

## MESSAGE FROM THE TRUSTEE

You are to be commended for proceeding with a responsible way to manage your debts and to repay your creditors. Chapter 13 is a legal proceeding under federal bankruptcy law that allows you to reorganize your debt, by turning over a specified portion of your future earnings to a Chapter 13 Trustee who then distributes the money, according to a confirmed plan, to creditors who have filed bona fide claims. It allows you the opportunity to keep most or all of your personal property during the time you are repaying creditors, and it may permit you to modify some contract payments, interest rates, and length of obligations.

Chapter 13 requires a long-term commitment to the repayment of your debts. In exchange for the protection provided by the Federal Bankruptcy Court, you agree to repay creditors over time. Depending on your income, this generally is a three to five year period. To improve your ability to successfully complete your case, here are a few important steps to follow:

1. **Hire an experienced bankruptcy attorney.** Hiring an attorney well-versed in Chapter 13 law is not required, but it is strongly recommended. Your attorney's role is to advise you. The attorney can help you prepare a straightforward, accurate and complete Chapter 13 plan and provide you with legal advice throughout the life of the case.
2. **Attend our FREE Financial Management class.** The Trustee's office offers you a free, instructor-led financial management class. This class will help you develop a household budget and improve your understanding of the Chapter 13 bankruptcy process.
3. **Communicate with your attorney.** Keep your attorney informed about changes and events that occur in your life. These include such items as changes in marital status, name changes, residential moves, job loss, salary changes, pending lawsuits, insurance settlements, and major expenses such as home and auto repairs, or an illness in the family that may impact your ability to make plan payments. With timely communication with your attorney, you may be able to modify your payments and still successfully complete your plan.
4. **Make your Chapter 13 Plan payments to the Trustee on time.** If you are under a wage directive, verify that accurate withdraws are occurring through your employer. If you change employers, a new wage directive must be executed through the Trustee's office. If you not under a wage directive and have an active bank account, consider utilizing monthly electronic payment transfers from your financial institution through the automated clearing house (ACH) network or explore the ePay online payment option, available through our Trustee website, [www.dallasch13.com](http://www.dallasch13.com), to make expedited payments at any time during the month. Otherwise, send your cashier's check or money order, with your case number written on the document, to the Trustee's lockbox address in Memphis, Tennessee by your due date. If you are unable to make you monthly payment, or your monthly payment will be delayed, contact your attorney.

5. **Be an active participant in reviewing and managing your Chapter 13 plan.** Monitor the receipt of your payments and the disbursement of the funds in your case through the **National Data Center (NDC)**. You should register and review the activity in your case by accessing the NDC website at [www.ndc.org](http://www.ndc.org). The Trustee's Office sends you an Annual Report listing all receipts and disbursements that occurred during the prior year. Mistakes happen very rarely in this area but, when they do, they tend to be real problems. It's your responsibility to review the Annual Report, and if we are not paying a debt listed in your plan or the report does not show a receipt of a payment, call your attorney. Your attorney will communicate with our staff and we will research and fix it if there is a problem.
  
6. **Open your mail and react to the correspondence that you receive.** During the term of your case, you will receive numerous mailings from the Trustee, your attorney, the Bankruptcy Court or from creditors. It is important that you read the documentation and communicate with your attorney if you have any questions. Read and confirm the accuracy of every document you receive or sign.

The Office of the Standing Chapter 13 Trustee is responsible for administering your Plan as approved by the court and make a full accounting to all the parties—you, your attorney, the creditors and the court. We are available to provide assistance to you as you move through this legal process and want to see you successfully complete your case and leave Chapter 13 with a fresh start. **Although our office can provide you with factual information about your case, the Chapter 13 Trustee and employees are prohibited by law from providing you with legal advice and any information provided by our employees should not be construed by you or your attorney as legal advice.**

You are not expected to know all there is to know about bankruptcy. That is why you have an attorney. If you are considering any disposal of assets, purchases or making extra payments toward your plan, please contact your attorney and discuss how these actions will affect your bankruptcy case.

Complying with your Chapter 13 plan is not easy. You will have to make real sacrifices to meet the financial obligations that you have outlined in your plan and still live within your budget. On a positive note, thousands of people have successfully completed Chapter 13 plans, resolved their debt problems, and paid most, if not all, of their obligations to their creditors. Chapter 13 requires that you work hard at meeting your obligations documented in your plan. To assist you, please read the information in our Trustee website, [www.dallasch13.com](http://www.dallasch13.com), pertaining to the Chapter 13 process, frequently asked questions, contact information and available resources.

Again, I commend you for choosing Chapter 13 and for your commitment to repay your debts. My staff and I sincerely wish you success in the performance of your plan. Good luck in your endeavor.

Tom Powers, Chapter 13 Trustee