

## **Petitions to Dismiss for Non-payment-Confirmed Cases**

Cases are petitioned for dismissal if they are two or more months past due in a conduit case and three or more months past due in a non-conduit case. To avoid dismissal, we normally request the debtor make a payment and one-half to catch up the past due amount within six months. If a debtor needs more time to get current, they should contact [inquiries@ch13trustee.net](mailto:inquiries@ch13trustee.net) to discuss arrangements or call our office. Arrangements of longer than six months will be handled on a case-by-case basis.

The debtor and attorney will receive a copy of the petition along with a printout of receipts and a letter advising the past due amount and arrangements the Trustee is willing to make to bring the case current. The arrangement is referred to as a “PIII arrangement.”

If the debtor agrees to the PIII arrangement s/he will need to:

1. Date and sign the agreement letter;
2. Return the letter to our office by the deadline;
3. Mail the PIII payment to the Trustee by the deadline.

If the agreement letter and the payment are timely received the Trustee will recommend a PIII Order and the case will not be dismissed. **However, if any future payments are missed, the case may be dismissed without any further notice.**

If the debtor does not contact our office, sign the agreement letter, or pay the PIII payment by the deadline date, the Trustee may recommend P- I Order dismissing the case

## **Motions to Dismiss for Non-payment-Unconfirmed Cases**

The Trustee will file a motion to dismiss for non-payment, at her discretion, when a case becomes delinquent prior to confirmation. These motions have a 21 day objection period, and the case may be dismissed after the objection period expires if no action is taken by the debtor to object or advise the Trustee that a payment has been made.