

DISCHARGE OF THE DEBTOR – CHAPTER 7

General Information

The discharge is a court order that grants a discharge of debts to the person named as the debtor. Official Form 318 covers only an individual or joint debtor(s) in a chapter 7 case. There are other procedural forms issued by the Director of the Administrative Office of the United States Courts for use in cases filed in chapter 12 and chapter 13 cases.

The effect of a discharge order is to free the debtor of any personal liability for most debts that arose before the bankruptcy case was filed. It is not a dismissal of the case, and it does not determine how much money, if any, the trustee will pay to creditors. The clerk will prepare the order of discharge in the case.

Applicability of Rule 9009(a)

Rule 9009(a) provides that “[t]he Official Forms prescribed by the Judicial Conference of the United States must be used without alteration—unless alteration is authorized by ... the national instructions for a particular form.”

Alterations may be made to this form.