

OFFICE OF CHAPTER 13 STANDING TRUSTEE – DAVID WM. RUSKIN, TRUSTEE
U.S. BANKRUPTCY COURT - EASTERN DISTRICT OF MICHIGAN, DETROIT

SUGGESTED PROCEDURE FOR DEBTOR ATTORNEYS AT
CHAPTER 13 § 341 FIRST MEETINGS OF CREDITORS

Please Note: *Given the increased rate of case filings and the limited time and resources available, the Detroit office of the Chapter 13 Trustee is trying to balance the competing goals of timely completion of the sec. 341 First Meetings of Creditors, and the statutory obligation to allow examination of debtors at this hearing.*

Toward that end, the following suggested procedure is offered. Your comments and suggestions are always welcome. As these procedures evolve and change, our office will publish revisions to this notice. Thank you.

1. Review this procedure with your client prior to the case being called.
2. Provide Trustee's assistant with the Supplemental Chapter 13 Statement.
--Make sure the Statement is signed and dated. Hand in only the original and top copy, as the other copies are for you and other interested parties.
3. FOR THE RECORD:
 - a. Ask each debtor to state his or her name.
 - b. Ask each debtor if they were sworn in at the beginning of the hour's call.
 - c. (After reviewing the computer print-out from the Trustee's office, before the case is called), ask each debtor to confirm that the following is correct:
 - name
 - mailing address
 - name of employer
 - social security number
 - date Chapter 13 Plan was filed

NOTE: If any of the requested information is incorrect, please provide the corrected information on the record.
 - d. Please ask your client if they have made their first payment.
NOTE: Many debtors are confused as to the exact date their plan payments begin. Our office suggests (in general) that counsel advise the client to make the first payment prior to the date of the original 341 hearing.
4. Please explain to the hearing officer what justification your client has for making any creditor payments direct rather than through the Trustee's office. Note that LBR 3070-1 governs.
5. Affirmatively state whether an Order for Assignment of Income has been entered with the Court and whether counsel for debtor has served that Order upon the Trustee's office.
6. Take questions from the Trustee and creditors, if any.