

# United States Bankruptcy Court

\_\_\_\_\_ District Of \_\_\_\_\_

In re \_\_\_\_\_  
Debtor

Case No. \_\_\_\_\_

Chapter \_\_\_\_\_

## MOTION FOR APPROVAL OF REAFFIRMATION AGREEMENT

The debtor[s] named above and \_\_\_\_\_, a creditor of the debtor[s], have made an agreement reaffirming the debtor's [debtors'] debt to the creditor. The agreement is dated \_\_\_\_\_ and [has][has not] been filed with the court [*if previously filed*, on \_\_\_\_\_].

The court [has][has not] granted a discharge to the debtor[s].

The debtor was [debtors were] [not] represented by an attorney during the negotiation of this agreement.

The debt reaffirmed in the agreement [is][is not] an unsecured debt.

The reaffirmation agreement includes the debtor's[s'] statement that the debtor believes [debtors believe] that the reaffirmation agreement is in the best interest of the debtor[s].

The reaffirmation agreement includes the debtor's[s'] statement that the debtor believes [debtors believe] that the reaffirmation agreement does not impose an undue hardship on the debtor[s] or the dependents of the debtor[s].

I [We] ask the court to approve the reaffirmation agreement.

Date \_\_\_\_\_

\_\_\_\_\_  
(Signature of Debtor)

Date \_\_\_\_\_

\_\_\_\_\_  
(Signature of Joint Debtor)

Date \_\_\_\_\_

\_\_\_\_\_  
(Signature of Creditor or Attorney for Creditor)

## **MOTION FOR APPROVAL OF REAFFIRMATION AGREEMENT**

If court approval is needed for a reaffirmation agreement because the debtor was not represented by an attorney during the negotiation of the agreement, a motion requesting the approval should be filed by the debtor, the creditor, or both parties jointly. Since Form B 240, Reaffirmation Agreement, no longer contains a motion for court approval of the reaffirmation agreement and a section in which the judge may approve or disapprove the agreement, Form B 240M, Motion for Approval of Reaffirmation Agreement, and Form B 240O, Order Approving Reaffirmation Agreement, may be used for these purposes.

Form B 240M should NOT be used if the debtor is represented by an attorney in negotiating the reaffirmation agreement.

Form B 240M is intended to be self-explanatory. Where the form sets out alternative answers in brackets, the movant should indicate the appropriate answer by striking out or deleting the improper answer. Because the motion may be filed by the debtor, the creditor, or both parties jointly, multiple signature lines are provided. The moving party or parties should complete the form, sign and date it, and file it with the original reaffirmation agreement document. In addition, unless the motion is filed by the debtor and creditor jointly, a copy of the motion and a completed copy of Form B 20A, Notice of Motion or Objection, should be served on the other party and filed with the court.

The reaffirmation process is discussed more fully in the material on Form B 240, Reaffirmation Agreement.