

RECENT COURT DECISIONS

Supreme Court

Harris V. Viegelahn, Chapter 13 Trustee

Upon conversion of a Chapter 13 case, the Chapter 13 Trustee is terminated and stripped of authority to continue to disburse pursuant to a confirmed plan. The debtor is entitled to all post petition wages not yet disbursed by the Trustee.

Bullard vs. Blue Hills Bank

An Order of the Bankruptcy Court denying confirmation of a proposed plan is not an appealable final order.

Arkansas Bankruptcy Courts

In re Rogers (Judge Taylor)

Authorizes Chapter 13 Trustee to remit funds on hand upon dismissal of case directly to debtor, and Trustee may insist that debtor attorneys comply with §503(b).

In re Dickens (Judge Evans)

The Chapter 13 Trustee is not entitled to the statutory percentage fee on undisbursed funds when the case is dismissed prior to confirmation of the plan.

In re Dwelle (Judge Barry)

The employer violated §525 of the Bankruptcy Code when it terminated the debtor's employment. The Court discussed the option of debtors reaffirming certain debts in a Chapter 13 case.