

Mark Harring

Standing Chapter 12 & 13 Trustee

Mail CORRESPONDENCE to:

131 W Wilson St. Ste 1000
Madison, WI 53703-3260
Phone: (608) 256-4320
Fax: (608) 256-2355
Website: <http://www.ch13wdw.org>

Mail Chapter 13 PAYMENTS to :

Please write case # on all payments
Mark Harring Ch 13 Trustee
PO Box 88004
Chicago, IL 60680-1004

Email: info@ch13wdw.org

Chapter 13 Plan Introduction Letter

1. Introduction

This letter provides answers to common questions that arise in Chapter 13 cases. All this information and more can be found on our website: www.ch13wdw.org.

2. Your Case Number __XX-XXXXX

When your Chapter 13 case was filed, the Clerk assigned it the above case number. Write your case number on all payments and correspondence. If you call our office in connection with your case, please have this number available.

3. 341 Meeting of Creditors

This meeting is scheduled by the Court, and is based on where you live. This is an event you **MUST** attend (with an attorney, if applicable). You must bring to the meeting:

- Your social security card or proof thereof (original 1099 or W -2 can substitute)
- A government issued photo id (driver's license)

At least 10 days prior to the 341 Meeting, provide your attorney a copy of the filed Federal and State tax returns for the current tax year, lien perfection information (recorded mortgages, vehicle titles, etc), and any other documentation that may have been requested. If filing pro se provide this information via email or fax to the trustee's office.

4. Plan Payments

By filing a Chapter 13, you have agreed to pay a portion of your income to your creditors (through the Trustee's Office) over a period of 36-60 months. This is a time commitment, rather than a set number of payments. Therefore, unless you are paying all creditors in full, you are required to stay in the Chapter 13 for your "applicable commitment period." Questions on how this is determined should be directed to your attorney.

Plan payments will be made through a payroll deduction at your place of employment and only in unusual circumstances will the Court allow plan payments to be made by you directly instead of an employer payroll deduction. If you are allowed to make a plan payment personally, it must be by money order, cashier's check, or through <https://www.tfsbillpay.com>. If paying by money order or cashier's check, you must include your name, address & case number. **DO NOT SEND PERSONAL CHECKS.** Personal checks will not be processed & will be returned to you voided.

If paying by TFSBillpay there are two payment options: an online option that allows you to set up payments directly from your bank account or, using cash or debit card, via MoneyGram. Both options require an initial setup. Paying directly from your bank adds a five day delay from when the payment is made to when it is received by the Trustee. Contact TFSBillPay.com or call 1-888-739-2749 if you need assistance.

Your first payment must be made within 30 days of filing your Chapter 13 Petition. Your **first payment must be received by 7/07/2016**. Even if a wage garnishment order is issued to your employer, they may not receive it in time to make the first plan payment(s) on your behalf. Therefore, you should be prepared to make the first plan payment yourself. We have included payment coupons with this letter for you to use in the event your employer will not be able to make the first payment by the above due date. Any payments sent by you should be made payable to **Mark Harring, Standing Chapter 13 Trustee** and sent to the payment address on the coupon.

Save all receipts from all payments that you send or your paycheck stubs (if the payments are being deducted). If there is any discrepancy in the future, you will have a way to trace them.

5. Your Attorney

The scope of your attorney's representation will be governed by whatever agreement the two of you have made. Make sure that you discuss whether additional legal services, which may be required during your plan, will be at an additional cost to you. Your attorney will be your resource for any individual concerns, legal rights, or specific questions. The Trustee's office will attempt to assist you with your plan but **the Trustee's office is prohibited from giving you legal advice**.

6. Creditors

The filing of a Chapter 13 prohibits your creditors from collecting from you directly. If any creditor attempts to contact you directly, inform them that you have filed a Chapter 13 Bankruptcy and refer them to your attorney.

All creditors must file a proof of claim with the Bankruptcy Clerk in order to receive distributions from your Chapter 13 plan. Unless a claim is properly objected to, the amount on the claim will be paid. If you find a creditor that you forgot to include in your Bankruptcy, contact your attorney immediately. If you disagree with the amount claimed, you must notify your attorney and an objection must be filed with the court.

7. Change of Address

If your **address changes** you **must notify in writing**;

the **Trustee**:

Mark Harring Standing Trustee
131 W Wilson Street STE 1000
Madison, WI 53703-3260

the **Bankruptcy Court**

US Bankruptcy Court Clerk
120 N Henry Street Room 341
Madison, WI 53703

and your attorney

XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX
XXXXXXXXXXXXXXXXXXXX

8. Unforeseen Events / Encountering Problems

Unexpected situations such as illness, loss of wages or unexpected expenses can affect your ability to comply with your plan. If you experience a problem making your plan payments, you must contact your attorney immediately. It may be possible for your attorney to make adjustments to your plan. It is important to remember that the Trustee's office has no authority to allow you to miss a payment or to let you pay less than the amount your plan requires. An order confirming your plan binds you to make all required payments. If you simply stop making payments, the Trustee will seek dismissal of your case.

9. Unforeseen Events / Income Increase

If you experience an increase in income—new job, raise, inheritance, win the lottery, insurance settlement, etc., you must contact your attorney and our office with the information.

10. Sale of Property

If you wish to sell your home or any other property, contact your attorney.

11. Obtaining New Credit

If there is a situation in which you need to incur credit (general, car loan, refinance, etc.) you must get approval from the Trustee's office. You should contact your attorney to determine any legal ramifications and get assistance in updating the required forms. The 'Credit/Forms' tab on the Trustee's website (www.ch13wdw.org) will have the appropriate loan worksheets, blank budget forms and additional instructions on how to submit to the Trustee's office for approval.

12. Direct Payments to Creditors

In addition to your Chapter 13 payments to the trustee, your plan may provide for you to make payments directly to a creditor (such as a current mortgage payment). These payments must be paid directly to the creditor as they come due. **It is important that you stay current and keep receipts for all direct payments you make.**

13. Motions to Dismiss

If you fail to make timely payments under your plan or other substantial problems arise, the Trustee will seek dismissal of your case. If your case is dismissed, your creditors will be able to pursue you directly for payment of your debts. If you receive a Motion to Dismiss from our office, contact your attorney immediately to discuss the situation.

14. Summary of Your Case

The Trustee will periodically send you a summary of your case. The summary will reflect the payments that you have sent in, the amounts that your creditors are claiming, and how much they have received. Please review the summary carefully for any discrepancies.

15. Discharge

Once you have paid 100% of your creditors or made all payments required during the applicable commitment, the Trustee's office will begin to close your case. A completion letter will be issued to you, your employer, and the court advising that no further payments are required. The bankruptcy court will issue discharge papers if you are eligible. The Trustee will not obtain a release of title to any secured property paid through the plan. If the creditor does not send it to you directly, you may need to personally contact them.

16. Submitting Documents to Trustee

Any tax returns or other documentation you forward to the Trustee should be in .pdf form by e-mail to info@ch13wdw.org. Also, if you file a document in Court, it will be electronically sent to us by the Court, so please don't forward a copy to our office.

17. Web access to your case information

The trustee keeps a web site with general bankruptcy information along with current information about your case at www.ch13wdw.org. Additionally your case information is listed nationally at www.ndc.org. You can monitor your case and progress on either site.