

Critical Dates to Consider in Bankruptcy

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Compiled by William Votta **I. DEBTOR USE OF ESTATE PROPERTY** A. Deadline for Objecting to Debtor Proposal to Use, Sell, or Lease Property (Other Than Cash Collateral)

1. Not less than seven days prior to date of proposed action
- B. Deadline for Objecting to Debtor Proposal to Abandon Estate Property
 1. Within 14 days of mailing of Debtor's notice to abandon

II. CLAIMS AND EXEMPTIONS A. Deadline to File Claims

1. Chapter 7 and Chapter 13: generally 90 days after the date first set for the meeting of creditors – unless otherwise set by the court

2. Chapter 11: within a time set by the court

B. Deadline to File Objection to Claimed Exemptions

1. Chapter 7: generally 30 days after the date first set for the meeting of creditors – unless otherwise set by the court

(a) If Debtor files amended or supplemental schedule of exemptions – 30 days after filing of amended or supplemental exemption schedule

C. Deadline for Filing Reaffirmation Agreements

1. Generally -- 60 days after the date first set for the meeting of creditors – unless otherwise set by the court **II. DISCHARGE AND DISCHARGEABILITY** A. Deadline to File Objection to General Discharge

Discharge

1. Chapter 7: generally 60 days after the date first set for the meeting of creditors – unless otherwise set by the court

2. Chapter 11: prior to the first confirmation hearing date set by the court

B. Deadline to File Request for Revocation of General Discharge

1. If discharge was granted based on fraud of debtor unknown to creditor – within one year after discharge order

2. If creditor discovers debtor failed to disclose property or debtor fails to obey an order of the court – within later of one year from discharge or before case closure

C. Deadline for Objecting to Dischargeability of Specific Debt

1. Generally – at any time; case can even be reopened for purpose of determining

dischargeability

2. For debts incurred by debtor by means of fraud, embezzlement or which arose from the debtor's willful and malicious injury of another entity – 60 days after the date first set for the meeting of creditors – unless otherwise set by the court **III. CHAPTER 11 REORGANIZATION CASE** A.

Election by Secured Creditor under 11 U.S.C. 1111(B)

1. Any time up to conclusion of hearing on disclosure statement – unless otherwise set by court.

B. Objection to Reorganization Plan or Disclosure Statement

1. As set by court

C. Deadline for Seeking Revocation of Order Confirming Plan

1. Chapter 11 – 180 days after entry of confirmation order

2. Chapter 13 – 180 days after entry of confirmation order **IV. MISCELLANEOUS** A. Deadline for

Filing Motion to Dismiss or Convert Case

1. Chapter 7 – for abuse of bankruptcy process where debts are primarily consumer debts – 60 days after the date first set for the meeting of creditors – unless otherwise set by the court

B. Deadlines for Appeals

1. Appeal of bankruptcy court order or judgment or motion for leave to appeal bankruptcy court order or judgment – 14 days from date of order appealed from.

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