

Motion for Hardship Discharge

Last Updated: March 11, 2024

[11 U.S.C. § 523 \(a\) \(8\)](#)

[11 U.S.C. § 1228\(b\)](#)

[11 U.S.C. § 1328\(b\)](#)

[Fed. R. Bk. P. 4007\(b\)](#)

[Fed. R. Bk. P. 7004](#)

Form: [LBR Form 13-7 – Order Granting Hardship Discharge](#)

Event: Bankruptcy>Motions/Applications>Hardship Discharge

A Motion for Hardship Discharge is filed in a chapter 12 or 13 case to request a hardship discharge, prior to completing the plan.

- 1) Select **Bankruptcy**
- 2) Select **Motions/Applications**
- 3) Enter case number, click **Submit**
- 4) Type **Hardship Discharge** in the search field, select the event and click **Submit**
- 5) **Select the Party**, click **Submit**
 - a. If the party is not listed
 - i. Use **Add/Create New Party**
 - ii. Click **Submit**
- 6) If you see the message: **IMPORTANT: The following attorney/party association(s) will be created in this case. De-selecting a party association will result in the filing attorney NOT receiving Notices of Electronic Filing for that party. If this is a joint filing, review the list carefully to ensure that only parties represented by the filing attorney are selected.**
 - a. Remove the check mark from any party not represented by the filing attorney
 - b. Click **Submit**
- 7) Does this motion require a hearing? [y/n]. This motion does require a hearing according to [11 U.S.C. § 1328\(b\)](#), click **Submit**
- 8) Browse and attach document and attachments if applicable, click **Submit**
- 9) Enter **Hearing Date, Hearing Time and Location**, the Response date will autofill the date 7 days prior to the scheduled hearing, click **Submit**
- 10) **Is Proof of Service Included:** [y or n] select the correct answer and click **Submit**
- 11) **Docket Text: Modify as Appropriate.** Modify the docket text as needed and click **Submit**
- 12) Final docket text appears, check for accuracy and click **Submit**
- 13) The **Notice of Electronic Filing** will appear indicating completion of the docket entry