Bradley's Bankruptcy BasicsPayments in Bankruptcy



AUTOMATIC STAY STOP ALL COLLECTION ACTIVITY

Chapter 7

- Generally, debtors do not make any payments to creditors.
- Secured creditors may receive payments once debt has been reaffirmed. Additionally, in some instances, debtors may make voluntary payments on secured debt even when it is discharged.
- Creditors may receive payments on claims in asset cases.
- In asset cases, the Chapter 7
 trustee liquidates the debtor's
 assets and distributes the
 proceeds pro rata according to
 the Bankruptcy Code's payment
 scheme to creditors that have
 allowed claims.

Chapter 13

- Debtors begin paying the Chapter 13 trustee within 30 days of filing. This occurs before the Chapter 13 plan is confirmed.
- The Chapter 13 trustee holds these pre-confirmation payments in trust.
- The Chapter 13 trustee begins making payments to the creditors after the Chapter 13 plan is confirmed.
- Some secured creditors may receive adequate protection payments before the Chapter 13 plan is confirmed.

Chapter 11

- Some secured creditors may receive adequate protection payments before the Chapter 11 plan is confirmed.
- Some creditors may receive payments in the ordinary course of the debtor's business before the Chapter 11 plan is confirmed.
- The Chapter 11 plan dictates how much and when each creditor will receive payments, if any.



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