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Subject Reaffirmations & Automatic Stay Lift Upon Confirmation

I have not yet seen an official form for reaffirmations. The new reaffirmation provisions 11 U.S.C. § 524 are unclear as to where certain disclosures should be placed. A form approved by the Committee would act as safe harbor.

I would also respectfully request the promulgation of a rule lifting the stay upon plan confirmation wherein the debtor has indicated that he or she will surrender collateral. This rule would be consistent with both logic and the bankruptcy reform act making the stay lift automatic under 11 U.S.C, §§ 521 and 362 in Chapter 7 cases. The spirit of this code provision should be extended to include the surrender of collateral under Chapter 13 as well. Such a rule would enhance judicial economy and eliminate unnecessary expenses.

Thank you for your consideration,

Nichlas P. Spallas, Esq.