

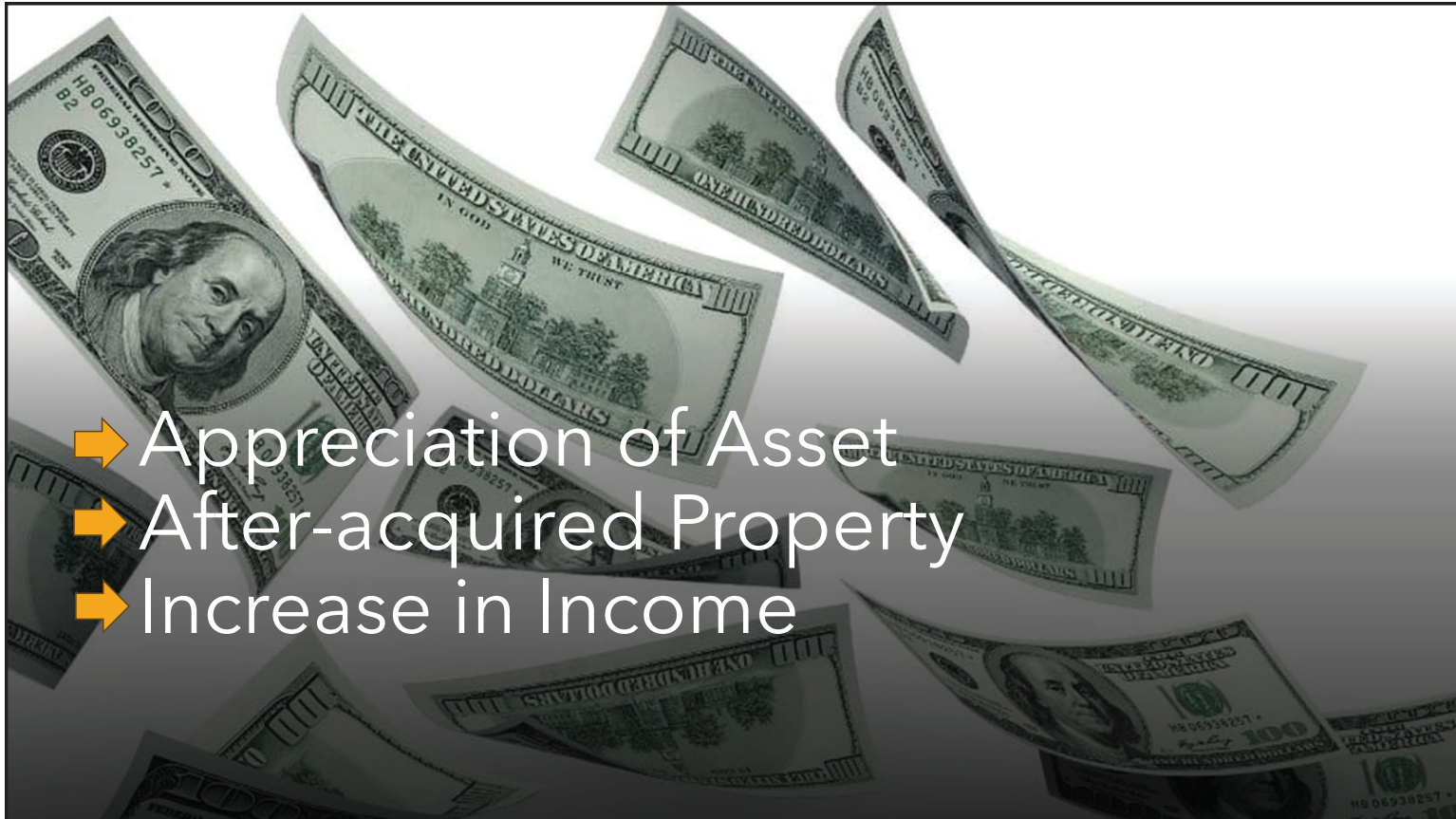


MORE MONEY MORE PROBLEMS

Judge Marvin Isgur
Judge Christopher Bradley
Cristina Rodriguez



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- ➔ Appreciation of Asset
- ➔ After-acquired Property
- ➔ Increase in Income

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Property of the Estate

11 U.S. Code § 541 -

(a)The commencement of a case under section 301, 302, or 303 of this title creates an estate. Such estate is comprised of all the following property, wherever located and by whomever held:

(1)Except as provided in subsections (b) and (c)(2) of this section, all legal or equitable interests of the debtor in property as of the commencement of the case.

(2)All interests of the debtor and the debtor's spouse in community property as of the commencement of the case that is—

(A)under the sole, equal, or joint management and control of the debtor; or

(B)liable for an allowable claim against the debtor, or for both an allowable claim against the debtor and an allowable claim against the debtor's spouse, to the extent that such interest is so liable.

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Chapter 13 Property of the Estate

11 U.S. Code § 1306 -

(a) Property of the estate includes, in addition to the property specified in section 541 of this title—

(1) all property of the kind specified in such section that the debtor acquires after the commencement of the case but before the case is closed, dismissed, or converted to a case under chapter 7, 11 or 12 of this title, whichever occurs first; and

(2) earnings from services performed by the debtor after the commencement of the case but before the case is closed, dismissed, or converted to a case under chapter 7, 11 or 12 of this title, whichever occurs first.

(b) Except as provided in a confirmed plan or order confirming a plan, **the debtor shall remain in possession of all property of the estate.**

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Property of the Estate Vests in the Debtor

11 U.S. Code § 1327 -

(a) The provisions of a confirmed plan bind the debtor and each creditor, whether or not the claim of such creditor is provided for by the plan, and whether or not such creditor has objected to, has accepted, or has rejected the plan.

(b) **Except as otherwise provided in the plan or the order confirming the plan, the confirmation of a plan vests all of the property of the estate in the debtor.**

(c) Except as otherwise provided in the plan or in the order confirming the plan, the property vesting in the debtor under subsection (b) of this section is free and clear of any claim or interest of any creditor provided for by the plan.

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