

satisfies all requirements regarding the certifications, or has a change of circumstances regarding [§522\(q\)\(1\)](#) applicability, the debtor may request entry of discharge by contemporaneously filing either each required certification or a motion for entry of discharge (whichever is applicable), filing a motion to reopen the case, and paying the required reopening fee.

**Cross-references:**

- Chapter 13—Deadline for Certification of Completion of Financial Management Course - [LBR 1007-1\(c\)](#).
- Chapter 12 or 13—Deadline for Certification of Payment of Domestic Support Obligations and Statement re §522(q)(1) Applicability - [LBR 1007-1\(c\)](#).
- Reaffirmation Agreements - [LBR 4008-1](#).

**Rule 4008-1. Reaffirmation Agreements.**

- (a) **General.** A debtor who wants to reaffirm a debt under [§524\(c\)](#) must file an agreement on [OBF #B240A](#) (preferred by the court) or [OBF #B240A/B Alt](#) no later than 60 days after the first date set for the meeting of creditors.
- (b) **Court Administration.** If a debtor does not timely file an agreement accompanied by any required cover sheet, the court may enter the debtor’s discharge and promptly close the case.

**Rule 4008-2. Voluntary Modification of Debt Secured by Debtor’s Residence in Chapter 7 and Chapter 13 Cases**

- (a) **Chapter 7 Cases.** A mortgage creditor may negotiate a modification of its secured claim with the debtor and the debtor’s attorney at any time during the pendency of a Chapter 7 case. A modification is voluntary on the part of the secured creditor and the debtor and is subject to procedures set forth in [LBF #751.7](#). The court will not consider a mortgage creditor’s contact with the debtor or the debtor’s attorney and any negotiation to effect a modification, by themselves, to violate the automatic stay of [11 U.S.C. §362](#). No modification can become effective until the trustee abandons the encumbered real property.
- (b) **Chapter 13 Cases.** A mortgage creditor may negotiate a modification of its secured claim with the debtor and the debtor’s attorney at any time during the pendency of a Chapter 13 case. A modification is voluntary on the part of the secured creditor and the debtor. The court will not consider a mortgage creditor’s contact with the debtor and the debtor’s attorney

and any negotiation to effect a modification, by themselves, to violate the automatic stay of [11 U.S.C. §362](#). No modification can become effective until the trustee consents in writing or the court approves the modification.

**Cross-references:**

- Trustee’s Abandonment of Debtor’s Residence in Chapter 7 Cases - [LBR 6007-1\(b\)](#).
- Definition of “Mortgage Creditor” - [LBR 9001-1\(y\)](#) .

**Rule 5001-1. [Reserved]**

**Rule 5001-2. Clerk—Document Filing Location.**

- (a) **Petition.** Except in an emergency, a paper petition must be filed in the appropriate office of the court. The appropriate office is either:
- (1) The Eugene office, at the address on the court’s Web site at [www.orb.uscourts.gov](http://www.orb.uscourts.gov), for a debtor residing in or having its principal place of business in Benton, Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Marion, or Polk county.
  - (2) The Portland office, at the address on the court’s Web site, for a debtor residing in or having its principal place of business in any other Oregon county.
- (b) **Other Documents.** Except in an emergency, a paper document must be filed in the office where the case or adversary proceeding is being administered.

**Rule 5003-1. Clerk—General/Authority.**

The clerk and designated deputies may sign and enter the following orders without further court authorization:

- (a) Requiring the filing of missing or corrected documents.
- (b) Closing case and discharging trustee in a case in which the trustee has reported the estate has no assets to administer or in which an order has been entered approving the trustee’s final account.

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