

# IMPORTANT INFORMATION ABOUT YOUR CHAPTER 13 CASE

## **When is my first payment due and who do I pay?**

Your first payment to the bankruptcy Trustee is due 30 days from the day your bankruptcy is filed. The payment must be made to **“Todd Johns, Trustee”**. All payments mailed to Mr. Johns should be mailed by regular first class mail. Do not use certified mail, special delivery, or Federal Express. You are encouraged to mail the payment early if. **If you are making your payments by payroll deduction, you will be required to make the payments directly until the payroll deduction begins.** We will let you know the amount that should be deducted from your paycheck each pay period.

## **What meetings or hearings must I attend?**

**Debtor Education Training Class-** You will attend a mandatory Debtor Education Training Course. The class will be held at the Federal Court House, 300 Fannin Street, Room G-034, Shreveport, LA 71101. This debtor education course is mandatory for your case to be confirmed by the Court. The Trustee will be send you a letter with the scheduled date and time. The class will last about 3 hours. This course is generally held about four to six weeks after your bankruptcy has been filed.

**341 Meeting of Creditors-** You will attend a mandatory meeting conducted by the Trustee, Todd Johns, or by his attorney. That meeting will be held typically on a Monday in the Federal Courthouse located at 300 Fannin Street, in Room G 34 approximately six to eight weeks after your case is filed. You will be notified of the exact date and time of the meeting by the court and by a letter from our firm. If both spouses have filed Chapter 13, both must appear at the 341 meeting. This meeting will last approximately one hour. About eight individuals or couples are scheduled for each hour meeting.

One of the attorneys from the firm will be with you at the meeting. The attorneys in the firm are listed at the end of this document. Mr. David Welch or Mr. Patrick Hennessy are the most likely attorneys that will be present to represent you at this meeting.

The Chapter 13 Trustee, Todd Johns, will mail to you a four page Trustee’s Questionnaire that you must complete and return to him by mail. Please be sure that you do this.

**Confirmation Hearing-** The Confirmation Hearing will be approximately four weeks after your 341 meeting. **Generally you will NOT be required to attend this hearing; however, you must call the Monday before the hearing to confirm whether you must appear. In some cases we will have notified you in advance whether you will be required to be present.** One of the attorneys from the firm will represent you at the confirmation hearing. Before confirming your plan Judge Norman will make certain that you are current on your Chapter 13 payments. This hearing is generally held eight to ten weeks after your Bankruptcy is filed.

Make certain our office has copies of any money orders reflecting any payments made directly by you and copies of any payroll check stubs reflecting deductions from your earnings paid to the Chapter 13 Trustee.

## **What do I need to take with me to the 341 Meeting**

***You must take with you your original Social Security Card and an official picture ID, such as a Driver's License or a Louisiana Identification Card.*** If you do not have a Social Security Card, you may take some other official document, such as a W-2 from your current employer. If you fail to return the Trustee's Questionnaire by mail, take the Trustee's Questionnaire to the meeting.

## **Where is the Debtor Education Training Course held?**

The debtor education Training Course will be held in room G34 in the basement of the Federal Courthouse located at 300 Fannin Street. The Federal Courthouse is adjacent to the Greyhound bus station and the Hilton Shreveport Convention Center.

## **Where is the 341 Meeting held?**

The 341 Meeting is held in room G34 in the basement of the Federal Courthouse located at 300 Fannin Street. The Federal Courthouse that is adjacent to the Greyhound bus station and the Hilton Shreveport Convention Center.

## **Where is the Confirmation Hearing held?**

The Confirmation Hearing will be held in Courtroom Number 4, on the fourth floor of the Federal Courthouse located at 300 Fannin Street.

## **What is the proper dress to wear to the courthouse?**

You may wear everyday business clothes to the 341 Meeting. Do not wear shorts or a cap or hat.

## **Is there anything I should NOT bring to the Courthouse?**

Do not take a cell phone, beeper, camera or other similar electronic item. The US Marshals will not allow you to enter the Federal Courthouse with these items and will not hold them for you. You should also not bring a pocket knife, mace, pepper spray, or any other item the US Marshals might consider potentially dangerous.

## **Where do we park?**

Usually you can find a space at a parking meter within two blocks of the Federal Courthouse. Generally the 341 Meeting lasts no more than one hour. There are some handicapped spots at the Federal Courthouse that may be available. Alternatively, you can park in the parking lot across from the Greyhound Bus Station on Fannin and Edwards Street. The cost of parking in the parking lot is approximately \$5.00.

## **What questions will they ask me at the 341 Meeting?**

1. Name, address, social security number (last 4 digits)
2. Are you familiar with the papers filed by your attorney (petition, statements and schedules)?
3. Did you sign them?
4. Did you read them before you signed them?
5. Is everything in them true to the best of your knowledge?
6. Did you list all your creditors (people you owe money to)?
7. Did you list all your property (things you own, including cars, real estate, etc.)?
8. Are there any errors (mistakes) or omissions that you are aware of?
9. Have you filed a bankruptcy in the last 8 years?
10. Do you have a personal injury case, claim or lawsuit pending?
11. Have you made your first payment to the Trustee?

- The Trustee may ask questions about specific things in your paperwork if he desires more information. Answer the questions truthfully, and answer yes or no if you can. Do not guess at an answer, answer “I don’t know” if you don’t know the answer.
- The Trustee is not your lawyer; he cannot help or answer your questions. Do not volunteer any information not specifically requested; your lawyer can assist and advise you when necessary.
- The Trustee is not interested in why you are there or your family history.

## **Attorneys at Simon, Fitzgerald, Cooke, Reed, & Welch**

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## **How can I monitor my Chapter 13 case?**

To monitor your case go to the following website and create a member login:

[www.ndc.org](http://www.ndc.org)

This website allows you to review the payments received by the Trustee, the claims that are being paid, and the balance that is owed. One of the responsibilities of being a Chapter 13 debtor is to make sure that your Trustee payments are made on time, every month and in the correct amount. If your payments are made by payroll deduction, it is YOUR responsibility to ensure that your payroll deduction has been taken out of your check correctly and sent to the Trustee on a MONTHLY basis. Please keep in mind that if you have elected to have your plan payments deducted from your payroll check, that it may take up to six weeks for the deduction to begin. During this time it is very important that you make your Trustee payment directly.

Ensuring that your bankruptcy plan payments are current is essential. If there is a substantial change in your financial circumstances and you will not be able to make your Trustee payment, please contact our office so that we may try to help you.