

**United States Bankruptcy Court
for the District of Nevada - Reno**

**RIGHTS AND RESPONSIBILITIES OF CHAPTER 13 DEBTORS
AND THEIR ATTORNEYS**

It is important for debtors who file a bankruptcy case under Chapter 13 to understand their rights and responsibilities. It is also important that the debtors know what their attorney's responsibilities are and that they understand the importance of communicating with their attorney to make the case successful. Debtors should also know that they may expect certain services to be performed by their attorney. Unless the Court orders otherwise, in order to assure that debtors and their attorneys understand their rights and responsibilities in the Chapter 13 bankruptcy process, the following guidelines are hereby agreed to by the debtors and their attorneys.

BEFORE THE CASE IS FILED

The debtor agrees to:

1. Provide the attorney with accurate financial information.
2. Discuss with the attorney the debtor's objectives in filing the case.

The attorney agrees to:

1. Meet with the debtor to review the debtor's debts, assets, liabilities, income and expenses.
2. Counsel the debtor regarding the advisability of filing either a Chapter 7 or Chapter 13 case, discuss both procedures with the debtor, and answer the debtor's questions.
3. Explain what payments will be made directly by the debtor and what payments will be made through the debtor's Chapter 13 plan, with particular attention to mortgage and vehicle loan payments, as well as any other claims which accrue interest.
4. Explain to the debtor how, when, and where to make the Chapter 13 plan payments.
5. Explain to the debtor how the attorney's fees and trustee's fees are paid and that no legal fees may be paid by the Debtor after the filing of the bankruptcy case.
6. Provide an executed copy of this document to the debtor and to the Trustee.
7. Explain to the debtor that the plan must be filed within fifteen (15) days of the date the petition is filed and that the first plan payment must be made to the Trustee within 30 days of the date the plan is filed and, unless the court orders otherwise, the first payment shall never be due later than forty-five (45) days after the case is filed.
8. Advise the debtor of the requirement to attend the 341 Meeting of Creditors, and instruct the debtor as to the date, time and place of the meeting.
9. Advise the debtor of the necessity of maintaining liability, collision and comprehensive insurance on vehicles securing loans or leases.
10. Timely prepare and file the debtor's petition, plan, statements and schedules.
11. Advise the debtor of the necessity of the Debtor's obligation to comply with their obligations under the Bankruptcy Code and of the legal consequences of the Debtor's failure to comply with these obligations.

AFTER THE CASE IS FILED

The debtor agrees to:

1. Continuously keep the court, trustee and attorney informed of the debtor's address, telephone number and employer.
2. Inform the attorney of any wage garnishments or attachments of assets which occur or continue after the filing of the case.

3. Contact the attorney promptly if the debtor loses his/her job or has other financial problems.
4. Let the attorney and Trustee know if the debtor is sued or otherwise becomes a party to a lawsuit during the case.
5. Inform the attorney if any tax refunds the debtor is entitled to are seized or not returned to the debtor by the IRS or other tax authority.
6. Contact the attorney before buying, refinancing, or selling real property or before entering into any long-term loan agreements to find out what approvals are required.
7. Remain current on the Debtor's Chapter 13 plan payments and promptly advise the Debtor's attorney if a modification of proposed plan payments is necessary.

The attorney agrees to provide the following legal services:

1. Serve the Notice of 341 Meeting of Creditors on all parties in interest and appear at the 341 Meeting of Creditors with the debtor.
2. File and serve the Debtor's Chapter 13 Plan and Notice of Hearing on all parties in interest and respond in writing to any objections to plan confirmation, and when necessary, prepare and serve an amended plan on all parties in interest.
3. Prepare, file, serve and notice any necessary modifications to the plan which may include suspending, lowering, or increasing plan payments.
4. Prepare, file, and serve necessary amended statements and schedules, in accordance with information provided by the debtor.
5. Prepare, file, and serve necessary motions to buy, sell, or refinance real property when appropriate.
6. Object to improper or invalid claims, if necessary, based upon documentation provided by the debtor.
7. Represent the debtor in motions for relief from a stay.
8. When appropriate, prepare, file, and serve necessary motions to value collateral or to avoid liens on real or personal property.
9. Following confirmation of the Debtor's Chapter 13 plan, file a Notice of Entry of the confirmation order and serve the notice of entry on all parties in interest.
10. Upon completion of the plan provide notice of entry of the Debtor's discharge to all parties in interest.
11. Upon the granting of the Debtor's request for conversion or dismissal, serve notice of the dismissal or conversion and meeting of creditors on all parties in interest.
12. Subject to the rights of the Debtor or the attorney to terminate the attorney-client relationship pursuant to applicable state and/or federal law and procedural rules during the pendency of the case, provide such other legal services as are necessary for the administration of the case.

Dated: _____

Debtor

Debtor

Attorney for Debtor(s)