

FINAL DECREE IN CHAPTER 11 REORGANIZATION CASE

(a) After confirmation of a plan and prior to closing a case, the debtor, or a trustee in the event the trustee is distributing plan payments, shall provide certain statistical information to the clerk, including:

- (1) Percent of dividend to be paid;
- (2) Amounts paid or to be paid for:
 - Trustee compensation
 - Attorney for trustee
 - Attorney for debtor
 - Other professionals (e.g. accountant, bookkeeper, auctioneer, etc)
 - All expenses, including trustee's;
- (3) Total amounts for claims allowed (listed separately):
 - Secured
 - Priority
 - Unsecured
 - Equity security holders.

(b) A final decree closing the case after the estate is fully administered does not affect the right of the court to enforce or interpret its own orders.

(c) **Chapter 11 Subchapter V Proceedings.** Unless extended by the Court, on or before the later of 30 days after the granting of a discharge in a case under chapter 11 subchapter V (Small Business Debtor Reorganization), or 30 days after the disposition of all adversary proceedings or contested matters, the debtor shall file a motion for final decree. In a subchapter V case where a plan is confirmed pursuant to 11 U.S.C. § 1191(b), the party responsible for making plan payments shall file a notice with the Court upon completion of all required plan payments.

(d) **Chapter 11 Non-Subchapter V Proceedings.**

(1) **Non-Individual Debtors.** Unless extended by the Court, on or before the later of 30 days after the effective date of the plan in a case under chapter 11, or 30 days after the disposition of all pending contested matters, the debtor shall file a certificate of substantial consummation together with a motion for final decree.

(2) **Individual Debtors.**

(A) **Closing.** After the entry of an order of confirmation and the disposition of all pending contested matters, individual debtors may file a motion to close the chapter 11 case.

(B) **Motion to Reopen for Purpose of Obtaining Discharge and Final Decree.** The debtor may move to reopen the case for the purpose of obtaining a discharge and entry of a final decree after the completion of all payments under the plan, or for the purpose of seeking a hardship discharge. The motion to reopen shall comply with LBR 4004-1.

RELATED AUTHORITY

11 U.S.C. § 350
Fed. R. Bankr. P. 3022

Advisory Committee Notes:

Entry of a final decree closing a chapter 11 case should not be delayed solely because the payments required by the plan have not been completed. Fed. R. Bankr. P. 3022.

Upon request, the clerk will furnish a chapter 11 form for the required closing statistical information. The form can be viewed at www.id.uscourts.gov.