Completing a Student Loan Bankruptcy Discharge Review under DOJ Guidance issued November 17, 2022

1. Obtain Client's NSLDS File

The NSLDS file contains all the borrower's federal student loan information and is essential to completing a review. We recommend having your client email the NSLDS .txt file to you BEFORE proceeding to ensure the analysis completion. You cannot proceed without an electronic version of the NSLDS file.

For instructions on how your client can obtain their NSLDS file, see below.

- [NSLDS Download Guide](#)
- [NSLDS Download Video](#)

2. Set Appointment with Client

Your client needs to provide some basic information including information about their household, income, expenses, and educational history. (For a complete list of information needed, please log in to the [portal](#), click **Bankruptcy Discharge Analyzer** and select **Start New**. This will launches the Discharge Analyzer tool. Review each section to determine the needed information.)

3. Conduct Interview and Upload NSLDS

Create a client profile on the Stretto DMM Portal.

Please follow these instructions:
- Log in to the [portal](#)
- Click on the **Student Loans** tab in the upper left corner
- Navigate to **Bankruptcy Discharge Analyzer**
- Click **Start New**
- Complete the online questionnaire covering the following topics:
  - Personal Info

- o Household information
- o Employment
- o Income
- o Assets
- o Expenses
- o Educational History
- o Student Loan Information

- Upload the NSLDS (from Step #1 above) and provide basic information about the client's repayment efforts

4. **Download the Discharge Analysis ($29)**

After the data is entered in Step 3, download the client's customized discharge analysis report. The report indicates if your client appears to be eligible for a bankruptcy discharge under the DOJ Guidance.

5. **Review Report with Client**

Review the report with your client and determine if they wish to proceed with the discharge. If your client does not appear to qualify for a discharge, review the report to determine what (if anything) your client can do to achieve a discharge. (Example: If your client has not yet applied for an income driven repayment plan, consider doing so to help satisfy the "good faith efforts" prong of the DOJ Guidance).

6. **File Adversary Proceeding**

If your client appears to be eligible for a discharge, file an adversary proceeding per your court's requirements. Reference the analysis to provide fact-specific pleadings in the complaint.

7. **Return to the Portal to Complete the Attestation**

Once the adversary proceeding is filed, return to the portal to provide the bankruptcy and adversary proceeding information.

8. **Download the Attestation ($99)**

After providing the required bankruptcy information, download your client's customized attestation.

9.   Sign the Attestation and Gather Proof of Income and Other Supporting Documents

Review the attestation for accuracy as well as the proof of income checklist. Sign and date the attestation and gather the required proof of income documentation from your client. Note that the only required supporting documentation for the attestation is the proof of income, however the provision of additional supporting documents may further advocate your client's position and can be provided.

10.   Send the Attestation to Assistant U.S. Attorney

Send the client's signed attestation together with the required proof of income to your AUSA. (Your AUSA should establish the manner and protocol for how they wish to receive the attestation).

11.   Obtain Stipulation from Assistant U.S. Attorney

The AUSA will review the attestation and determine if your client is eligible for a student loan discharge. If the AUSA concurs that your client is entitled to a discharge, they will send a stipulation. If the AUSA determines that your client is not eligible for a student loan discharge, review their findings and ensure that the AUSA has the correct information.

12.   Finalize Discharge with Court

Follow your court's procedures for finalizing and securing the discharge.

For additional information or to schedule a demo, contact Igor Roitburg or George Vogl