

# Bradley's Bankruptcy Basics

## Creditors' Preliminary Chapter 7 Checklist

### 1. Calendar important dates included on notice of bankruptcy

The notice of bankruptcy will include several important dates:

- ☐ Date of 341 meeting
- ☐ Deadline to object to discharge and dischargeability

### 2. Proof of claim

Did the Chapter 7 trustee file an asset report? If yes:

- ☐ Calendar the deadline to file a proof of claim
- ☐ Determine to what extent your claim is secured, if at all
- ☐ Prepare and file your proof of claim and corresponding attachments by the deadline

### 3. Stay relief

Is there a basis to file a motion for relief from the automatic stay? If yes:

- ☐ Communicate with the Chapter 7 trustee to determine if he will consent to the stay relief
  - ☐ Draft and file your motion for stay relief
  - ☐ Do not take action against the collateral that was the subject of the stay relief motion until an order is entered granting stay relief
- \* Do not seek personal payments from the debtor or you may be subject to liability and fines for potentially violating the automatic stay or discharge injunction

### 4. Objection to discharge or dischargeability

Is there a basis to object to the debtor's discharge or dischargeability of your debt? If yes:

- ☐ File a complaint initiating an adversary proceeding by the deadline (the deadline is included in the notice of bankruptcy or as extended by court order)

### 5. Objection to exemptions

Is there a basis to object to the debtor's exemptions? If yes:

- ☐ File your objection within 30 days after the 341 meeting has concluded or 30 days after any amended schedules are filed, whichever is later

### 6. Discharge

- ☐ After entry of discharge, update your records regarding the debtor's account to reflect that the debt has been discharged

\* Unless there was a valid reaffirmation, do not take any action to collect the debt from the debtor personally or you may be subject to liability and fines for potentially violating the discharge injunction



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