

OVERVIEW OF THE BANKRUPTCY PROCESS FOR DEBTOR'S FILING WITHOUT AN ATTORNEY

This section will provide a brief overview of the bankruptcy process. The Court recommends that debtors maintain copies of all pleadings filed with the Court.

For additional filing requirements, please click on the link for the chapter 7 checklist or chapter 13 checklist.

Certificate of Budget and Credit Counseling

Debtor(s) must attend an approved credit counseling course within 180 days before the filing of the bankruptcy petition. The certificate of credit counseling must be filed with the bankruptcy petition.

- For additional information and exceptions to this requirement, go to the Court's web site at <http://www.mieb.uscourts.gov>, click on Forms, Official Bankruptcy Forms, and *B101 Voluntary Petition for Individuals Filing for Bankruptcy*.
- For a list of approved credit counseling agencies, go to the Court's web site at <http://www.mieb.uscourts.gov>, click on the link for *Understanding Bankruptcy, Links and Resources, Credit Counseling*, select Michigan from the drop down list and click Go.

Filing Fees

Debtor(s) must pay the filing fee in full at the time of filing, or

- (a) file an Application to Pay in Installments
 - For additional information, go to the Court's web site at <http://www.mieb.uscourts.gov>, click on Forms, Official Forms, B103A, *Application for Individuals to Pay the Filing Fee in Installments* form.
- (b) file an Application to Waive the Filing Fee with Order (Chapter 7 only)
 - For additional information, go to the Court's web site at <http://www.mieb.uscourts.gov>, click on Forms, Official Forms, B103B, *Application to Have the Chapter 7 Filing Fee Waived* form.

Voluntary Petition and Matrix

To file a bankruptcy case a debtor must file official Form B101 known as the *Voluntary Petition for Individuals Filing for Bankruptcy*. This form provides basic information regarding the debtor(s). The voluntary petition must be signed by the debtor(s).

- For additional information, go to the Court's web site at <http://www.mieb.uscourts.gov>, click on Rules & Forms, Bankruptcy Forms, Official Bankruptcy Forms, and B101 *Voluntary Petition for Individuals Filing for Bankruptcy*.

In addition, a debtor must file a *list of creditors* with the voluntary petition. The list of creditors is a list of the names and addresses of all of the debtor's creditors.

Trustee

All chapter 7 and chapter 13 cases are assigned a trustee by the United States Trustee Office.

- Debtor(s) must send the trustee a copy of their prior year's federal tax return at least 7 days prior to the scheduled meeting of creditors. If a creditor requests a copy of the tax return, the debtor(s) must provide a copy to that creditor.
- Debtor(s) must appear before the trustee at the first meeting of creditors and must provide two forms of identification such as a driver's license, a passport, a social security card or a credit card (at least one must be a picture ID). Debtor(s) will be examined under oath by the trustee. Creditors are given notice of this meeting and may attend.
- At the meeting of creditors, the debtor(s) must provide the trustees with copies of pay stubs and other indications of all income received within the last six months. Please see the Local Bankruptcy Rule 2003-2 for additional information.
- Debtor(s) must complete a Financial Management Course approved by the Office of the United States Trustee and file a Certificate of Completion of Instructional Course Concerning Financial Management (Official Form B423) or the Personal Financial Management Course Certificate with the Court.
- For additional information, go to the Court's web site at <http://www.mieb.uscourts.gov>, click on the link for *Understanding Bankruptcy, Links and Resources, Debtor Education*, select Michigan from the drop down list and click Go.

Requirements for Discharge

- 1) File all required documents
- 2) Pay all applicable filing fees
- 3) Attend meeting of creditors
- 4) Provide all necessary documentation to the trustee. In a chapter 13 case, provide timely payments into the plan.
- 5) File Official Form B423 or the Personal Financial Management Course Certificate after completing a course in Financial Management.

Available Legal Services

Legal aid services are available throughout Michigan. Below you will find a list of local legal aid agencies.

LAKESHORE LEGAL AID

Macomb Office

Robert A. VerKuilen Building
21885 Dunham Rd. Suite 4
Clinton Township, MI 48036
810-469-5185

St. Clair Office

803 Tenth Ave. Ste C
Port Huron, MI 48060
810-985-5107

Thumb Area

121 W. Grant St.
PO Box 67
Caro, MI 48723
517-673-5661

OAKLAND/LIVINGSTON LEGAL AID

South Oakland County Office

8430 W. Nine Mile Road
Oak Park, MI 48237
248-548-8171

Pontiac

35 W. Huron
Suite 500
248-456-8861

Livingston County

204 W. Grand River Ave.
Suite 150
517-546-8555

LEGAL AID OF SOUTHEASTERN MICHIGAN, INC.

Jackson County

180 W. Michigan Ave.
800 Harris Building
Jackson, MI 48201
517-787-6111

Monroe/Lenawee County

520 W. Elm St.
Ste. E103
Monroe, MI 48162
734-241-8310

WAYNE COUNTY

Legal Aid & Defender Association of Detroit

645 Griswold Street
Suite 2400
Detroit, MI 48226-4201
313-964-4111, Ext. 224

WAYNE COUNTY NEIGHBORHOOD LEGAL SERVICES

Detroit Office

3500 Cadillac Tower
Suite 1
Detroit, MI 48226
313-962-0466

Highland Park Office

14525 Second
Highland Park 48203
313-868-7677