

**Table Regarding Availability of Discharge
if Debtor Got a Discharge in an Earlier Case**

Chapter 7. An individual debtor is not entitled to get a discharge in a new Chapter 7 case if:

- the debtor was granted a discharge in a case under Chapter 7 or 11 of the Bankruptcy Code in a case commenced within 8 years before the date of the filing of the petition in the new case; or
- the debtor was granted a discharge in a case under chapter 12 or 13 of the Bankruptcy Code in a case commenced within 6 years before the date of the filing of the petition in the new case, unless

payments under the plan in such prior case totaled at least:

- ▶ 100 percent of the allowed unsecured claims in such prior case; or
- ▶ 70 percent of such claims, and the plan was proposed by the debtor in good faith, and was the debtor's best effort.

See [11 U.S.C. § 727\(a\), paragraphs \(8\) and \(9\)](#).

Chapter 11. An individual debtor is not entitled to get a discharge in a new chapter 11 case in certain circumstances if the debtor would not be entitled to get a discharge in a chapter 7 case. See [11 U.S.C. § 1141\(d\)\(3\)](#).

Chapter 13. A debtor is not entitled to get a discharge in a new chapter 13 case if the debtor got a discharge:

- in a case filed under chapter 7, 11, or 12 during the 4-year period preceding the filing of the debtor's petition in the new case; or
- in a case filed under chapter 13 during the 2-year period preceding the filing of the debtor's petition in the new case.

See [11 U.S.C. § 1328\(f\)](#).