

From: Alice Whitten
To: "dfwch13@googlegroups.com"
Cc: [REDACTED]
Subject: Fort Worth Ch 13 Trustee Policy Regarding DSO Certificates
Date: Monday, August 16, 2010 9:02:00 AM

TRUSTEE POLICY REGARDING DSO CERTIFICATES

General Order 2009-03, paragraph 17. b. requires that a DSO Certificate be filed "Within 7 days before the Trustee's pre-hearing conference concerning confirmation...."

- When the DSO Certificate is filed after the PHC, but before the Confirmation Hearing, the case can be confirmed provided the Texas Attorney General gives the Trustee a written "Waiver" of the "late" filing.
 - The purpose of the AG Waiver is so that if the DSO Certificate is filed after the PHC but at the last minute, just before the Confirmation Hearing, the AG is given time to verify that its records do not show that the Debtor is not current on the post-petition DSO payments.
- When the DSO Certificate is filed before 7 days prior to the PHC, i.e. "early", a new DSO Certificate will be required.
- When the DSO Certificate is filed within the 7 days prior to the PHC, but the Confirmation Hearing is continued, a new DSO Certificate and new Waiver should be required.
 - The purpose of the DSO Certificate is to let the Court know that the Debtor is current on post-petition DSO payments "as of" Confirmation ((or within a reasonably short period prior thereto, i.e., within 7 days prior to the PHC)) as required by Section 1325(a)(8) of the Bankruptcy Code.

Please contact both Ch 13 Trustees if you have questions or concerns regarding this policy.

Thank you
Alice and Tim

Alice Whitten
Standing Chapter 13 Trustee
6100 Western Place Dr., Ste. 1050
Fort Worth, TX 76107
Main Line: 817-916-4710
Fax: 817-916-4770

Tim Truman
Standing Chapter 13 Trustee
6851 NE Loop 820, Ste. 300
North Richland Hills, TX 76180
Main Line: 817-770-8500
Fax: 817-498-1362

[REDACTED]

[REDACTED]

Have you joined the DFW Ch13 Google Group?
To ensure that you stay in touch with communications from the area Ch 13 offices - you should!
Visit <http://groups.google.com/group/dfwch13> and ask to join.

Privileged and Confidential. This e-mail, and any attachments there to, is intended only for use by the addressee(s) named herein and may contain privileged or confidential information. If you have received this e-mail in error, please notify me immediately by a return e-mail and delete this e-mail. You are hereby notified that any dissemination, distribution or copying of this e-mail and/or any attachments thereto, is strictly prohibited.