

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF VERMONT  
REAFFIRMATION AGREEMENT CHECK LIST**

- The reaffirmation agreement is signed by debtor and creditor (and the debtor's attorney if the debtor is represented by an attorney in connection with this reaffirmation agreement).
- The reaffirmation agreement was made prior to discharge.
- If the reaffirmation agreement is accompanied by a motion to approve, a proposed order (with blanks filled in) is also included.
- A certification regarding compliance with 11 U.S.C. § 524 is included.

**Example:** I \_\_\_\_\_, hereby certify under penalty of perjury that the attached reaffirmation agreement complies with the provisions of 11 USC § 524.

- Either Part D of the attached reaffirmation agreement shows the same figures as Schedules I and J, OR, if there is a difference between those documents, then there is an explanation for that difference or a supporting affidavit<sup>1</sup> attached, setting forth cause for approval of the reaffirmation agreement.

**Examples:**

If there is no difference between the information in Schedules I and J and Part D of the reaffirmation agreement but Part D shows monthly income in excess of monthly expenses, including all debts to be reaffirmed, THEN no additional documents required.

**Or:**

If there is no difference between the information in Schedules I and J and Part D of the reaffirmation agreement, but Part D shows monthly income is less than monthly expenses, including the debts the debtor seeks to reaffirm, THEN Part D must identify additional sources of funds, reductions in expenses, or other changes in circumstances that enable the debtor(s) to make payments on the reaffirmed debt(s).

**Or:**

If there is a difference between the information in Schedules I and J and Part D of the reaffirmation agreement, and Part D includes an explanation of that difference which shows monthly income is higher than monthly expenses, including the debt(s) the debtor seeks to reaffirm, THEN no additional documents are required.

**Or:**

If there is a difference between the information in Schedules I and J and Part D of the reaffirmation agreement, and Part D explains that difference and shows monthly income is less than monthly expenses, including the debt(s) the debtor seeks to reaffirm, THEN the debtor must file a supplement identifying additional sources of funds, reductions in expenses, or other changes that enable the debtor(s) to make payments on the reaffirmed debt(s).

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<sup>1</sup> If the debtor is relying on another party to make payments, the debtor must attach an affidavit from the contributing party, attesting to that arrangement. The affidavit must indicate the third party's (1) relationship to the debtor, (2) ability and willingness to help the debtor, (3) statement that the commitment is voluntary and not a guarantee or promise of payment in favor of the creditor, and (4) understanding that their assistance is a factor in the Court's approval of the reaffirmation agreement. See Vt. LBR 4008-1(b).