

HARRY TEST
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95-09991

CHAPTER 13 DEBTORS

NOTICE TO DEBTORS CONCERNING FUTURE TAX RETURNS AND REFUNDS

Please be advised that due to the plan provision requiring that your income tax return and/or refunds be turned over to the Chapter 13 Trustee for the next 3 to 5 years, you must comply with the following:

- 1) File your Internal Revenue Service income tax return no later than April 15th of each year.
- 2) **Do not receive a Rapid Refund.**
- 3) Mail a copy of your return to your attorney by April 30th of each year.
- 4) Notwithstanding single/joint tax filing status, the Debtor may annually retain the greater of (1) any earned income tax credit and/or additional child tax credit or (2) \$3,000 of any federal income tax refund for maintenance and support pursuant to § 1325(b)(2) and shall turnover any balance in excess of such amount to the Trustee. Unless otherwise ordered by the Court, tax refunds turned over to the Trustee shall be distributed by the Trustee for the benefit of creditors. The refunds shall first be used to satisfy the secured claims of the Internal Revenue Service, if any. Thereafter, any surplus refunds shall be used to increase the dividend to the unsecured creditors; but, distributions to creditors shall continue to be paid pursuant to the normal classes as determined by the confirmed Plan. Any motion to retain a tax refund in excess of the amount set forth above shall be filed and served pursuant to LBR 9013-3(b).
- 5) **This payment should be mailed by standard mail to the Trustee's lockbox at 1722 Solutions Center, Chicago, IL 60667-1007.**

Any refund must be submitted to the Trustee by June 1st of each required year.

- 6) Failure to comply with the above instructions could result in the loss of your exemptions or tax credits with the entire refund submitted to the Trustee; the dismissal of your case, which could prevent you from being able to refile another Chapter 13 case for 180 days and could subject you to other sanctions of the Court.