__-bk-____-____
) Chapter _
)
)

MOTION TO RETAIN TAX REFUND
(Chapter 13 cases only)

Debtor, [insert name of debtor], requests entry of an order allowing retention of a federal income tax refund and states:

1. Debtor filed this Chapter 13 bankruptcy case on [insert petition date].
2. Debtor has filed a federal income tax return for [insert tax year] and anticipates a refund in the amount of \$[insert amount of refund] (“Tax Refund”).
3. Debtor has provided the Chapter 13 Trustee with a copy of the federal income tax return and has requested to retain the Tax Refund.
4. Chapter 13 Trustee does not consent to the Debtor retaining the Tax Refund.
5. Debtor seeks to retain the Tax refund because [explain why Debtor wants to retain the Tax Refund].

WHEREFORE, Debtor respectfully requests that the Court enter an order allowing the Debtor to retain the Tax Refund and for such further relief as the Court deems appropriate.

* All references to “Debtor” include and refer to both debtors in a case filed jointly by two individuals.

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Dated: [insert date].

/s/ Signature
Attorney Name
Attorney Bar No.
Attorney E-Mail
Attorney Address
Attorney Phone Number
Attorney for [insert name of client]

PROOF OF SERVICE

A true and correct copy of the foregoing has been sent by either electronic transmission or U.S. Mail on _____ to:

/s/ Signature
Attorney Name
Attorney Bar No.
Attorney E-Mail
Attorney Address
Attorney Phone Number
Attorney for [insert name of client]