



This guide contains information regarding changes to CM/ECF events and procedures.

The [Consolidated Appropriations Act](#) creates a new subsection (i) of section 1328 of the Bankruptcy Code (see the Attachment for statutory language). This new subsection permits a court to grant a regular (not hardship) Chapter 13 discharge, even if the debtor is not current on no more than three residential mortgage payments. The debtor's delay in payments on the mortgage must have (1) been caused by financial hardship related to the pandemic, or (2) the plan must provide for curing the default or the debtor must have entered into a forbearance agreement. The debtor should request this type of discharge by motion, and the statute requires notice and a hearing. The court will consider the factors in section 1328(i) of the Bankruptcy Code when determining whether to grant a discharge under this new subsection.

If you have any questions or need further assistance docketing events, contact the ECF Help Desk at (800) 442-6850.

The effective date is December 27, 2020.

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CM/ECF Changes & Updates

This section includes information regarding changes and updates to CM/ECF events, menus and the way the system processes information.

The [Consolidated Appropriations Act](#) includes new chapter 13 provisions, requiring new dictionary events. This new subsection has a sunset date of **December 27, 2021**, one year after the date of the enactment, December 27, 2020.

Motion for Discharge Pursuant to Section 1328(i)

The event **Bankruptcy > Motions/Applications > Discharge Pursuant to Section 1328(i)** has been created.

Order on Motion for Discharge Pursuant to Section 1328(i)

The event **Bankruptcy > Orders/Opinions > Reference an Existing motion/application > Order on Motion Pursuant to Section 1328(i)** has been created.

If the debtor requests this type of discharge, the procedure for filing will be as follows:

- **Motion for Discharge Pursuant to Section 1328(i)** is filed and set for hearing on the Chapter 13 docket.
- If approved, Trustee uploads **Order on Motion for Discharge Pursuant to Section 1328(i)**.

- If denied, Trustee uploads **Order denying discharge** and the case will proceed until further action from debtor or trustee.