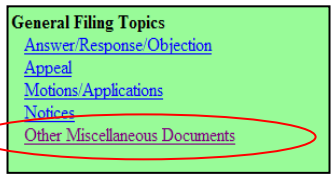
FILING A REAFFIRMATION AGREEMENT

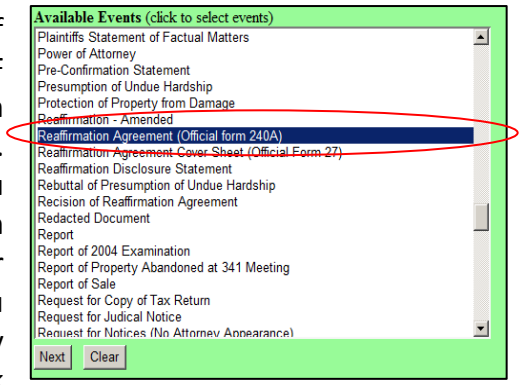
This section explains the steps for an attorney to file a Reaffirmation Agreement in the CM/ECF system.

- Select "**Bankruptcy**" from the blue menu bar. A list of bankruptcy topics will appear. Select "Other Miscellaneous Documents" from the list of general filing topics.

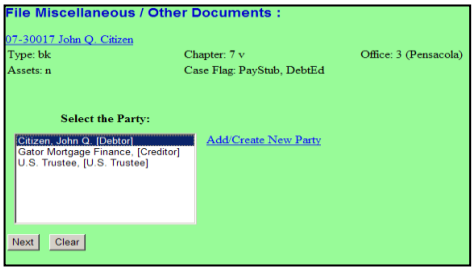


- When prompted, enter the bankruptcy case number. Click "**Next**."

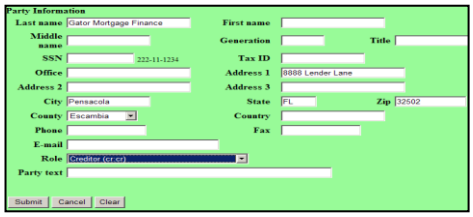
- On the next screen, you will see a pick list of miscellaneous docket events available in the ECF system. You will choose the docket event which best matches the type of document you are filing. To do so, scroll down the list of events until you find "Reaffirmation Agreement (Official Form 240A." Click on the event to highlight your selection on the list. (Instead of scrolling, you could also find the event on the pick list by searching for "Reaf" in the search field). Click "**Next**" after you have highlighted the event.



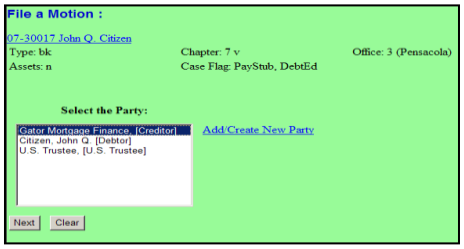
- The system will next inquire about the party for whom you are filing the Reaffirmation Agreement. Review the party selection screen to determine if your client is already listed as a party to this particular case. If the party is listed, simply highlight the name of the party filing the document and click "**Next.**"



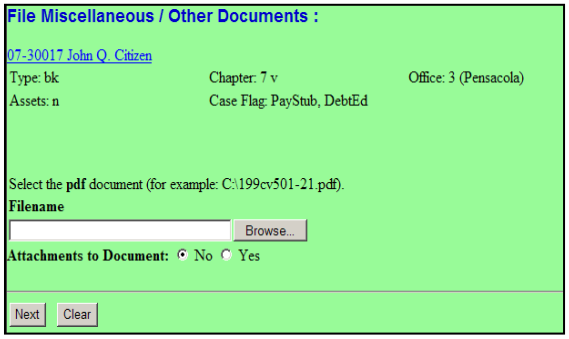
- If the party is not found, click **"Create new party**" and follow the steps for adding a new party. <u>Be sure to change the **"Role**" on the party information as appropriate</u>. Click **"Submit**" when finished.



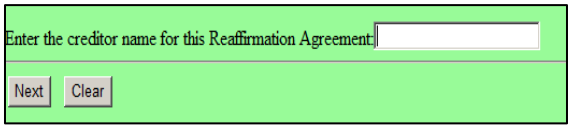
- After you have finished adding the party, the name will now appear on the party selection screen. Click on the party name to highlight the name and then click on "**Next**." If you are representing more than one party on the motion, hold down the control key and select each party you represent.



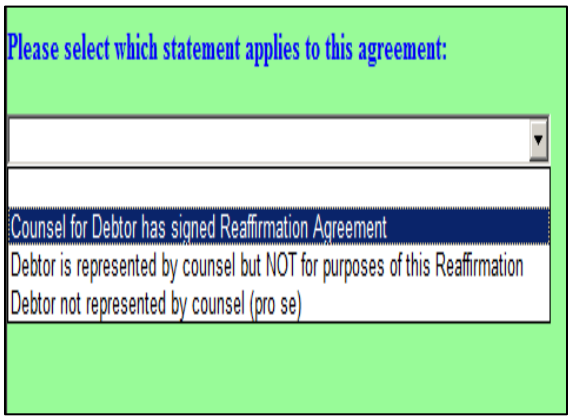
- The next screen will prompt you to enter the .pdf file containing your document. Click on the "browse" button and navigate to the location on your computer where your Reaffirmation Agreement .pdf file is stored. If you are attaching additional documents to the motion, click "Yes" for attachments and then click "Next."



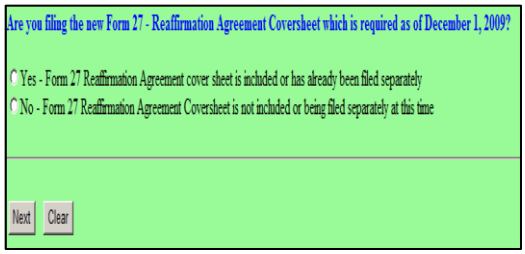
- When prompted, enter the name of the creditor as indicated on the Reaffirmation Agreement.



- Since the implementation of the Bankruptcy Reform Act of 2005, there are certain hearing requirements on Reaffirmation Agreements if the debtor is not represented by an attorney or if the attorney chooses not to sign a hardship statement on the Reaffirmation Agreement. It is important for the court to know whether the debtor was represented by an attorney during the course of negotiations for the Reaffirmation Agreement. Select the appropriate statement to indicate whether the debtor was represented by an attorney for the purpose of the Reaffirmation Agreement.

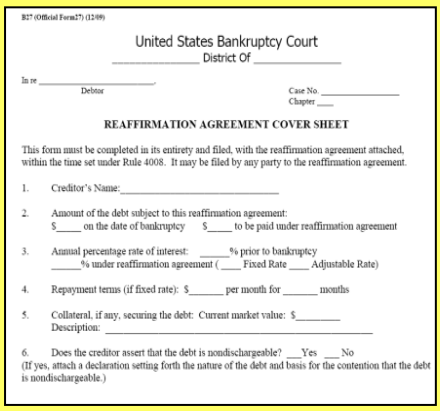


- The next screen will prompt you to indicate whether a Reaffirmation Agreement Cover Sheet is included or filed separately. Select the appropriate response and click "Next." (See Practice Tip below).



Practice Tip:

Effective 12/1/2009, a Reaffirmation Cover Sheet (Official Form 27) should accompany all reaffirmation agreements. The cover sheet can be included with the Reaffirmation Agreement as a single .PDF document, attached to the Reaffirmation Agreement as a separate .PDF document or filed separately in CM/ECF. The cover sheet can be found on the court web site under the "Forms" tab.



B27 (Official Form27) (12/09)

United States Bankruptcy Court
_____ District Of _____

In re _____,
Debtor

Case No. _____
Chapter ____

REAFFIRMATION AGREEMENT COVER SHEET

This form must be completed in its entirety and filed, with the reaffirmation agreement attached, within the time set under Rule 4008. It may be filed by any party to the reaffirmation agreement.

1. Creditor's Name:_____

2. Amount of the debt subject to this reaffirmation agreement:
$_____ on the date of bankruptcy $_____ to be paid under reaffirmation agreement

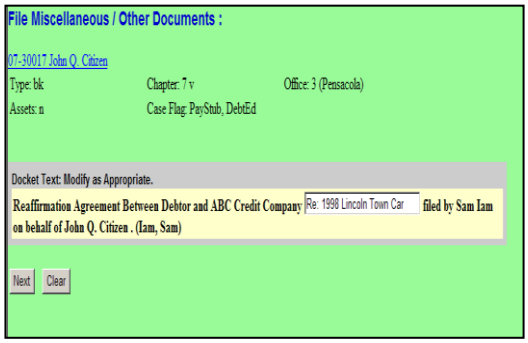
3. Annual percentage rate of interest: _____% prior to bankruptcy
_____% under reaffirmation agreement (____ Fixed Rate ____ Adjustable Rate)

4. Repayment terms (if fixed rate): $_____ per month for _____ months

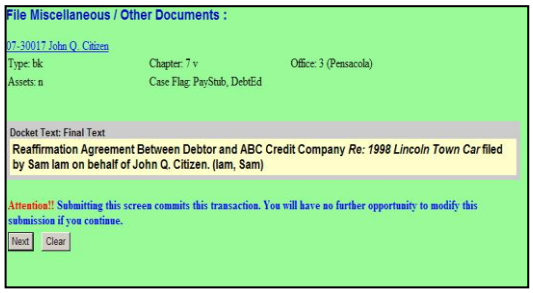
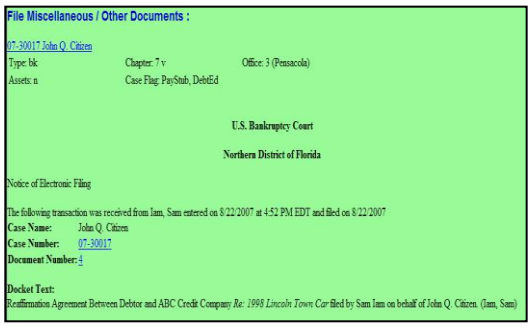
5. Collateral, if any, securing the debt: Current market value: $_____
Description: _____

6. Does the creditor assert that the debt is nondischargeable? ___Yes ___No
(If yes, attach a declaration setting forth the nature of the debt and basis for the contention that the debt is nondischargeable.)

- The docket text screen will give you the opportunity to modify the docket text. In some pleadings you may want to add additional information so the docket text will be more descriptive. In this example, we added a description of the property listed in the Reaffirmation Agreement. Type additional text directly into the blank field. Click "N**ext**" when finished.



- The next screen is very important! You will see a warning that says: **"Attention!! Submitting this screen commits this transaction. You will have no further opportunity to modify this submission if you continue."** This is exactly how the text will appear on the docket sheet. If the text is correct, click "Next".



- After the Reaffirmation Agreement has been successfully filed, you will see "Notice of Electronic Filing." The notice will include a hyperlink to the case docket sheet and to the document you just filed. The bottom of the notice will include a list of those individuals who are being served with the motion and the manner in which service will be made.