

**Paul R. Chael**  
**Standing Chapter 13 Trustee**

**GENERAL INFORMATION** - The court has appointed me as the Trustee to administer your Chapter 13 Bankruptcy. The administration of your case consists of receiving your payments and paying your creditors in accordance with your plan.

**TRUSTEE OFFICE CONTACT INFORMATION**

**401 W. 84<sup>th</sup> Dr., Suite C, Merrillville, IN 46410**  
**Phone: (219) 650-4015 Fax: (219) 650-4025**  
**[www.pchael13.com](http://www.pchael13.com)**

**YOUR CASE NUMBER**  
**«print\_casenum»**

**PAYMENT INFORMATION** - Without exception, **your first plan payment must be made 30 days after filing your Chapter 13 case** and will be due each month thereafter for the duration of your Plan. Full and timely payments will allow the Trustee to make payments to your creditors on your behalf. Unless your payments are made to me on time and in full, the creditor or I can request the Court to dismiss your case.

Payments can be made by the following methods:

- **ONLINE**
  - We have two methods of online payment. Both are available at our website.  
**[www.pchael13.com](http://www.pchael13.com)**
- **BY PHONE**
  - Call 800-203-6145 for our automated system. Requires a checking account.
- **ACH**
  - Automatically deducted from your banking institution once a month. Must be setup by our office.
- **Wage Deduction Orders**
  - An order to your employer that is filed with court directing them to deduct your plan payment from your earnings and pay to our office. This must be setup by your attorney. Any change in employment must be reported to your attorney so a new wage deduction order can be prepared.
- **Money Order or Cashier's Check**
  - Mailed by regular mail (NO SPECIAL HANDLING) to our lockbox address. DO NOT use couriers, such as FedEx or UPS, as the payments will be returned to you. The instructions are as follows:
    - 1) Make payable to "Office of the Standing Chapter 13 Trustee"
    - 2) Your case number and full name should be on every payment.
    - 3) The mailing address for payments is as follows.

**Paul R. Chael, Chapter 13 Trustee**  
**1770 Momentum Place**  
**Chicago, IL 60689-5317**

**We cannot accept cash, personal checks, or debit/credit cards.**

**CASE INFORMATION** – All of your case information can be easily accessed online **FOR FREE** at [www.ndc.org](http://www.ndc.org). It is highly recommended that you create an account on the NDC website prior to your 341 Meeting of Creditors.

**CALLS TO THE TRUSTEE'S OFFICE** - The Chapter 13 Office phone number is on the first page of this document. The office is open five days a week from 8:30 AM to 4:30 PM. Do not feel that you have to talk personally to the trustee; the staff is familiar with the policies and guidelines under Chapter 13 and is well qualified to discuss with you any problems or questions that may arise. If you have a serious problem and you feel you must see one of the staff personally, please call for an appointment.

**MEETING OF CREDITORS** - You will receive a notice stating the time for your first Meeting of Creditors from the Court. YOU MUST ATTEND THIS MEETING. Your failure to attend may result in your case being dismissed by the Court. If an emergency arises, contact your attorney and this office, and the meeting may be rescheduled. Photo Identification and your Social Security Card MUST be provided to your attorney prior to the meeting. You MUST furnish the Trustee's Office with a copy of your most recently filed tax returns 10 days PRIOR to the Meeting of Creditors or your case will be automatically dismissed by the Court.

**DEBTOR EDUCATION CLASS INFORMATION** - In addition to the Credit Counseling class you took online when your case was filed, you must also take a **mandatory Debtor's Education Class**. The bankruptcy court requires this class to be taken within 45 days of your first scheduled 341 Meeting of Creditors. We offer this class and it is FREE. You will be given the opportunity to sign up for this class when you attend your 341 Meeting and any additional questions regarding the class can be answered at that time. [See separate attached document.](#)

**PERIODIC REPORTS** - Each March and September you will receive a semi-annual report on yellow sheets of paper, indicating all payments and disbursements in your case. We suggest you keep these sheets along with a record of your payments made to our office. Do not be alarmed if the report shows you one month delinquent as the reports are printed at the beginning of the month before all monthly payments have been received.

**CHANGE OF ADDRESS** - If you move while in bankruptcy, it is your responsibility to **notify your attorney and our office in writing of any changes to your address**. Failure to do so may result in you not receiving important information regarding your case.

**IMPORTANT TAX INFORMATION** - If you have misplaced copies of required tax returns, you may attain a transcript of your previously filed federal and/or state tax returns by visiting the appropriate government office to obtain the information.

Internal Revenue Service  
233 E 84<sup>th</sup> Dr.  
Merrillville, IN 46410  
(219) 736-4378  
8:30am – 4:30 pm, Monday –  
Friday

Indiana Department of Revenue  
1411 E. 84<sup>th</sup> Ave  
Merrillville, IN 46410  
(219) 769-4267  
8:30am – 4:30 pm, Monday – Friday

If you still need to file tax returns for the required years, the following addresses are for the Internal Revenue Service and Indiana Department of Revenue. Please note that these addresses are different than the ones listed above.

Internal Revenue Service  
575 N. Pennsylvania St  
Mail Stop SB380  
Indianapolis, IN 46204

Indiana Department of Revenue  
BK Section – MS 108  
100 North Senate, N240  
Indianapolis, IN 46204

**Please note: You are also responsible for providing copies of your State and Federal tax returns to your attorney each year you are in your Bankruptcy. Please provide your tax returns to your attorney so they may electronically submit them to our office. We do not accept paper copies in our office. Our office DOES NOT make copies of tax returns. We do not forward your returns for filing. You are responsible for filing your returns. You should refer to your plan or contact your attorney to determine whether or not you are required to pay in a portion of your refunds.**

**CONTACTS BY CREDITORS** – All the creditors you listed in your Chapter 13 case are under a Restraining Order which prohibits them from contacting you in any way. Delinquent notices need not cause any great concern. But if you get a more personal, direct contact from a creditor, such as a telephone call, a personal letter, a summons, or a visit in person, you should immediately inform them that you are under Chapter 13, give them your case number, the name of your Trustee, get the name of the party contacting you and report it to your attorney. Under no circumstance should you discuss the debt with them in any manner. Please be certain to get the name of the party if you are contacted personally.

**COURT’S JURISDICTION OF WAGE ORDER** – If an order is issued to your employer, you and your employer should understand that such an order is not an attachment or garnishment. An attachment and garnishment can come only from someone to whom you owe money, and you do not owe the Court any money. The Court is simply carrying out its duty to administer the plan you voluntarily filed and in which you voluntarily gave the Court exclusive jurisdiction over your future pay during the course of the plan. Should any employer be included to treat such an order as an attachment, let us know and we will try to get him or her to understand that you are making an effort to pay your just debts instead of not paying them. We usually find that employers, after an explanation, understand and think more highly of an employee for trying to pay their bills.

**PROBLEMS WITH EMPLOYER BECAUSE OF FILING CHAPTER 13** – Occasionally we find situations where an office of a credit union exerts “pressure” on a borrower to the extent that the employee feels their job may be in jeopardy due to the filing of a Chapter 13. Such tactics are illegal in that they constitute an attempt to obtain creditor preferences. Any such actions must be reported to this office immediately.

**BALANCE DUE CREDITORS** – You may not deal with a creditor, just as they may not deal with you. You cannot pick and choose some particular creditor and pay them “on the side” as all debts must be dealt with through the Court only. All creditors must be paid by the Court and under the terms of the law, not by anyone’s personal desires. You are mailed a report every six months – in March and September. This computerized record shows all the payments received by your Trustee and to whom that money was sent.

**CLAIMS OF CREDITORS** – Creditors have 90 days from the date of your court hearing in which to file their claims. Any claim not filed within the time limit is a late claim and you may object and ask it to be disallowed and not paid. The Trustee can pay only those whose claims are filed and approved and is prohibited from

paying anyone who did not file a claim. Should you have any objection to any claims filed, you must immediately contact your attorney. Your attorney should review the claims after the bar date.

**HOW CREDITORS ARE PAID** – The money you pay to the Trustee is used to pay your attorney and your creditors. So that you will have some idea as to how the creditors are paid, you should know that there are three basic types of claims: priority, secured, and unsecured. Generally, the Trustee makes monthly payments to secured and priority creditors. Any funds left over are divided among the unsecured creditors. For this reason, you can see that it could be many months before unsecured creditors receive their first payment.

**CREDITORS NOT LISTED** – If you find that you have forgotten to list a creditor in your plan, you must contact your attorney immediately. Creditors not listed by you when you filed can cause problems. There are two kinds of unlisted creditors. Those you owed money to when you filed and forgot to list – we call them “unlisted creditors,” and those creditors who have a bill that was incurred after you filed. We call this type “post-petition creditors.” If you find an unlisted creditor, one you owed but forgot to list, you must let your attorney know the details immediately. If it is not too late, we will do everything we can to include this creditor in the plan and protect you from them. Time is important here, so do not delay if one shows up. Post-petition creditors, those whose bills were incurred after you file, are rare, as you know you are not to use credit while under Chapter 13; but doctor and various medical expenses can’t always be avoided, and repair bills do come up. When this happens, you should recognize you owe the bill and you should pay it, as it cannot normally be added to your Chapter 13 case. There is an exception to this rule for certain debtors which arise after you file your case. Under certain circumstances, taxes and debts which are necessary for your plan to work can be added later and paid through your case. You should contact your attorney if you think such a debt has come up. **REMEMBER:** Your trustee cannot and will not allow you to miss a Chapter 13 payment so that you can pay “new debts.” Your old debts being paid through your case come first.

**COSIGNERS AND COMAKERS** – If you have a cosigner or a comaker, or a guarantor on any of your debts, Chapter 13 protects them from collection activities by the creditor for as long as you remain under Chapter 13 unless creditors get permission from the Court to pursue cosigners. Any contact which any of your cosigners receives from creditors after you filed your case should be reported to your attorney. Any payments which your cosigners make after you file can be recovered. **REMEMBER:** This protection for cosigners lasts only as long as your Chapter 13 case is in effect. If your case ends without a creditor receiving all the money which was due them, he can collect the rest from your cosigners (including interest and other charges which were not allowed in your case). Your discharge on a debt does not affect a cosigner’s obligation.

**CREDIT CARDS AND CHARGE ACCOUNTS** – The use of credit cards or charge accounts of any kind while under Chapter 13 is a use of credit and is strictly prohibited. This applies to any member of the family that is supported by the debtor under Chapter 13, whether they themselves are under the jurisdiction of the Court or not, as long as the party under Chapter 13 may be responsible for the debts. All charge cards must be returned to the creditor.

**PERMISSION FOR CREDIT** – The use of credit while under Chapter 13 is prohibited without the permission of the Trustee. If you have an emergency and feel you must obtain credit, you should contact your attorney. Permission of the Trustee is seldom granted, and the amount of credit must be reasonable and within your means of repayment. The Trustee will not approve any credit request until you have completed your Debtor Education Course.

**OBTAINING CREDIT WITHOUT PERMISSION** – Obtaining credit without permission of the Court or Trustee is not only a violation of the Court’s orders, it is subject to a reversal by the Court. Any credit purchase you make without the approval of the Court would be illegal and your plan would be subject to dismissal.

**SELLING PROPERTY** – You cannot dispose of any of your property. INCLUDING LAND, without obtaining permission from the Court. If you sell any of your property for a profit, the Court will decide where this profit is to go. If you dispose of your property without Court authorization, the transaction may be set aside and your plan could be dismissed.

**REAL ESTATE DEBTS** – All debts, including real estate mortgages must be disbursed by the Trustee in your plan. **REMEMBER:** The Court cannot allow you to continue to live in the property if you cannot or will not pay for it. All Chapter 13 debtor’s have our office disburse the current mortgage payments.

**REQUEST OF DISMISSAL BY DEBTOR** – Federal bankruptcy laws allow you to request that your Chapter 13 case be dismissed at any time. If you should desire to stop your case, get in touch with your attorney. However, you should understand that a dismissal will reactivate all unpaid or disputed debts, all interest, finance charges, and late charges not allowed by the Court, and all debts of creditors who did not file their claims. In addition, you would be forced to deal with those creditors on their terms, not yours or the Court’s.

**INCOME TAX INFORMATION** – When it is time for you to file your yearly income tax returns, you may want information from the Chapter 13 office as to who has been paid, how much and what interest has been paid. This office is not in a position to advise you on how to file your return, or the amount of interest paid, but we will, upon request, provide you with a copy of your report which should give you names of the creditors that received money. You will have been sent a report in September, but may want to know if any additional creditors were paid the latter part of the year. Only secured creditors should have any interest to report. You should contact the creditors and get the information from them as to the amount of interest credited to your account during the year. Each year you must furnish the Trustee with copies of your Federal and State tax returns while your case is pending.

**CHECKS HELD BY OTHERS** – A creditor may hold a check you wrote for cash or purchase of goods, etc., that was not honored by your bank. The holder of the check may join the plan as a creditor or prosecute the transaction as a crime. Giving a bad check is a criminal matter, and you may have to take care of this matter outside the plan. The Restraining Order in your case does not stop a criminal prosecution.

**CREDIT RATING** – Your credit rating during and after completion of Chapter 13 will be, as it is now and was in the past, the personal opinion of any credit grantor who looks at your record. A credit rating is not A, B, or C or 1, 2, or 3. It is a record of all your past credit performances. This record is made available to a credit grantor and he makes up their own mind, by their own standards, as to whether or not they want to grant credit to you. Suits, collections, attachments, straight bankruptcy, credit counseling, and Chapter 13 are all indications, in one degree or another, of credit problems. How such records are evaluated by any given credit grantor is impossible to say. After some years and a number of paid-in-full Chapter 13 cases in this area, we find a good many knowledgeable credit grantors looking with respect upon those who have paid in full under Chapter 13. Any credit record that has been blemished by a problem must be gradually rebuilt.

**CONTACT BY CREDITOR AFTER COMPLETION OF CHAPTER 13** – When a creditor has had their debt paid by Chapter 13, whether partially or in full, they should, and usually does, send the paid-in-full papers to you. Even if they fail to do this, it is not too significant since the office records of the Court showing that your plan is

completely paid would overrule any claim they might make for additional money. Should you receive any request for additional money after your plan is completed, contact your attorney.

**DEBTOR EDUCATION** – You must complete an approved education course in personal financial management in order to receive your discharge. The trustee also requests that this course, which takes approximately 2 hours, be completed within 45 days of the first date set for the Meeting of Creditors.



## **Track your Bankruptcy Case**

National Data Center is here to assist you in gaining secure access to your Bankruptcy case information.

Please have your Court or Trustee Bankruptcy documents with you when registering. The validation process is designed to protect your privacy. You must answer the security questions correctly to successfully access and view your case information.

Visit [www.ndc.org](http://www.ndc.org) to begin. Creating an account is **FREE**.

### **Notice to Debtor**

**Notice is hereby presented and given to you, the Debtor, that the information relating to your bankruptcy case will be made available to your creditors and other parties in interest.**

Pursuant to statute, your Trustee has a duty, unless otherwise ordered by the bankruptcy court, to furnish information concerning the administration of your bankruptcy case as is requested by parties in interest. In furtherance of this duty, the Trustee will make the following information available to parties in interest who request such information.

1. Your name, address, bankruptcy case number, state and district in which your case is pending and the trustee assigned to your case. Your social security number will not be visible to parties in interest, but they will be able to search for your bankruptcy case using the last four digits of your social security number. Furthermore, your employer's name will not be displayed.
2. Information regarding claims filed against your bankruptcy case including the identity of the claimant, the type of claim (e.g., priority taxes, secured, unsecured, etc.), and the amount of the claim.
3. A history of all payments you make to the Trustee in your bankruptcy case, including the date and amount of each payment.
4. A history of all disbursements made by the Trustee in your bankruptcy case, including the date of the disbursement, the payee and the amount.

You may review, without charge, the information about your bankruptcy case that is posted on the NDC.org site. If you believe the information about your bankruptcy case is inaccurate, you can contact your Trustee to report the error. For other questions, for example, help with using the site, please contact the NDC [atsupport.ndc.org](mailto:atsupport.ndc.org)

## **DEBTOR EDUCATION CLASS INFORMATION**

This document is to inform you of the way debtor education is offered via our office as directed by the U.S. Trustee's office. According to 22 CFR § 58.33(k) we are required to make disclosures before providing any information to or obtaining any information from a debtor, and before providing any debtor education services. The nine required disclosures are listed below:

1. It is offered FREE thru our office via an online option (please visit [www.13class.com](http://www.13class.com) );
2. If needed, there is also FREE bilingual instruction or professional interpreter assistance to any limited English proficient debtor (please give sufficient time and/or notice for this option);
3. Each instructor has been qualified to teach – either thru certification or continued education at a Master's Degree level or higher;
4. We are prohibited from paying or receiving referral fees for the referral of debtors;
5. We are obligated to provide debtors with certificates promptly upon the completion of an instructional course;
6. Providers might disclose debtor information to the United States Trustee in connection with the US Trustee's oversight of the provider, or during the investigation of complaints, during on –site visits, or during quality of service reviews;
7. The US Trustee has reviewed only the provider's instructional course (and, if applicable, its services as a credit counseling agency pursuant to 11 U.S.C. 111(c)), and the fact that the US Trustee has neither reviewed nor approved any other services the provider provides to debtors; and
8. The debtor will only receive a certificate if the debtor completes an instructional course.

**[www.13class.com](http://www.13class.com)**