

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

GENERAL ORDER AMENDING APPENDICES 1A AND 3F
OF LOCAL BANKRUPTCY RULES

IT APPEARING Federal Rule of Bankruptcy Procedure 1007(b)(7) was amended, effective December 1, 2024, to require an individual debtor who has completed a post-petition instructional course concerning personal financial management to file the Certificate of Debtor Education issued by the approved course provider in lieu of filing a Certification About a Financial Management Course (Official Form 423), if the provider has not already filed the Certificate of Debtor Education stating the debtor has completed the course; and it appearing Appendices 1A and 3F of the Local Bankruptcy Rules should be amended to reflect this change; now, therefore, pending formal amendment of Appendices 1A and 3F of the Local Bankruptcy Rules,

IT IS HEREBY ORDERED Appendices 1A and 3F of the Local Bankruptcy Rules for the District of South Dakota are amended as set forth on the attachment hereto, effective December 1, 2024.

Dated: December 2, 2024.

BY THE COURT:

A handwritten signature in black ink, reading "Laura L. Kulm Ask". The signature is fluid and cursive, with the first name "Laura" and last name "Ask" being more prominent than the middle initial "L.". The signature is written on a white background.

Laura L. Kulm Ask
Bankruptcy Judge

**Appendix 1A. Filing Requirements for Voluntary Cases
Filed Under Chapters 7, 11, 12, or 13.**

Provided in this appendix are checklists for the various types of voluntary bankruptcy cases. A debtor, if not represented by an attorney, or an attorney for a debtor should use the appropriate checklist to ensure he or she files all required documents by the applicable deadlines. The following checklists are provided:

Chapter 7 Individual (Voluntary)

Chapter 7 Non-Individual (aka a Business) (Voluntary)

Chapter 11 Individual that is also a Small Business as Defined by 11 U.S.C. § 101(51C) and (51D) (Voluntary)

Chapter 11 Subchapter V Individual, as Defined by 11 U.S.C. § 101(51C) and (51D) and § 1182 (Voluntary)

Chapter 11 Individual that is Not a Small Business as Defined by 11 U.S.C. § 101(51C) and (51D) (Voluntary)

Chapter 11 Non-Individual that is also a Small Business as Defined by 11 U.S.C. § 101(51C) and (51D) (Voluntary)

Chapter 11 Subchapter V Non-Individual, as Defined by 11 U.S.C. § 101(51C) and (51D) and § 1182 (Voluntary)

Chapter 11 Non-Individual that is Not a Small Business as Defined by 11 U.S.C. § 101(51C) and (51D) (Voluntary)

Chapter 12 Individual (Voluntary)

Chapter 12 Non-Individual (aka a Business) (Voluntary)

Chapter 13 (Voluntary)

An attorney for a debtor shall file all documents electronically. A debtor not represented by an attorney shall either mail documents to the Clerk or deliver them in person to the Clerk's office in either Pierre or Sioux Falls:

Bankruptcy Court Clerk
U.S. Courthouse
400 S. Phillips Ave., Room 104
Sioux Falls, SD 57104-6851

Bankruptcy Court Clerk
U.S. Post Office & Federal Bldg.
225 S. Pierre St., Room 203
Pierre, SD 57501-2463

If a debtor not represented by an attorney mails documents to the Clerk for filing, the debtor shall mail them sufficiently in advance of any deadline to ensure the Clerk *receives* the documents on or before the deadline. The Clerk cannot file any documents received either as a facsimile transmission (a "fax") or as an attachment to an e-mail.

Link to Electronic Filing Guide: www.sdb.uscourts.gov/electronic-filing-guide

Link to Official Forms: www.uscourts.gov/forms/bankruptcy-forms

REFERENCE: [Practice Pointers of Bankr. D.S.D. R. 1002-1](#).

CHAPTER 7 INDIVIDUAL (VOLUNTARY)

Due on First Day of Filing:

- ☐ **Voluntary Petition for Individuals Filing for Bankruptcy.** Official Form 101.
- ☐ **Initial Statement About an Eviction Judgment Against You.** Filed only if the debtor rents a residence and the landlord has obtained a judgment for possession or an eviction judgment against the debtor. Official Form 101A.
- ☐ **Statement About Your Social Security Numbers.** Filed only by a debtor not represented by an attorney. Official Form 121.
- ☐ **Certificate of Credit Counseling and copy of any debt repayment plan.** The certificate and, if one was prepared, a copy of a debt repayment plan will be provided to the debtor by the approved nonprofit budget and credit counseling agency giving the pre-petition credit counseling course. A separate certificate shall be filed for each joint debtor. 11 U.S.C. §§ 109(h)(1) and 521(b) and Fed.R.Bankr.P. 1007(b)(3).
- ☐ **Bankruptcy Petition Preparer's Notice, Declaration, and Signature.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Official Form 119.
- ☐ **Disclosure of Compensation of Bankruptcy Petition Preparer.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Director's Form 2800.
- ☐ **Mailing list of creditors.** When a debtor is represented by an attorney, the attorney shall electronically upload a mailing list of creditors when the petition is filed. A debtor not represented by an attorney shall submit a mailing list of creditors with the petition conforming to the local form at [Bankr. D.S.D. R. 1007-2](#) and [Appendix 1F](#). See also 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Filing fee of \$338.00 paid in full, an Application for Individuals to Pay the Filing Fee in Installments, OR an Application to Have the Chapter 7 Filing Fee Waived.** An attorney for a debtor shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov. A debtor not represented by an attorney shall pay the fee to the Clerk by cashier's check, money order, or—only if hand delivered—cash. The payment shall be in the exact amount. See Official Form 103A for the Application for Individuals to Pay the Filing Fee in Installments or Official Form 103B for the Application to Have the Chapter 7 Filing Fee Waived.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Your Assets and Liabilities and Certain Statistical Information.** Official Form 106Sum.
- ☐ **Schedules A/B through J.** Official Forms 106A/B, 106C, 106D, 106E/F, 106G, 106H, 106I, 106J, and, if necessary, 106J-2.
- ☐ **Declaration About an Individual Debtor's Schedules.** Official Form 106Dec.
- ☐ **Statement of Financial Affairs for Individuals Filing for Bankruptcy.** Official Form 107.
- ☐ **Chapter 7 Statement of Your Current Monthly Income.** Official Form 122A-1. If a debtor believes he or she is exempt from a presumption of abuse, the debtor shall also file a **Statement of Exemption from Presumption of Abuse Under § 707(b)(2).** Official Form 122A-1Supp.
- ☐ **Chapter 7 Means Test Calculation.** Official Form 122A-2.
- ☐ **Statement Regarding Payment Advices.** If the debtor's debts are primarily consumer debts and if the debtor received payments from an employer within 60 days before the date of the filing of the petition, the debtor shall file the statement using the local form, checking the first box thereon, and attaching to it a copy of each payment advice (also known as employee income records or wage statements) received by the debtor during that 60 days. Redact from the payment advices all but the last four digits of the debtor's Social Security number or other personal identification numbers. If the debtor's debts are primarily consumer debts but the debtor did *not* receive payments from any employer within 60 days before the date of the filing of the petition, the debtor shall still file the statement using the local form but shall check the second box thereon. Joint debtors shall each file a statement. See local form at [Bankr. D.S.D. R. 1007-1\(a\)\(2\)](#) and [Appendix 1B](#). See *also* 11 U.S.C. § 521(a)(1)(B)(iv) and Fed.R.Bankr.P. 1007(b)(1)(E).
- ☐ **Statement of Interest in an Education Individual Retirement Account, Qualified ABLE Program, or under a Qualified State Tuition Program Pursuant to 11 U.S.C. § 521(c).** If a debtor has an account as defined by 11 U.S.C. § 521(c), the debtor shall file the statement using the local form and attach to it a record of each such account. Redact from the account records all but the last four digits of the debtor's Social Security number or other personal identification numbers. See local form at [Bankr. D.S.D. R. 1007-1\(h\)](#) and [Appendix 1E](#). See *also* Fed.R.Bankr.P. 1007(b)(1)(F).
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2L](#). See *also* 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists

for this disclosure, attorneys are strongly encouraged to use the local form instead.

Due Not More than 30 Days after Petition is Filed:

- ☐ **Statement About Payment of an Eviction Judgment Against You.** Official Form 101B. Filed only if the debtor filed with the petition an Initial Statement About an Eviction Judgment Against You, Official Form 101A.
- ☐ **Statement of Intention for Individuals Filing Under Chapter 7.** Official Form 108.

Due Not More than 60 Days after the First Date Set for the Meeting of Creditors under 11 U.S.C. § 341:

- ☐ ~~Certification About a Financial Management Course~~Certificate of Debtor Education. The approved nonprofit budget and credit counseling agency that provides the post-petition financial management course, ~~will either file a certificate of completion directly or~~ the debtor, or the debtor's attorney shall, ~~after receiving the certificate of completion,~~ file a ~~completed Certification About a Financial Management Course (Official Form 423).~~Certificate of Debtor Education. A separate ~~certificate of completion or a Certification About a Financial Management Course~~Certificate of Debtor Education shall be filed for each joint debtor. See 11 U.S.C. §§ 109(h)(4) and 727(a)(11) and Fed.R.Bankr.P. 1007(c).

CHAPTER 7 NON-INDIVIDUAL (AKA A BUSINESS) (VOLUNTARY)

Due on First Day of Filing:

- ☐ **Voluntary Petition for Non-Individuals Filing for Bankruptcy.** Official Form 201. A corporation, partnership, or other formal legal entity may file a petition only with the assistance of an attorney.
- ☐ **Statement of Corporate Ownership.** Filed using the local form only if the debtor is a corporation as defined by 11 U.S.C. § 101(9)(A), which includes limited liability companies, business trusts, and other similar legal entities. *See* local form at [Bankr. D.S.D. R. 1007-1\(f\)](#) and [Appendix 1C](#). *See also* Fed.Rs.Bankr.P. 1007(a)(1) and 7007.1.
- ☐ **Mailing list of creditors.** The debtor's attorney shall electronically upload a mailing list of creditors when the petition is filed. *See* 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Filing fee of \$338.00 paid in full.** The attorney for the debtor shall pay the fee by credit card. *See* Internet Payment Guide on the Court's website at www.sdb.uscourts.gov.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Assets and Liabilities for Non-Individuals.** Official Form 206Sum.
- ☐ **Schedules A/B through H.** Official Forms 206A/B, 206D, 206E/F, 206G, and 206H.
- ☐ **Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy.** Official Form 207.
- ☐ **Declaration Under Penalty of Perjury for Non-Individual Debtors.** Official Form 202.
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. *See* local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2L](#). *See also* 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.

**CHAPTER 11 INDIVIDUAL THAT IS ALSO A SMALL BUSINESS
AS DEFINED BY 11 U.S.C. § 101(51C) AND (51D) (VOLUNTARY)**

Due on First Day of Filing:

- ☐ **Voluntary Petition for Individuals Filing for Bankruptcy.** Official Form 101.
- ☐ **Initial Statement About an Eviction Judgment Against You.** Filed only if the debtor rents a residence and the landlord has obtained a judgment for possession or an eviction judgment against the debtor. Official Form 101A.
- ☐ **Statement About Your Social Security Numbers.** Filed only by a debtor not represented by an attorney. Official Form 121.
- ☐ **Certificate of Credit Counseling and copy of any debt repayment plan.** The certificate and, if one was prepared, a copy of a debt repayment plan will be provided to the debtor by the approved nonprofit budget and credit counseling agency giving the pre-petition credit counseling course. A separate certificate shall be filed for each joint debtor. 11 U.S.C. §§ 109(h)(1) and 521(b) and Fed.R.Bankr.P. 1007(b)(3).
- ☐ **Bankruptcy Petition Preparer's Notice, Declaration, and Signature.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Official Form 119.
- ☐ **Disclosure of Compensation of Bankruptcy Petition Preparer.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Director's Form 2800.
- ☐ **Statement Regarding Business Records Pursuant to 11 U.S.C. § 1116(1).** The debtor shall attach to the statement the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return for the debtor or disclose in the statement which of these records was not prepared or filed. See local form at [Bankr. D.S.D. R. 1007-1\(g\)](#) and [Appendix 1D](#).
- ☐ **Mailing list of creditors.** When a debtor is represented by an attorney, the attorney shall electronically upload a mailing list of creditors when the petition is filed. A debtor not represented by an attorney shall submit a mailing list of creditors with the petition conforming to the local form at [Bankr. D.S.D. R. 1007-2](#) and [Appendix 1F](#). See also 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **List of Creditors Who Have the 20 Largest Unsecured Claims Against You and Are Not Insiders.** Official Form 104. See Fed.R.Bankr.P. 1007(d).

- ☐ **Filing fee of \$1,738.00 paid in full OR an Application for Individuals to Pay the Filing Fee in Installments.** An attorney for a debtor shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov. A debtor not represented by an attorney shall pay the fee to the Clerk by cashier's check, money order, or—only if hand delivered—cash. The payment shall be in the exact amount. See Official Form 103A for the Application for Individuals to Pay the Filing Fee in Installments.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Your Assets and Liabilities and Certain Statistical Information.** Official Form 106Sum.
- ☐ **Schedules A/B through J.** Official Forms 106A/B, 106C, 106D, 106E/F, 106G, 106H, 106I, 106J, and, if necessary, 106J-2.
- ☐ **Declaration About an Individual Debtor's Schedules.** Official Form 106Dec.
- ☐ **Statement of Financial Affairs for Individuals Filing for Bankruptcy.** Official Form 107.
- ☐ **Chapter 11 Statement of Your Current Monthly Income.** Official Form 122B.
- ☐ **Statement Regarding Payment Advices.** If the debtor's debts are primarily consumer debts and if the debtor received payments from an employer within 60 days before the date of the filing of the petition, the debtor shall file the statement using the local form, checking the first box thereon, and attaching to it a copy of each payment advice (also known as employee income records or wage statements) received by the debtor during that 60 days. Redact from the payment advices all but the last four digits of the debtor's Social Security number or other personal identification numbers. If the debtor's debts are primarily consumer debts but the debtor did *not* receive payments from any employer within 60 days before the date of the filing of the petition, the debtor shall still file the statement using the local form but shall check the second box thereon. Joint debtors shall each file a statement. See local form at [Bankr. D.S.D. R. 1007-1\(a\)\(2\)](#) and [Appendix 1B](#). See *also* 11 U.S.C. § 521(a)(1)(B)(iv) and Fed.R.Bankr.P. 1007(b)(1)(E).
- ☐ **Statement of Interest in an Education Individual Retirement Account, Qualified ABLE Program, or under a Qualified State Tuition Program Pursuant to 11 U.S.C. § 521(c).** If a debtor has an account as defined by 11 U.S.C. § 521(c), the debtor shall file the statement using the local form and attach to it a record of each such account. Redact from the account records all but the last four digits of the debtor's Social Security number or other personal identification numbers. See local form at [Bankr. D.S.D. R. 1007-1\(h\)](#) and [Appendix 1E](#). See *also* Fed.R.Bankr.P. 1007(b)(1)(F).

- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). See also 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.
- ☐ **Application(s) to Employ.** Filed by the debtor or the debtor's attorney if the debtor wants to employ the attorney, an accountant, or other professional, if any. The application should be filed before any post-petition services are rendered by that particular professional. See 11 U.S.C. § 327, Fed.R.Bankr.P. 2014(a), and [Bankr. D.S.D. R. 2014-1\(a\)](#).

Due Not More than 180 Days after Petition is Filed:

- ☐ **Plan.** See 11 U.S.C. § 1121(e)(1), [Bankr. D.S.D. R. 3016-1](#) and [Appendix 3A](#), and Official Form 425A. The debtor should not file a disclosure statement unless the Court has ordered the debtor to file one. See [Bankr. D.S.D. R. 3016-2](#).

Due Not More than 300 Days after Petition is Filed:

- ☐ **Plan.** See 11 U.S.C. § 1121(e)(2). The debtor should not file a disclosure statement unless the Court has ordered the debtor to file one. See [Bankr. D.S.D. R. 3016-2](#).

Due Before the Last Payment under Debtor's Confirmed Plan OR upon the Filing of a Motion for Hardship Discharge under 11 U.S.C. § 1141(d)(5)(C):

- ☐ ~~**Certification About a Financial Management Course**~~**Certificate of Debtor Education.** The approved nonprofit budget and credit counseling agency that provides the post-petition financial management course, ~~will either file a certificate of completion directly or~~ the debtor, or the debtor's attorney shall, ~~after receiving the certificate of completion,~~ file a ~~completed Certification About a Financial Management Course (Official Form 423)~~**Certificate of Debtor Education**. A separate ~~certificate of completion or a Certification About a Financial Management Course~~**Certificate of Debtor Education** shall be filed for each joint debtor. See 11 U.S.C. §§ 109(h)(4) and 727(a)(11) and Fed.R.Bankr.P. 1007(c).

Due upon Completion of Plan Payments OR upon the Filing of a Motion for Hardship Discharge under 11 U.S.C. § 1141(d)(5)(B):

- ☐ **Certification and Request for Discharge.** See local form at [Bankr. D.S.D. R. 3022-1\(b\)\(1\)](#) and [Appendix 3F](#). See also 11 U.S.C. §§ 522(b)(3), 522(q)(1), and 1141(d)(5). If the debtor is seeking a hardship discharge, the debtor will need to modify some of the language in the local form to indicate plan payments were not completed.

**CHAPTER 11 SUBCHAPTER V INDIVIDUAL, AS DEFINED BY
11 U.S.C. § 101(51C) AND (51D) AND § 1182 (VOLUNTARY)**

Due on First Day of Filing:

- ☐ **Voluntary Petition for Individuals Filing for Bankruptcy.** Official Form 101 (with the last box in question 13 checked).
- ☐ **Initial Statement About an Eviction Judgment Against You.** Filed only if the debtor rents a residence and the landlord has obtained a judgment for possession or an eviction judgment against the debtor. Official Form 101A.
- ☐ **Statement About Your Social Security Numbers.** Filed only by a debtor not represented by an attorney. Official Form 121.
- ☐ **Certificate of Credit Counseling and copy of any debt repayment plan.** The certificate and, if one was prepared, a copy of a debt repayment plan will be provided to the debtor by the approved nonprofit budget and credit counseling agency giving the pre-petition credit counseling course. A separate certificate shall be filed for each joint debtor. See 11 U.S.C. §§ 109(h)(1) and 521(b) and Fed.R.Bankr.P. 1007(b)(3).
- ☐ **Bankruptcy Petition Preparer's Notice, Declaration, and Signature.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Official Form 119.
- ☐ **Disclosure of Compensation of Bankruptcy Petition Preparer.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Director's Form 2800.
- ☐ **Statement Regarding Business Records Pursuant to 11 U.S.C. §§ 1116(1) and 1187(a).** The debtor shall complete the form at [Appendix 1D](#) of the local bankruptcy rules and shall attach to the statement the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return for the debtor or disclose in the statement which of these records was not prepared or filed. See also [Bankr. D.S.D. R. 1007-1\(g\)](#).
- ☐ **Mailing list of creditors.** When a debtor is represented by an attorney, the attorney shall electronically upload a mailing list of creditors when the petition is filed. A debtor not represented by an attorney shall submit a mailing list of creditors with the petition conforming to the local form at [Bankr. D.S.D. R. 1007-2](#) and [Appendix 1F](#). See also 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **List of Creditors Who Have the 20 Largest Unsecured Claims Against You and Are Not Insiders.** Official Form 104. See Fed.R.Bankr.P. 1007(d).

- ☐ **Filing fee of \$1,738.00 paid in full OR an Application for Individuals to Pay the Filing Fee in Installments.** An attorney for a debtor shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov. A debtor not represented by an attorney shall pay the fee to the Clerk by cashier's check, money order, or—only if hand delivered—cash. The payment shall be in the exact amount. See Official Form 103A for the Application for Individuals to Pay the Filing Fee in Installments.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Your Assets and Liabilities and Certain Statistical Information.** Official Form 106Sum.
- ☐ **Schedules A/B through J.** Official Forms 106A/B, 106C, 106D, 106E/F, 106G, 106H, 106I, 106J, and, if necessary, 106J-2.
- ☐ **Declaration About an Individual Debtor's Schedules.** Official Form 106Dec.
- ☐ **Statement of Financial Affairs for Individuals Filing for Bankruptcy.** Official Form 107.
- ☐ **Statement Regarding Payment Advices.** If the debtor received payments from an employer within 60 days before the date of the filing of the petition, the debtor shall file the statement using the local form, checking the first box thereon, and attaching to it a copy of each payment advice (also known as employee income records or wage statements) received by the debtor during that 60 days. Redact from the payment advices all but the last four digits of the debtor's Social Security number or other personal identification numbers. If the debtor did *not* receive payments from any employer within 60 days before the date of the filing of the petition, the debtor shall still file the statement using the local form but shall check the second box thereon. Joint debtors shall prepare and file separate statements. See local form at [Bankr. D.S.D. R. 1007-1\(a\)\(2\)](#) and [Appendix 1B](#). See also 11 U.S.C. § 521(a)(1)(B)(iv) and Fed.R.Bankr.P. 1007(b)(1)(E).
- ☐ **Statement of Interest in an Education Individual Retirement Account, Qualified ABLE Program, or under a Qualified State Tuition Program Pursuant to 11 U.S.C. § 521(c).** If a debtor has an account as defined by 11 U.S.C. § 521(c), the debtor shall file the statement using the local form and attach to it a record of each such account. Redact from the account records all but the last four digits of the debtor's Social Security number or other personal identification numbers. See local form at [Bankr. D.S.D. R. 1007-1\(h\)](#) and [Appendix 1E](#). See also Fed.R.Bankr.P. 1007(b)(1)(F).
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). See also 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030

exists for this disclosure, attorneys are strongly encouraged to use the local form instead.

- ☐ **Application(s) to Employ.** Filed by the debtor if the debtor wants to employ an attorney, an accountant, or other professional. The application should be filed before any post-petition services are rendered by that particular professional. See 11 U.S.C. § 327, Fed.R.Bankr.P. 2014(a), and [Bankr. D.S.D. R. 2014-1\(a\)](#).

Due Not Less than 14 Days Before Mandatory Status Conference:

- ☐ **Pre-conference Status Report** "that details the efforts the debtor has undertaken and will undertake to attain a consensual plan of reorganization." See 11 U.S.C. § 1188(c).

Due Not More than 90 Days after Petition is Filed:

- ☐ **Plan.** See 11 U.S.C. §§ 1189 and 1190, [Bankr. D.S.D. R. 3016-1](#), and Official Form 425A. The debtor should not file a disclosure statement unless the Court has ordered the debtor to file one. See *also* 11 U.S.C. § 1187(c) and [Bankr. D.S.D. R. 3016-2](#).

Due Not More than 14 Days after Confirmed Plan is Substantially Consummated:

- ☐ **Notice of Substantial Consummation.** See 11 U.S.C. § 1183(c)(2).

Due Before the Last Payment under Debtor's Confirmed Plan:

- ☐ ~~**Certification About a Financial Management Course**~~**Certificate of Debtor Education.** The approved nonprofit budget and credit counseling agency that provides the post-petition financial management course, ~~will either file a certificate of completion directly or~~ the debtor, or the debtor's attorney shall, ~~after receiving the certificate of completion,~~ file a completed ~~Certification About a Financial Management Course (Official Form 423)~~**Certificate of Debtor Education**. A separate ~~certificate of completion or a Certification About a Financial Management Course~~**Certificate of Debtor Education** shall be filed for each joint debtor. See 11 U.S.C. §§ 109(h)(4) and 727(a)(11) and Fed.R.Bankr.P. 1007(c).

Due Not More than 30 Days after Confirmed Plan is Substantially Consummated, if Plan was Confirmed under 11 U.S.C. § 1191(a):

- ☐ **Motion for Entry of Final Decree.** Fed.R.Bankr.P. 3022 and [Bankr. D.S.D. R. 3022-1\(a\)](#).

Due upon Completion of Payments Required During the Plan Term Circumscribed by 11 U.S.C. § 1191(c)(2)(A) or (B), if Plan was Confirmed under 11 U.S.C. § 1191(b):

- ☐ **Certification and Request for Discharge.** See local form at [Bankr. D.S.D. R. 3022-1\(b\)\(1\)](#) and [Appendix 3F](#). See *also* 11 U.S.C. §§ 522(b)(3), 522(q)(1), and 1192.

Due after Entry of an Order of Discharge if Plan was Confirmed under 11 U.S.C. § 1191(b):

- ☐ **Motion for Entry of Final Decree.** Fed.R.Bankr.P. 3022 and [Bankr. D.S.D. R. 3022-1\(e\)](#).

**CHAPTER 11 INDIVIDUAL THAT IS NOT A SMALL BUSINESS
AS DEFINED BY 11 U.S.C. § 101(51C) AND (51D) (VOLUNTARY)**

Due on First Day of Filing:

- ☐ **Voluntary Petition for Individuals Filing for Bankruptcy.** Official Form 101.
- ☐ **Initial Statement About an Eviction Judgment Against You.** Filed only if the debtor rents a residence and the landlord has obtained a judgment for possession or an eviction judgment against the debtor. Official Form 101A.
- ☐ **Statement About Your Social Security Numbers.** Filed only by a debtor not represented by an attorney. Official Form 121.
- ☐ **Certificate of Credit Counseling and copy of any debt repayment plan.** The certificate and, if one was prepared, a copy of a debt repayment plan will be provided to the debtor by the approved nonprofit budget and credit counseling agency giving the pre-petition credit counseling course. A separate certificate shall be filed for each joint debtor. 11 U.S.C. §§ 109(h)(1) and 521(b) and Fed.R.Bankr.P. 1007(b)(3).
- ☐ **Bankruptcy Petition Preparer's Notice, Declaration, and Signature.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Official Form 119.
- ☐ **Disclosure of Compensation of Bankruptcy Petition Preparer.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Director's Form 2800.
- ☐ **Mailing list of creditors.** When a debtor is represented by an attorney, the attorney shall electronically upload a mailing list of creditors when the petition is filed. A debtor not represented by an attorney shall submit a mailing list of creditors with the petition conforming to the local form at [Bankr. D.S.D. R. 1007-2](#) and [Appendix 1F](#). See also 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **List of Creditors Who Have the 20 Largest Unsecured Claims Against You and Are Not Insiders.** Official Form 104. See Fed.R.Bankr.P. 1007(d).
- ☐ **Filing fee of \$1,738.00 paid in full OR an Application for Individuals to Pay the Filing Fee in Installments.** An attorney for a debtor shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov. A debtor not represented by an attorney shall pay the fee to the Clerk by cashier's check, money order, or—only if hand delivered—cash. The payment shall be in the exact amount. See Official Form 103A for the Application for Individuals to Pay the Filing Fee in Installments.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Your Assets and Liabilities and Certain Statistical Information.** Official Form 106Sum.
- ☐ **Schedules A/B through J.** Official Forms 106A/B, 106C, 106D, 106E/F, 106G, 106H, 106I, 106J, and, if necessary, 106J-2.
- ☐ **Declaration About an Individual Debtor's Schedules.** Official Form 106Dec.
- ☐ **Statement of Financial Affairs for Individuals Filing for Bankruptcy.** Official Form 107.
- ☐ **Chapter 11 Statement of Your Current Monthly Income.** Official Form 122B.
- ☐ **Statement Regarding Payment Advices.** If the debtor's debts are primarily consumer debts and if the debtor received payments from an employer within 60 days before the date of the filing of the petition, the debtor shall file the statement using the local form, checking the first box thereon, and attaching to it a copy of each payment advice (also known as employee income records or wage statements) received by the debtor during that 60 days. Redact from the payment advices all but the last four digits of the debtor's Social Security number or other personal identification numbers. If the debtor's debts are primarily consumer debts but the debtor did *not* receive payments from any employer within 60 days before the date of the filing of the petition, the debtor shall still file the statement using the local form but shall check the second box thereon. Joint debtors shall each file a statement. See local form at [Bankr. D.S.D. R. 1007-1\(a\)\(2\)](#) and [Appendix 1B](#). See also 11 U.S.C. § 521(a)(1)(B)(iv) and Fed.R.Bankr.P. 1007(b)(1)(E).
- ☐ **Statement of Interest in an Education Individual Retirement Account, Qualified ABLE Program, or under a Qualified State Tuition Program Pursuant to 11 U.S.C. § 521(c).** If a debtor has an account as defined by 11 U.S.C. § 521(c), the debtor shall file the statement using the local form and attach to it a record of each such account. Redact from the account records all but the last four digits of the debtor's Social Security number or other personal identification numbers. See local form at [Bankr. D.S.D. R. 1007-1\(h\)](#) and [Appendix 1E](#). See also Fed.R.Bankr.P. 1007(b)(1)(F).
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). See also 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.
- ☐ **Application(s) to Employ.** Filed by the debtor or the debtor's attorney if the debtor wants to employ the attorney, an accountant, or other professional, if

any. The application should be filed before any post-petition services are rendered by that particular professional. See 11 U.S.C. § 327, Fed.R.Bankr.P. 2014(a), and [Bankr. D.S.D. R. 2014-1\(a\)](#).

Due Not More than 120 Days after Petition is Filed:

- ☐ **Plan and Disclosure Statement**, if the debtor wants to preserve the exclusive right to file a plan. See 11 U.S.C. § 1121(b).

Due Before the Last Payment under Debtor's Confirmed Plan OR upon the Filing of a Motion for Hardship Discharge under 11 U.S.C. § 1141(d)(5)(C):

- ☐ ~~Certification About a Financial Management Course~~Certificate of Debtor Education. The approved nonprofit budget and credit counseling agency that provides the post-petition financial management course, ~~will either file a certificate of completion directly or~~ the debtor, or the debtor's attorney shall, ~~after receiving the certificate of completion,~~ file a ~~completed Certification About a Financial Management Course (Official Form 423)~~Certificate of Debtor Education. A separate ~~certificate of completion or a Certification About a Financial Management Course~~Certificate of Debtor Education shall be filed for each joint debtor. See 11 U.S.C. §§ 109(h)(4) and 727(a)(11) and Fed.R.Bankr.P. 1007(c).

Due upon Completion of Plan Payments OR upon the Filing of a Motion for Hardship Discharge under 11 U.S.C. § 1141(d)(5)(B):

- ☐ **Certification and Request for Discharge**. See local form at [Bankr. D.S.D. R. 3022-1\(b\)\(1\)](#) and [Appendix 3F](#). See also 11 U.S.C. §§ 522(b)(3), 522(q)(1), and 1141(d)(5). If the debtor is seeking a hardship discharge, the debtor will need to modify some of the language in the local form to indicate plan payments were not completed.

**CHAPTER 11 NON-INDIVIDUAL THAT IS ALSO A SMALL BUSINESS
AS DEFINED BY 11 U.S.C. § 101(51C) AND (51D) (VOLUNTARY)**

Due on First Day of Filing:

- ☐ **Voluntary Petition for Non-Individuals Filing for Bankruptcy.** Official Form 201. A corporation, partnership, or other formal legal entity may file a petition only with the assistance of an attorney.
- ☐ **Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11.** Official Form 201A.
- ☐ **Statement of Authority to File.** Generally, this will be a copy of a signed and dated resolution or meeting minutes by the business entity's governing body authorizing the filing of the petition. The resolution or meeting minutes shall be attached to a captioned cover pleading signed and dated by the debtor's attorney.
- ☐ **Statement of Corporate Ownership.** Filed using the local form only if the debtor is a corporation as defined by 11 U.S.C. § 101(9)(A), which includes limited liability companies, business trusts, and other similar legal entities. See local form at [Bankr. D.S.D. R. 1007-1\(f\)](#) and [Appendix 1C](#). See also Fed.Rs.Bankr.P. 1007(a)(1) and 7007.1.
- ☐ **List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders.** Official Form 204. If the debtor files this list separate from the debtor's schedules, the debtor will need to complete and sign a Declaration Under Penalty of Perjury for Non-Individual Debtors (Official Form 202) that references only the list of creditors who have the 20 largest unsecured claims, attach it to the completed Official Form 204 as the last page, and file both forms as one document. See Fed.R.Bankr.P. 1007(d).
- ☐ **Mailing list of creditors.** The debtor's attorney shall electronically upload a mailing list of creditors when the petition is filed. See 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Filing fee of \$1,738.00.** The debtor's attorney shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Assets and Liabilities for Non-Individuals.** Official Form 206Sum.
- ☐ **Schedules A/B and D through H.** Official Forms 206A/B, 206D, 206E/F, 206G, and 206H.

- ☐ **Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy.** Official Form 207.
- ☐ **Declaration Under Penalty of Perjury for Non-Individual Debtors.** Official Form 202.
- ☐ **List of Equity Security Holders.** See Fed.R.Bankr.P. 1007(a)(3).
- ☐ **Statement Regarding Business Records Pursuant to 11 U.S.C. § 1116(1).** The debtor shall attach to the statement the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return for the debtor or disclose in the statement which of these records was not prepared or filed. See local form at [Bankr. D.S.D. R. 1007-1\(g\)](#) and [Appendix 1D](#).
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). See also 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.
- ☐ **Application(s) to Employ.** Filed by the debtor or the debtor's attorney if the debtor wants to employ the attorney, an accountant, or other professional, if any. The application should be filed before any post-petition services are rendered by that particular professional. See 11 U.S.C. § 327, Fed.R.Bankr.P. 2014(a), and [Bankr. D.S.D. R. 2014-1\(a\)](#).

Due Not More than 180 Days after Petition is Filed:

- ☐ **Plan.** See 11 U.S.C. § 1121(e)(1). The debtor should not file a disclosure statement unless the Court has ordered the debtor to file one. See [Bankr. D.S.D. R. 3016-2](#).

Due Not More than 300 Days after Petition is Filed:

- ☐ **Plan.** See 11 U.S.C. § 1121(e)(2). The debtor should not file a disclosure statement unless the Court has ordered the debtor to file one. See [Bankr. D.S.D. R. 3016-2](#).

**CHAPTER 11 SUBCHAPTER V NON-INDIVIDUAL, AS DEFINED BY
11 U.S.C. § 101(51C) AND (51D) AND § 1182 (VOLUNTARY)**

Due on First Day of Filing:

- ☐ **Voluntary Petition for Non-Individuals Filing for Bankruptcy.** Official Form 201 (with the appropriate box in question 8 checked). A corporation, partnership, or other formal legal entity may file a petition only with the assistance of an attorney.
- ☐ **Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11.** Official Form 201A.
- ☐ **Statement of Authority to File.** Generally, this will be a copy of a signed and dated resolution or meeting minutes by the business entity's governing body authorizing the filing of the petition. The resolution or meeting minutes shall be attached to a captioned cover pleading signed and dated by the debtor's attorney.
- ☐ **Statement of Corporate Ownership.** Filed using the local form only if the debtor is a corporation as defined by 11 U.S.C. § 101(9)(A), which includes limited liability companies, business trusts, and other similar legal entities. See local form at [Bankr. D.S.D. R. 1007-1\(f\)](#) and [Appendix 1C](#). See also Fed.Rs.Bankr.P. 1007(a)(1) and 7007.1.
- ☐ **Statement Regarding Business Records Pursuant to 11 U.S.C. §§ 1116(1) and 1187(a).** The debtor shall complete the form at [Appendix 1D](#) of the local bankruptcy rules and shall attach to the statement the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return for the debtor or disclose in the statement which of these records was not prepared or filed. See also [Bankr. D.S.D. R. 1007-1\(g\)](#).
- ☐ **Mailing list of creditors.** The debtor's attorney shall electronically upload a mailing list of creditors when the petition is filed. See 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders.** Official Form 204. If the debtor files this list separate from the debtor's schedules, the debtor will need to complete and sign a Declaration Under Penalty of Perjury for Non-Individual Debtors (Official Form 202) that references only the list of creditors who have the 20 largest unsecured claims, attach it to the completed Official Form 204 as the last page, and file both forms as one document. See Fed.R.Bankr.P. 1007(d).
- ☐ **Filing fee of \$1,738.00.** The debtor's attorney shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Assets and Liabilities for Non-Individuals.** Official Form 206Sum.
- ☐ **Schedules A/B and D through H.** Official Forms 206A/B, 206D, 206E/F, 206G, and 206H.
- ☐ **Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy.** Official Form 207.
- ☐ **Declaration Under Penalty of Perjury for Non-Individual Debtors.** Official Form 202.
- ☐ **List of Equity Security Holders.** See Fed.R.Bankr.P. 1007(a)(3).
- ☐ **Disclosure of Compensation.** Filed only by the attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). See also 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.
- ☐ **Application(s) to Employ.** Filed by the debtor if the debtor wants to employ the attorney, an accountant, or other professional. The application should be filed before any post-petition services are rendered by that particular professional. See 11 U.S.C. § 327, Fed.R.Bankr.P. 2014(a), and [Bankr. D.S.D. R. 2014-1\(a\)](#).

Due Not Less than 14 Days Before Mandatory Status Conference:

- ☐ **Pre-conference Status Report** "that details the efforts the debtor has undertaken and will undertake to attain a consensual plan of reorganization." See 11 U.S.C. § 1188(c).

Due Not More than 90 Days after Petition is Filed:

- ☐ **Plan.** See 11 U.S.C. §§ 1189 and 1190, [Bankr. D.S.D. R. 3016-1](#), and Official Form 425A. The debtor should not file a disclosure statement unless the Court has ordered the debtor to file one. See also 11 U.S.C. § 1187(c) and [Bankr. D.S.D. R. 3016-2](#).

Due Not More than 14 Days after Confirmed Plan is Substantially Consummated:

- ☐ **Notice of Substantial Consummation.** See 11 U.S.C. § 1183(c)(2).

Due Not More than 30 Days after Confirmed Plan is Substantially Consummated, if Plan was Confirmed under 11 U.S.C. § 1191(a):

- ☐ **Motion for Entry of Final Decree.** Fed.R.Bankr.P. 3022 and [Bankr. D.S.D. R. 3022-1\(a\)](#).

Due upon Completion of Payments Required During the Plan Term Circumscribed by 11 U.S.C. § 1191(c)(2)(A) or (B), if Plan was Confirmed under 11 U.S.C. § 1191(b):

- ☐ **Certification and Request for Discharge.** See local form at [Bankr. D.S.D. R. 3022-1\(b\)\(2\)](#) and [Appendix 3G](#). See also 11 U.S.C. §§ 522(b)(3), 522(q)(1), and 1192.

Due after Entry of an Order of Discharge if Plan was Confirmed under 11 U.S.C. § 1191(b):

- ☐ **Motion for Entry of Final Decree.** Fed.R.Bankr.P. 3022 and [Bankr. D.S.D. R. 3022-1\(e\)](#).

**CHAPTER 11 NON-INDIVIDUAL THAT IS NOT A SMALL BUSINESS
AS DEFINED BY 11 U.S.C. § 101(51C) AND (51D) (VOLUNTARY)**

Due on First Day of Filing:

- ☐ **Voluntary Petition for Non-Individuals Filing for Bankruptcy.** Official Form 201. A corporation, partnership, or other formal legal entity may file a petition only with the assistance of an attorney.
- ☐ **Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11.** Official Form 201A.
- ☐ **Statement of Authority to File.** Generally, this will be a copy of a signed and dated resolution or meeting minutes by the business entity's governing body authorizing the filing of the petition. The resolution or meeting minutes shall be attached to a captioned cover pleading signed and dated by the debtor's attorney.
- ☐ **Statement of Corporate Ownership.** Filed using the local form only if the debtor is a corporation as defined by 11 U.S.C. § 101(9)(A), which includes limited liability companies, business trusts, and other similar legal entities. See local form at [Bankr. D.S.D. R. 1007-1\(f\)](#) and [Appendix 1C](#). See also Fed.Rs.Bankr.P. 1007(a)(1) and 7007.1.
- ☐ **List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders.** Official Form 204. If the debtor files this list separate from the debtor's schedules, the debtor will need to complete and sign a Declaration Under Penalty of Perjury for Non-Individual Debtors (Official Form 202) that references only the list of creditors who have the 20 largest unsecured claims, attach it to the completed Official Form 204 as the last page, and file both forms as one document. See Fed.R.Bankr.P. 1007(d).
- ☐ **Mailing list of creditors.** The debtor's attorney shall electronically upload a mailing list of creditors when the petition is filed. See 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Filing fee of \$1,738.00.** The debtor's attorney shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Assets and Liabilities for Non-Individuals.** Official Form 206Sum.
- ☐ **Schedules A/B and D through H.** Official Forms 206A/B, 206D, 206E/F, 206G, and 206H.

- ☐ **Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy.** Official Form 207.
- ☐ **Declaration Under Penalty of Perjury for Non-Individual Debtors.** Official Form 202.
- ☐ **List of Equity Security Holders.** See Fed.R.Bankr.P. 1007(a)(3).
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). See also 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.
- ☐ **Application(s) to Employ.** Filed by the debtor or the debtor's attorney if the debtor wants to employ the attorney, an accountant, or other professional, if any. The application should be filed before any post-petition services are rendered by that particular professional. See 11 U.S.C. § 327, Fed.R.Bankr.P. 2014(a), and [Bankr. D.S.D. R. 2014-1\(a\)](#).

Due Not More than 120 Days after Petition is Filed:

- ☐ **Plan and Disclosure Statement.** See 11 U.S.C. § 1121(b).

CHAPTER 12 INDIVIDUAL (VOLUNTARY)

Due on First Day of Filing:

- ☐ **Voluntary Petition for Individuals Filing for Bankruptcy.** Official Form 101.
- ☐ **Initial Statement About an Eviction Judgment Against You.** Filed only if the debtor rents a residence and the landlord has obtained a judgment for possession or an eviction judgment against the debtor. Official Form 101A.
- ☐ **Statement About Your Social Security Numbers.** Filed only by a debtor not represented by an attorney. Official Form 121.
- ☐ **Certificate of Credit Counseling and copy of any debt repayment plan.** The certificate and, if one was prepared, a copy of a debt repayment plan will be provided to the debtor by the approved nonprofit budget and credit counseling agency giving the pre-petition credit counseling course. A separate certificate shall be filed for each joint debtor. 11 U.S.C. §§ 109(h)(1) and 521(b) and Fed.R.Bankr.P. 1007(b)(3).
- ☐ **Bankruptcy Petition Preparer's Notice, Declaration, and Signature.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Official Form 119.
- ☐ **Disclosure of Compensation of Bankruptcy Petition Preparer.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Director's Form 2800.
- ☐ **Mailing list of creditors.** When a debtor is represented by an attorney, the attorney shall electronically upload a mailing list of creditors when the petition is filed. A debtor not represented by an attorney shall submit a mailing list of creditors with the petition conforming to the local form at [Bankr. D.S.D. R. 1007-2](#) and [Appendix 1F](#). See *also* 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Filing fee of \$278.00 paid in full OR an Application for Individuals to Pay the Filing Fee in Installments.** An attorney for a debtor shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov. A debtor not represented by an attorney shall pay the fee to the Clerk by cashier's check, money order, or—only if hand delivered—cash. The payment shall be in the exact amount. See Official Form 103A for the Application for Individuals to Pay the Filing Fee in Installments.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Your Assets and Liabilities and Certain Statistical Information.** Official Form 106Sum.

- ☐ **Schedules A/B through J.** Official Forms 106A/B, 106C, 106D, 106E/F, 106G, 106H, 106I, 106J, and, if necessary, 106J-2.
- ☐ **Declaration About an Individual Debtor's Schedules.** Official Form 106Dec.
- ☐ **Statement of Financial Affairs for Individuals Filing for Bankruptcy.** Official Form 107.
- ☐ **Statement of Interest in an Education Individual Retirement Account, Qualified ABLE Program, or under a Qualified State Tuition Program Pursuant to 11 U.S.C. § 521(c).** If a debtor has an account as defined by 11 U.S.C. § 521(c), the debtor shall file the statement using the local form and attach to it a record of each such account. Redact from the account records all but the last four digits of the debtor's Social Security number or other personal identification numbers. See local form at [Bankr. D.S.D. R. 1007-1\(h\)](#) and [Appendix 1E](#). See *also* Fed.R.Bankr.P. 1007(b)(1)(F).
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). See *also* 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.
- ☐ **Application(s) to Employ.** Filed by the debtor or the debtor's attorney if the debtor wants to employ the attorney, an accountant, or other professional, if any. The application should be filed before any post-petition services are rendered by that particular professional. See 11 U.S.C. § 327, Fed.R.Bankr.P. 2014(a), and [Bankr. D.S.D. R. 2014-1\(a\)](#).

Due Not More than 90 Days after Petition is Filed:

- ☐ **Plan.** See local form at [Bankr. D.S.D. R. 3015-2\(1\)](#) and [Appendix 3A](#). See *also* 11 U.S.C. §§ 1221, 1222, and 1225, Fed.R.Bankr.P. 3015(a), and [Bankr. D.S.D. Rs. 3015-1A](#), [3015-2](#), and [3015-3](#).

Due 30 Days after Trustee's Notice of Completion of Plan Payments OR upon the Filing of a Motion for Hardship Discharge under 11 U.S.C. § 1228(b):

- ☐ **Certification and Request for Discharge.** See local form at [Bankr. D.S.D. R. 3072-1A\(a\)\(2\)\(A\)](#) and [Appendix 3F](#).

CHAPTER 12 NON-INDIVIDUAL (AKA A BUSINESS) (VOLUNTARY)

Due on First Day of Filing:

- ☐ **Voluntary Petition for Non-Individuals Filing for Bankruptcy.** Official Form 201. A corporation, partnership, or other formal legal entity may file a petition only with the assistance of an attorney.
- ☐ **Statement of Corporate Ownership.** Filed using the local form only if the debtor is a corporation as defined by 11 U.S.C. § 101(9)(A), which includes limited liability companies, business trusts, and other similar legal entities. *See* local form at [Bankr. D.S.D. R. 1007-1\(f\)](#) and [Appendix 1C](#). *See also* Fed.Rs.Bankr.P. 1007(a)(1) and 7007.1.
- ☐ **Mailing list of creditors.** The debtor's attorney shall electronically upload a mailing list of creditors when the petition is filed. *See* 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Filing fee of \$278.00 paid in full.** The attorney for the debtor shall pay the fee by credit card. *See* Internet Payment Guide on the Court's website at www.sdb.uscourts.gov.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Assets and Liabilities for Non-Individuals.** Official Form 206Sum.
- ☐ **Schedules A/B and D through H.** Official Forms 206A/B, 206D, 206E/F, 206G, and 206H.
- ☐ **Statement of Financial Affairs for Non-Individuals Filing for Bankruptcy.** Official Form 207.
- ☐ **Declaration Under Penalty of Perjury for Non-Individual Debtors.** Official Form 202.
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. *See* local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). *See also* 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.
- ☐ **Application(s) to Employ.** Filed by the debtor or the debtor's attorney if the debtor wants to employ the attorney, an accountant, or other professional, if any. The application should be filed before any post-petition services are rendered by that particular professional. *See* 11 U.S.C. § 327, Fed.R.Bankr.P. 2014(a), and [Bankr. D.S.D. R. 2014-1\(a\)](#).

Due Not More than 90 Days after Petition is Filed:

- ☐ **Plan.** See local form at [Bankr. D.S.D. R. 3015-2\(1\)](#) and [Appendix 3A](#). See *also* 11 U.S.C. §§ 1221, 1222, and 1225, Fed.R.Bankr.P. 3015, and [Bankr. D.S.D. Rs. 3015-1A](#), [3015-2](#), and [3015-3](#).

Due 30 Days after Trustee's Notice of Completion of Plan Payments OR the Filing of a Motion for Hardship Discharge under 11 U.S.C. § 1228(b):

- ☐ **Certification and Request for Discharge.** See local form at [Bankr. D.S.D. R. 3072-1A\(a\)\(2\)\(B\)](#) and [Appendix 3G](#).

CHAPTER 13 (VOLUNTARY)

Due on First Day of Filing:

- ☐ **Voluntary Petition for Individuals Filing for Bankruptcy.** Official Form 101.
- ☐ **Initial Statement About an Eviction Judgment Against You.** Filed only if the debtor rents a residence and the landlord has obtained a judgment for possession or an eviction judgment against the debtor. Official Form 101A.
- ☐ **Statement About Your Social Security Numbers.** Filed only by a debtor not represented by an attorney. Official Form 121.
- ☐ **Certificate of Credit Counseling and copy of any debt repayment plan.** The certificate and, if one was prepared, a copy of a debt repayment plan will be provided to the debtor by the approved nonprofit budget and credit counseling agency giving the pre-petition credit counseling course. A separate certificate shall be filed for each joint debtor. 11 U.S.C. §§ 109(h)(1) and 521(b) and Fed.R.Bankr.P. 1007(b)(3).
- ☐ **Bankruptcy Petition Preparer's Notice, Declaration, and Signature.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Official Form 119.
- ☐ **Disclosure of Compensation of Bankruptcy Petition Preparer.** Filed only if the debtor hired a nonattorney to assist the debtor in typing the petition and other required documents. Director's Form 2800.
- ☐ **Mailing list of creditors.** When a debtor is represented by an attorney, the attorney shall electronically upload a mailing list of creditors when the petition is filed. A debtor not represented by an attorney shall submit a mailing list of creditors with the petition conforming to the local form at [Bankr. D.S.D. R. 1007-2](#) and [Appendix 1F](#). See *also* 11 U.S.C. § 521(a)(1)(A) and Fed.R.Bankr.P. 1007(a)(1).
- ☐ **Filing fee of \$313.00 paid in full OR an Application for Individuals to Pay the Filing Fee in Installments.** An attorney for a debtor shall pay the fee by credit card. See Internet Payment Guide on the Court's website at www.sdb.uscourts.gov. A debtor not represented by an attorney shall pay the fee to the Clerk by cashier's check, money order, or—only if hand delivered—cash. The payment shall be in the exact amount. See Official Form 103A for the Application for Individuals to Pay the Filing Fee in Installments.

Due Not More than 14 Days after Petition is Filed:

- ☐ **Summary of Your Assets and Liabilities and Certain Statistical Information.** Official Form 106Sum.

- ☐ **Schedules A/B through J.** Official Forms 106A/B, 106C, 106D, 106E/F, 106G, 106H, 106I, 106J, and, if necessary, 106J-2.
- ☐ **Declaration About an Individual Debtor's Schedules.** Official Form 106Dec.
- ☐ **Statement of Financial Affairs for Individuals Filing for Bankruptcy.** Official Form 107.
- ☐ **Statement Regarding Payment Advices.** If the debtor's debts are primarily consumer debts and if the debtor received payments from an employer within 60 days before the date of the filing of the petition (this includes most chapter 13 debtors), the debtor shall file the statement using the local form, checking the first box thereon, and attaching to it a copy of each payment advice (also known as employee income records or wage statements) received by the debtor during that 60 days. Redact from the payment advices all but the last four digits of the debtor's Social Security number or other personal identification numbers. If the debtor's debts are primarily consumer debts but the debtor did *not* receive payments from any employer within 60 days before the date of the filing of the petition, the debtor shall still file the statement using the local form but shall check the second box thereon. Joint debtors shall each file a statement. See local form at [Bankr. D.S.D. R. 1007-1\(a\)\(2\)](#) and [Appendix 1B](#). See also 11 U.S.C. § 521(a)(1)(B)(iv) and Fed.R.Bankr.P. 1007(b)(1)(E).
- ☐ **Statement of Interest in an Education Individual Retirement Account, Qualified ABLE Program, or under a Qualified State Tuition Program Pursuant to 11 U.S.C. § 521(c).** If a debtor has an account as defined by 11 U.S.C. § 521(c), the debtor shall file the statement using the local form and attach to it a record of each such account. Redact from the account records all but the last four digits of the debtor's Social Security number or other personal identification numbers. See local form at [Bankr. D.S.D. R. 1007-1\(h\)](#) and [Appendix 1E](#). See also Fed.R.Bankr.P. 1007(b)(1)(F).
- ☐ **Disclosure of Compensation.** Filed only by an attorney for the debtor. See local form at [Bankr. D.S.D. R. 2016-1\(a\)](#) and [Appendix 2M](#). See also 11 U.S.C. § 329(a) and Fed.R.Bankr.P. 2016(b). Though Director's Form 2030 exists for this disclosure, attorneys are strongly encouraged to use the local form instead.
- ☐ **Chapter 13 Statement of Your Current Monthly Income and Calculation of Commitment Period.** Official Form 122C-1.
- ☐ **Chapter 13 Calculation of Your Disposable Income.** Official Form 122C-2.

- ☐ **Plan.** See local form at [Bankr. D.S.D. R. 3015-2\(1\)](#) and [Appendix 3A](#). See *also* 11 U.S.C. § 1321, Fed.R.Bankr.P. 3015(b), and [Bankr. D.S.D. Rs. 3015-1B](#), [3015-2](#), and [3015-3](#).

Due Before the Last Payment under Debtor's Confirmed Plan OR upon the Filing of a Motion for Hardship Discharge under 11 U.S.C. § 1328(h):

- ☐ ~~**Certification About a Financial Management Course**~~**Certificate of Debtor Education.** The approved nonprofit budget and credit counseling agency that provides the post-petition financial management course, ~~will either file a certificate of completion directly or~~ the debtor, or the debtor's attorney shall, ~~after receiving the certificate of completion,~~ file a ~~completed Certification About a Financial Management Course (Official Form 423)~~**Certificate of Debtor Education**. A separate ~~certificate of completion or a Certification About a Financial Management Course~~**Certificate of Debtor Education** shall be filed for each joint debtor. See 11 U.S.C. §§ 109(h)(4) and 727(a)(11) and Fed.R.Bankr.P. 1007(c).

Due 30 Days after Trustee's Notice of Completion of Plan Payments OR upon the Filing of a Motion for Hardship Discharge under 11 U.S.C. § 1328(h):

- ☐ **Certification and Request for Discharge.** Each joint debtor shall prepare and file a separate Certification and Request for Discharge. See local form at [Bankr. D.S.D. R. 3072-1B\(b\)](#) and [Appendix 3F](#). See *also* 11 U.S.C. §§ 522(b)(3), 522(q)(1), and 1328(h). A debtor who has completed all plan payments shall file the Certification and Request for Discharge within 30 days after the trustee files his Notice of Completion of Plan Payments. A debtor who has *not* completed all plan payments and is instead seeking a hardship discharge should file the Certification and Request for Discharge at the same time the debtor files the motion for hardship discharge. See [Bankr. D.S.D. R. 3072-1B\(b\)](#). A debtor seeking a hardship discharge will need to modify the language of the first sentence of paragraph "I" of the Certification and Request for Discharge to indicate the debtor has not completed all plan payments but is seeking a hardship discharge instead. The local form incorporates Director's Form 2830.

Appendix 3F. Chapter 11, Chapter 12, or Chapter 13 Individual Debtor's Certification and Request for Discharge.

UNITED STATES BANKRUPTCY COURT
DISTRICT OF SOUTH DAKOTA

In re:)	Bankr. No. 18-90000
)	Chapter 11
WADE JOEL EARNER)	
aka W.J. Earner)	
SSN/ITIN xxx-xx-0000)	
)	DEBTOR WADE JOEL EARNER'S
and)	CERTIFICATION AND
)	REQUEST FOR DISCHARGE
WANDA GAIL EARNER)	
SSN/ITIN xxx-xx-0001)	
)	
Debtors.)	

I, Wade Joel Earner, an above-named debtor, certify and request as follows:

I. Eligibility. I am asking the Court to enter a discharge order in this case because:

(a) I have completed all payments, including any disposable income payments, due through the end of the plan term, as provided by my confirmed plan and any subsequent modifications approved by the Court; and

(b) I have not received a prior discharge that would render me ineligible for a discharge in this case.

II. Personal financial management course. I have completed an instructional course concerning personal financial management and a certification of the same has been filed ~~by the course provider or I have completed and filed an Official Form 423.~~

III. Domestic Support Obligation (check A or B and, if B is checked, complete part B in full):

☐ **A. NO Support Debt.** I have not been required by a judicial or administrative order or by statute to pay any Domestic Support Obligation, as defined by 11 U.S.C. § 101(14A), either before this bankruptcy case was filed or at any time thereafter.

OR ☐ **B. Support Debt.** I have been required to pay a Domestic Support Obligation, as defined by 11 U.S.C. § 101(14A), either before this bankruptcy case was filed or at any time thereafter. I certify that prior to the date of this affidavit I have paid in full any Domestic Support Obligation payments required by a judicial or administrative order or by statute, including amounts due before or since this bankruptcy case was filed, to the extent provided by the confirmed plan and any subsequent modifications thereto.

The name and address of each holder of a Domestic Support Obligation is:

My most recent address is:

The name and address of my most recent employer(s) is/are:

IV. Application of 11 U.S.C. § 522(q). I certify [*check A or B*]:

☐ **A.** Section 522(q)(1) of Title 11 does not apply because I have not claimed a homestead or other exemption specified in 11 U.S.C. § 522(p)(1) in an amount greater than the allowance provided in 11 U.S.C. § 522(p) on the date I filed my bankruptcy petition.

OR ☐ **B.** Although I have claimed a homestead or other exemption specified in 11 U.S.C. § 522(p)(1) in an amount greater than the allowance under 11 U.S.C. § 522(p) on the date I filed my bankruptcy petition,

(1) Section § 522(q)(1)(A) of Title 11 does not apply because I have not been convicted of a felony, as defined by 18 U.S.C. § 3156, that under the circumstances demonstrates the filing of the case was an abuse of the provisions of Title 11 of the United States Code, and 11 U.S.C. § 522(q)(1)(B) does not apply because I do not owe a debt arising from:

(A) any violation of the federal securities laws, as defined in § 3(a)(47) of the Securities Exchange Act of 1934, any state securities laws, or any regulation or order issued under federal securities laws or state securities laws;

(B) fraud, deceit or manipulation in a fiduciary capacity or in connection with the purchase or sale of any security registered under § 12 or § 15(d) of the Securities Exchange Act of 1934 or under § 6 of the Securities Act of 1933;

(C) any civil remedy under 18 U.S.C. § 1964; or

(D) any criminal act, intentional tort or willful or reckless misconduct that caused serious physical injury or death to another individual in the preceding five years; and

(2) There is not currently pending any proceeding in which I may be found guilty of a felony of the kind described in 11 U.S.C. § 522(q)(1)(A) or liable for a debt of the kind described in 11 U.S.C. § 522(q)(1)(B).

I certify under penalty of perjury that the information provided in this certification is true and correct to the best of my knowledge and belief.

Dated: March 10, 2025.

/s/
Wade Joel Earner
Debtor

SEE COMMITTEE NOTES ON FOLLOWING PAGE

Committee Notes

This local form should be used in lieu of any Official Form.

The document shall be completed in full and filed with the Court to begin the discharge process. A chapter 12 debtor may exclude subpart I(b) and part II. Be sure to reflect the correct chapter in the caption.

Each debtor in a joint case shall complete a separate document.

When this document is filed, it is not viewable on the public docket because of the personal identifier information that may be included. The case trustee will be able to view it so the trustee can complete his or her case administration duties.

REFERENCES: [Bankr. D.S.D. Rs. 3022-1](#), [3072-1A](#), and [3072-1B](#).