UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF MICHIGAN

PRO-SE DEBTOR GUIDE

Last Updated: November 1, 2011

TABLE OF CONTENTS

Preface **1**
Introduction 1
Available Bankruptcy Chapters 1

Checklists **2**
Voluntary Chapter 7 2
Voluntary Chapter 11 3
Voluntary Chapter 12 5
Voluntary Chapter13 6

Frequently Asked Questions **8**

Exhibits **11**
A - Creditor Matrix Guidelines 12
B - Debtor's Completion of Financial Management Course 13
C - Certification Regarding Domestic Support Obligations 14
D - Application to Pay Filing Fee in Installments 15
E - Application for Waiver of Ch. 7 Filing Fee 17

PREFACE

Introduction

The laws, codes and rules governing bankruptcy procedures are complicated and intricate in detail. This guide is not intended to serve as a "How To" manual, nor is it intended to advise you of your legal rights or responsibilities under current bankruptcy law. The purpose of this guide is to serve as a possible source to answer frequently asked questions posed to this court by debtors filing bankruptcy without the assistance of legal counsel (pro-se). **Please Note:** Court employees are prohibited by law from giving any legal advice.

Available Bankruptcy Chapters

An individual may file a chapter 7, 11, 12 or 13 case.

- **Chapter 7: Liquidation**
  Chapter 7 is the most common and is the type of bankruptcy with which most people are familiar. A trustee is appointed in a chapter 7 for the purpose of taking possession of or selling property of which is not exempt under federal or state law. The trustee then pays the proceeds to creditors. Anyone thinking of filing a chapter 7 case should learn which types of property can be exempted under state and federal law.

- **Chapter 11: Reorganization**
  Chapter 11 is used primarily by operating businesses and is almost never used by an individual consumer debtor. A chapter 11 case is much more complicated and much more expensive than the other types of bankruptcy. The filing fee alone is $1046.00.

- **Chapter 12: Adjustment of Debts of a Family Farmer or Fisherman**
  Chapter 12 is similar to chapter 13 but is designed for and is only available to family farmers or fisherman.

- **Chapter 13: Adjustment of Debts of an Individual with Regular Income**
  Chapter 13 permits debtors who have a regular source of income to file a plan for payment of some or all of their debts over a court approved period of time. Chapter 13 is often used to cure defaults on mortgages in order to save a house, and it may be used to pay some debts which are not dischargeable under chapter 7. When payments under the plan are completed, the debtor receives a discharge of the balance of the pre-petition debts.

There is more detailed information available on how each of the chapters in bankruptcy works on the court's web site at www.miwb.uscourts.gov.

CHECKLISTS

Voluntary Chapter 7

- ☐ **Filing Fee ($306). Please Note: The filing fee must be tendered in the form of a money order or cashier's check. Personal checks will not be accepted.**
  If the fee is to be paid in installments or the debtor requests a waiver of the fee, the debtor must be an individual and must file a signed application for court approval. Official Form 3A or 3B and Rule 1006(b) & (c), Fed.R.Bankr.P.

- ☐ **Voluntary Petition (Official Form 1).**
  Names and addresses of all creditors of the debtor. Must be filed **WITH** the petition. Names and addresses not required if debtor files a schedule of liabilities with the petition. Rule 1007(a), Fed.R.Bankr.P.

- ☐ **Mailing Matrix and Verification of Matrix**
  The creditor matrix must adhere to the form required by the Clerk. Effective July 9, 2003, the Clerk's Office will **only** accept creditor matrices on diskette. Please see exhibit A for matrix guidelines.

- ☐ **Certification of Receipt of Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b),** if applicable. Must be filed with the petition or within 15 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3). (Certification on Official Petition Form - B1)

- ☐ **Notice to debtor by "bankruptcy petition preparer,"** if applicable.
  Must be filed **WITH** the petition if prepared by a "bankruptcy petition preparer." 11 U.S.C. § 110(b)(2)(B); Official Form 19B.

- ☐ **Statement of Social Security Number (Official Form 21).**
  Required if the debtor is an individual. Must be submitted **WITH** the petition. Rule 1007(f), Fed.R.Bankr.P.

- ☐ **Certificate of Credit Counseling and Debt Repayment Plan. (Or § 109(h)(3) certification or § 109(h)(4) request) .** Required if the debtor is an individual. Must be filed **WITH** the petition. Rule 1007(b) & (c), Fed.R.Bankr.P.

- ☐ **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.** Must be filed **WITH** the petition if the "bankruptcy petition preparer" prepares the petition. 11 U.S.C. §110(h).

- ☐ **Statement of current monthly income, etc. (Official Form 22A).**
  Required if the debtor is an individual with primarily consumer debts. Must be filed with the petition or within 15 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

☐ **Schedules of assets and liabilities (Official Form 6).**
Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

☐ **Schedule of executory contracts and unexpired leases (Schedule G of Official Form 6).** Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

☐ **Schedules of current income and expenditures.**
All debtors must file these schedules. If the debtor is an individual, Schedules I and J of Official Form 6 must be used for this purpose. Must be filed with the petition or within 14 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.

☐ **Statement of financial affairs (Official Form 7).**
Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

☐ **Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.**
Pursuant to Administrative Order 2005-07, payment advices shall not be filed with the court. Instead payment advices must be provided to the case trustee no later than (14) business days prior to the initial date scheduled for the first meeting of creditors.

☐ **Statement of intention regarding secured property (Official Form 8).**
Required **ONLY** if the debtor is an individual and the schedules of assets and liabilities contain debts secured by property of the estate or personal property subject to an unexpired lease. Must be filed within 30 days or by the date set for the Section 341 meeting of creditors, whichever is **earlier.** 11 U.S.C. §§ 362(h).and 521(2).

Voluntary Chapter 11

☐ **Filing fee ($1046). Please Note: The filing fee must be tendered in the form of a money order or cashier's check. Personal checks will not be accepted.**
If the fee is to be paid in installments, the debtor must be an individual and must file a signed application for court approval. Official Form 3A and Rule 1006(b), Fed.R.Bankr.P.

☐ **Voluntary Petition (Official Form 1).**
Names and addresses of all creditors of the debtor.
Must be filed **WITH** the petition. Names and addresses not required if debtor files a schedule of liabilities with the petition. Rule 1007(a), Fed.R.Bankr.P.

☐ **Mailing Matrix and Verification of Matrix**
The creditor matrix must adhere to the form required by the Clerk. Effective July 9, 2003, the Clerk's Office will **only** accept creditor matrices on diskette. Please see exhibit A for matrix guidelines.

☐ **Certification of Receipt of Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b),** if applicable. Must be filed with the petition or within 14 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3). (Certification on Official

Petition Form - B1)

- **Notice to debtor by "bankruptcy petition preparer,"** if applicable.
  Must be filed **WITH** the petition if prepared by a "bankruptcy petition preparer." 11 U.S.C. § 110(b)(2)(B); Official Form 19B.

- **Statement of Social Security Number (Official Form 21).**
  Required if the debtor is an individual. Must be submitted **WITH** the petition. Rule 1007(f), Fed.R.Bankr.P.

- **Certificate of Credit Counseling and Debt Repayment Plan. (Or § 109(h)(3) certification or § 109(h)(4) request) .** Required if the debtor is an individual. Must be filed **WITH** the petition. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.** Must be filed **WITH** the petition if the "bankruptcy petition preparer" prepares the petition. 11 U.S.C. §110(h).

- **Statement of current monthly income (Official Form 22B).** Required if the debtor is an individual. Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **List of Creditors holding the 20 largest unsecured claims (Official Form 4).**
  Must be filed **WITH** the petition. Rule 1007(d), Fed.R.Bankr.P.

- **Names and addresses of equity security holders of the debtor.** Must be filed the petition or within 14 days, unless the court orders otherwise. Rule 1007(a)(3), Fed.R.Bankr.P.

- **Schedules of assets and liabilities (Official Form 6).**
  Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Schedule of executory contracts and unexpired leases (Schedule G of Official Form 6).** Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Schedules of current income and expenditures.**
  All debtors must file these schedules. If the debtor is an individual, Schedules I and J of Official Form 6 must be used for this purpose. Must be filed with the petition or within 14 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Statement of financial affairs (Official Form 7).**
  Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.**
  Pursuant to Administrative Order 2005-07, payment advices shall not be filed with the

court. Instead payment advices must be provided to the case trustee no later than (14) business days prior to the initial date scheduled for the first meeting of creditors.

Voluntary Chapter 12

- **Filing Fee ($246). Please Note: The filing fee must be tendered in the form of a money order or cashier's check. Personal checks will not be accepted.**
  If the fee is to be paid in installments, the debtor must be an individual and must file a signed application for court approval. Official Form 3A and Rule 1006(b), Fed.R.Bankr.P.

- **Voluntary petition (Official Form 1).**
  Names and addresses of all creditors of the debtor. Must be filed **WITH** the petition. Names and addresses not required if debtor files a schedule of liabilities with the petition. Rule 1007(a), Fed.R.Bankr.P.

- **Mailing Matrix and Verification of Matrix**
  The creditor matrix must adhere to the form required by the Clerk. Effective July 9, 2003, the Clerk's Office will **only** accept creditor matrices on diskette. Please see exhibit A for matrix guidelines.

- **Certification of Receipt of Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b),** if applicable. Must be filed with the petition or within 15 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3). (Certification on Official Petition Form - B1)

- **Notice to debtor by "bankruptcy petition preparer,"** if applicable.
  Must be filed **WITH** the petition if prepared by a "bankruptcy petition preparer." 11 U.S.C. § 110(b)(2)(B); Official Form 19B.

- **Statement of Social Security Number (Official Form 21).**
  Required if the debtor is an individual. Must be submitted **WITH** the petition. Rule 1007(f), Fed.R.Bankr.P.

- **Certificate of Credit Counseling and Debt Repayment Plan. (Or § 109(h)(3) certification or § 109(h)(4) request).** Required if the debtor is an individual. Must be filed **WITH** the petition. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.** Must be filed **WITH** the petition if the "bankruptcy petition preparer" prepares the petition. 11 U.S.C. §110(h).

- **Schedules of assets and liabilities (Official Form 6).**
  Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Schedule of executory contracts and unexpired leases (Schedule G of Official Form 6).** Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Schedules of current income and expenditures.**
  All debtors must file these schedules. If the debtor is an individual, Schedule I and J of Official Form 6 must be used for this purpose. Must be filed with the petition or within 14 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Statement of financial affairs (Official Form 7).**
  Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.**
  Pursuant to Administrative Order 2005-07, payment advices shall not be filed with the court. Instead payment advices must be provided to the case trustee no later than (14) business days prior to the initial date scheduled for the first meeting of creditors.

- **Chapter 12 Plan.**
  Must be filed within 90 days unless extended by the court. 11 U.S.C. § 1221.

Voluntary Chapter 13

- **Filing fee ($281). Please Note: The filing fee must be tendered in the form of a money order or cashier's check. Personal checks will not be accepted.**
  If the fee is to be paid in installments, the debtor must file a signed application for court approval. Official Form 3A and Rule 1006(b), Fed.R.Bankr.P.

- **Voluntary Petition (Official Form 1).**
  Names and addresses of all creditors of the debtor. Must be filed **WITH** the petition. Names and addresses not required if debtor files a schedule of liabilities with the petition. Rule 1007(a), Fed.R.Bankr.P.

- **Mailing Matrix and Verification of Matrix**
  The creditor matrix must adhere to the form required by the Clerk. Effective July 9, 2003, the Clerk's Office will **only** accept creditor matrices on diskette. Please see exhibit A for matrix guidelines.

- **Certification of Receipt of Notice to Individual Debtor with Primarily Consumer Debts under 11 U.S.C. § 342(b),** if applicable. Must be filed with the petition or within 14 days. 11 U.S.C. §§ 342(b); 521(a)(1)(B)(iii); 707(a)(3). (Certification on Official Petition Form - B1)

- **Notice to debtor by "bankruptcy petition preparer,"** if applicable. Must be filed **WITH** the petition if prepared by a "bankruptcy petition preparer." 11 U.S.C. § 110(b)(2)(B); Official Form 19B.

- **Statement of Social Security Number (Official Form 21).**
  Must be submitted **WITH** the petition. Rule 1007(f), Fed.R.Bankr.P.

- **Certificate of Credit Counseling and Debt Repayment Plan. (Or § 109(h)(3) certification or § 109(h)(4) request) .** Must be filed **WITH** the petition. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Statement disclosing compensation paid or to be paid to a "bankruptcy petition preparer" as defined in 11 U.S.C. § 110.** Must be filed **WITH** the petition if the "bankruptcy petition preparer" prepares the petition. 11 U.S.C. § 110(h).

- **Statement of current monthly income, etc. (Official Form 22C).** Must be filed **WITH** the petition or within 14 days. Rule 1007, Fed.R.Bankr.P.

- **Schedules of assets and liabilities (Official Form 6).**
  Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Schedule of executory contracts and unexpired leases (Schedule G of Official Form 6).** Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Schedules of current income and expenditures (Schedules I and J of Official Form 6).** Must be filed with the petition or within 14 days. 11 U.S.C. § 521(1) and Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Statement of financial affairs (Official Form 7).**
  Must be filed with the petition or within 14 days. Rule 1007(b) & (c), Fed.R.Bankr.P.

- **Copies of all payment advices or other evidence of payment received by the debtor from any employer within 60 days before the filing of the petition.**
  Pursuant to Administrative Order 2005-07, payment advices shall not be filed with the court. Instead payment advices must be provided to the case trustee no later than (14) business days prior to the initial date scheduled for the first meeting of creditors.

- **Chapter 13 Plan.**
  Must be filed with the petition or within 14 days. Rule 3015, Fed.R.Bankr.P.

FREQUENTLY ASKED QUESTIONS

Is it possible to file a bankruptcy case without an attorney?
Yes. Current law permits individuals to file their own cases and to represent their own interests in bankruptcy proceedings. However, it may not be wise to do so. Any bankruptcy case can become a complicated matter requiring both knowledge of the law and experience before the court to successfully complete. In order to fill out the forms required to file a case, you will need to know (among other things) the differences between the types of bankruptcies which can be filed, the types of exemptions which can be taken and the differences between secured and unsecured debts. As a case progresses through the court, many other areas of law and knowledge may be involved. Decisions made without an understanding of basic bankruptcy law can have serious consequences including the loss of property and legal rights. **Only an attorney** may file a bankruptcy for a partnership or corporation - even if the individual is the sole owner or is the managing partner.

Can the Bankruptcy Court help me?
The staff of the court is prohibited from giving legal advice. This means that we cannot assist you in completing forms or deciding the type of bankruptcy you should file. If you decide to file a bankruptcy case without an attorney, you will be on your own. The court will expect you to follow the same rules and procedures as attorneys are required to follow.

How do I know if a Credit Counseling Agency has been certified by the United States Trustee?
The court provides a link to the United States Trustee's web site which maintains a listing of approved Credit Counseling Agencies and Financial Management Courses. To obtain this information please visit the court's web site at www.miwb.uscourts.gov. A list may also be obtained from the United States Trustee's web site at www.usdoj.gov.

Where can I get the forms?
You have two options: 1) Retrieve the forms free of charge from the court's web site: www.miwb.uscourts.gov. 2) Office supply stores often sell legal forms. These stores stock packages of bankruptcy forms which include the petition, schedules and other forms necessary to file a case. However, these packages do not contain several forms which are required by the court. The court does **not** stock or sell the petition, schedules or the statement of affairs. We can supply the local forms which are needed. The official bankruptcy forms and the local forms can be accessed on the court's website at www.miwb.uscourts.gov. Many documents and pleadings used frequently in bankruptcy cases must be created by the debtors and are not printed or sold.

Are there any sources of free legal assistance?
Yes, but not to everyone. Some Legal Aid offices will represent persons who meet their income guidelines. Most do not handle bankruptcy cases on a regular basis. Legal Aid offices give legal advice and assistance only to persons who are accepted as clients. Many cities have a Lawyer Referral Service which is operated by the local bar association. This service will set up an

appointment with an attorney for a person who is considering bankruptcy for a minimal charge. This appointment would give you a chance to discuss your specific problems with an experienced attorney who might give you valuable advice on whether bankruptcy is necessary, and if so, which chapter would be best. If you cannot find the number of a local Lawyer Referral Service, call 1-800-968-0738 for information.

How are creditors notified of the bankruptcy?
When a bankruptcy is filed, the debtor gives the court a mailing matrix which is used by the court to notify creditors of the filing of the bankruptcy. A notice of commencement is mailed by the court, which informs creditors of the date for the meeting of creditors. Instructions for preparation of this matrix are included in this packet as exhibit A.

When can I expect to receive my discharge?

- **Chapter 7:** In a chapter 7 case, all debts which can be discharged, will be discharged approximately four months from the time the case is filed. Official form 23 must be filed with the court within 45 days after the first date set for the meeting of creditors. Failure to file the certification will result in the case being closed without an entry of discharge. Please see exhibit B.

- **Chapter 13:** In a chapter 13 case, a discharge will be issued upon successful completion of the plan. Official form 23 must be filed no later than the last payment made by the debtor as required by the plan or the filing of a motion for entry of a discharge pursuant to §1328(b). Failure to file the certification will result in the case being closed without an entry of discharge. Please see exhibit B. Certification that all domestic support obligations have been paid or that the debtor(s) is(are) not liable for domestic support obligations must be filed within 30 days of notice of this requirement. Failure to file the certification may result in the case being closed without entry of a discharge. Please see Exhibit C.

Will the bankruptcy affect my credit rating?
Yes. The record of your bankruptcy may appear on your credit report for as long as 10 years after the date on which the bankruptcy was filed. It may be very difficult to borrow money as long as this information appears on the report. Please review The Fair Credit Reporting Act information listed below:

The Fair Credit Reporting Act

The Fair Credit Reporting Act, 6 U.S.C. section 605, is the law that controls credit reporting agencies. The law states that credit reporting agencies may not report a bankruptcy case on a person's credit report after ten years from the date the bankruptcy case is filed. Other bad credit information is removed after seven years. The larger credit reporting agencies belong to an organization called the Associated Credit Bureaus. The policy of the Associated Credit Bureau is to remove Chapter 11 and Chapter 13 cases from the credit report after seven years to encourage debtors to file under these chapters. You may want to contact the Federal Trade Commission, Bureau of Consumer Protection, Education Division, Washington, D.C. 20580, or telephone them at (202) 326-2222 and request the publications "How to Dispute Credit Reporting Errors" and "Fair Credit Reporting".

What if I can't afford to pay the full filing fee at the time of filing bankruptcy? Can I pay in installments?
Rule 1006 does allow for the payment of the filing fee in installments. An application to pay filing fee in installments can be filed with the bankruptcy petition and approved by the Court. The total number of payments or installments shall not exceed four, and the final installment must be paid within 120 days of the filing of the petition. Please see exhibit D.

What if I can't afford to pay the filing fee in installments?
First, you should be aware that the ability to proceed *In Forma Pauperis* is available only in Chapter 7 cases. Secondly, IFP status is available only to a Chapter 7 individual debtor who: (a) has income less than 150 percent of the poverty guidelines last published by the United States Department of Health and Human Services (DHHS) applicable to a family of the size involved; and (b) is unable to pay that fee in installments. Requests to proceed IFP must be filed, using the Official Fee Waiver Application Form, at the same time as the petition. A copy of the form is displayed in exhibit E. This application will be approved or denied by the judge presiding over your case.

Anything else?
The bankruptcy process requires debtors to honestly disclose a great deal of information. Severe penalties are imposed on debtors who refuse to cooperate with the trustee or the court. Those who are dishonest in disclosing necessary information may face federal criminal prosecution. Actions taken by a debtor to hide assets or to transfer property to friends or relatives may result in either a denial of the debtor's discharge or attempts by the trustee to recover the property for creditors. Attempts to hide property from the trustee may also result in a federal criminal prosecution. Do not file a bankruptcy case unless you plan to be totally open and honest about all aspects of your finances.

You may want to consult with an attorney for further explanation, including how bankruptcy laws and rules relate to your specific case.

Court Addresses:

United States Bankruptcy Court
One Division Avenue NW RM 200
Grand Rapids, MI 49503
(616) 456-2693

United States Bankruptcy Court
U.S. Post Office, RM 314
202 West Washington
PO Box 909
Marquette, MI 49855
(906) 226-2117

EXHIBITS

[THIS PAGE INTENTIONALLY LEFT BLANK]

CREDITOR MATRIX GUIDELINES

The following instructions will guide you to correctly format a creditor matrix and save it as a **.txt** file.

A creditor matrix contains each creditor's name and mailing address. This information is used for noticing and also for claims information when applicable. The creditor matrix must be in an ASCII file format with an appropriate text extension such as **.txt** before it can be successfully uploaded into the CM/ECF system. (If you have access to Notepad, it will automatically save matrices in **.txt** format).

- There **must** be at least one space between the case number and the first creditor entered.
- The name and address of each creditor cannot be more than 5 lines. If a record is more than 5 lines, the 6th line will be combined with line 5 and the 7th or 8th lines will be truncated.
- Each line may contain no more than 40 characters including blanks.
- Names and addresses should be left justified.
- Spaces in the first position of a line will cause an exception report for that creditor record.
- Special characters such as ~, ½ or ^ will cause problems. The **#**, **C/O** and **&** characters have not been reported to cause errors.
- Account numbers or "attention" lines should be placed on the second line of the name/address.
- City, state and ZIP code must be on the last line.
- Nine digit ZIP codes must be typed with a hyphen separating the two groups of digits.
- All states must be two-letter abbreviations.
- Each creditor **must** be separated by at least one blank line.
- Do not include page numbers, headers, footers, etc.

Official Form 23 (10/06)

United States Bankruptcy Court

_____ District Of _____

In re _____, Case No. _____
Debtor

Chapter _____

DEBTOR'S CERTIFICATION OF COMPLETION OF INSTRUCTIONAL COURSE CONCERNING PERSONAL FINANCIAL MANAGEMENT

Every individual debtor in a chapter 7 or chapter 13 case must file this certification. If a joint petition is filed, each spouse must complete and file a separate certification. Complete one of the following statements and file by the deadline stated below:

☐ I, _____, the debtor in the above-styled case, hereby
(Printed Name of Debtor)
certify that on _____ (Date), I completed an instructional course in personal financial management provided by _____, an approved personal financial
(Name of Provider)
management provider.

Certificate No. :_____.

☐ I, _____, the debtor in the above-styled case, hereby
(Printed Name of Debtor)
certify that no personal financial management course is required because of *[Check the appropriate box.]*:

☐ Incapacity or disability, as defined in 11 U.S.C. § 109(h);
☐ Active military duty in a military combat zone; or
☐ Residence in a district in which the United States trustee (or bankruptcy administrator) has determined that the approved instructional courses are not adequate at this time to serve the additional individuals who would otherwise be required to complete such courses.

Signature of Debtor: _____

Date: _____

Instructions: Use this form only to certify whether you completed a course in personal financial management. (Fed. R. Bankr. P. 1007(b)(7).) Do NOT use this form to file the certificate given to you by your prepetition credit counseling provider and do NOT include with the petition when filing your case.

Filing Deadlines: In a chapter 7 case, file within 45 days of the first date set for the meeting of creditors under § 341 of the Bankruptcy Code. In a chapter 13 case, file no later than the last payment made by the debtor as required by the plan or the filing of a motion for entry of a discharge under § 1328(b) of the Code. (See Fed. R. Bankr. P. 1007(c).)

United States Bankruptcy Court

Western District of Michigan
One Division Ave., N.
Room 200
Grand Rapids, MI 49503

IN RE: Debtor(s) (name(s) used by the debtor(s) in the last 8 years, including married, maiden, trade, and address): **Debtor(s)**	**Case Number** **Chapter** **Honorable**

DEBTOR'S CERTIFICATION REGARDING
DOMESTIC SUPPORT OBLIGATION PURSUANT TO 11 U.S.C. § 1328(a)

The debtor(s) in the above−referenced matter certify as follows:

___ The debtor has not been required by a judicial or administrative order, or by statue to pay any domestic support obligation as defined in 11 U.S.C. § 101(14A) either before this proceeding was filed or at any time after the date of filing.

−OR−

___ The debtor has paid all amounts due under any and all domestic support obligations as defined in 11 U.S.C. § 101(14A), required by a judicial or administrative order or by statue, including amounts due before, during and after this proceeding was filed.

I declare under penalty of perjury that the information provided in the Certificate is true and correct.

Date: _____ _____
Debtor

Date: _____ _____
Joint Debtor(if applicable)

United States Bankruptcy Court

_____ District Of _____

In re _____, Case No. _____
Debtor

Chapter _____

APPLICATION TO PAY FILING FEE IN INSTALLMENTS

1. In accordance with Fed. R. Bankr. P. 1006, I apply for permission to pay the filing fee amounting to $_____ in installments.

2. I am unable to pay the filing fee except in installments.

3. Until the filing fee is paid in full, I will not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with this case.

4. I propose the following terms for the payment of the Filing Fee.*

   $ _____ Check one ☐ With the filing of the petition, or
   ☐ On or before _____

   $ _____ on or before _____

   $ _____ on or before _____

   $ _____ on or before _____

* The number of installments proposed shall not exceed four (4), and the final installment shall be payable not later than 120 days after filing the petition. For cause shown, the court may extend the time of any installment, provided the last installment is paid not later than 180 days after filing the petition. Fed. R. Bankr. P. 1006(b)(2).

5. I understand that if I fail to pay any installment when due, my bankruptcy case may be dismissed and I may not receive a discharge of my debts.

_____
Signature of Attorney Date

_____
Name of Attorney

_____
Signature of Debtor Date
(In a joint case, both spouses must sign.)

_____
Signature of Joint Debtor (if any) Date

DECLARATION AND SIGNATURE OF NON-ATTORNEY BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required under that section; and (4) I will not accept any additional money or other property from the debtor before the filing fee is paid in full.

_____ _____
Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer Social Security No. (Required by 11 U.S.C. § 110.)

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.

_____

_____
Address

x_____ _____
Signature of Bankruptcy Petition Preparer Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.
A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

United States Bankruptcy Court

_____ District Of _____

In re _____, Case No. _____
Debtor

Chapter _____

ORDER APPROVING PAYMENT OF FILING FEE IN INSTALLMENTS

☐ IT IS ORDERED that the debtor(s) may pay the filing fee in installments on the terms proposed in the foregoing application.

☐ IT IS ORDERED that the debtor(s) shall pay the filing fee according to the following terms:

$ _____ Check one ☐ With the filing of the petition, or
☐ On or before _____

$ _____ on or before _____

$ _____ on or before _____

$ _____ on or before _____

☐ IT IS FURTHER ORDERED that until the filing fee is paid in full the debtor(s) shall not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with this case.

BY THE COURT

Date: _____

_____
United States Bankruptcy Judge

APPLICATION FOR WAIVER OF THE CHAPTER 7 FILING FEE FOR INDIVIDUALS WHO CANNOT PAY THE FILING FEE IN FULL OR IN INSTALLMENTS

The court fee for filing a case under chapter 7 of the Bankruptcy Code is $306.

If you cannot afford to pay the full fee at the time of filing, you may apply to pay the fee in installments. A form, which is available from the bankruptcy clerk's office, must be completed to make that application. If your application to pay in installments is approved, you will be permitted to file your petition, completing payment of the fee over the course of four to six months.

If you cannot afford to pay the fee either in full at the time of filing or in installments, then you may request a waiver of the filing fee by completing this application and filing it with the Clerk of Court. A judge will decide whether you have to pay the fee. By law, the judge may waive the fee only if your income is less than 150 percent of the official poverty line applicable to your family size and you are unable to pay the fee in installments. You may obtain information about the poverty guidelines at www.uscourts.gov or in the bankruptcy clerk's office.

Required information. Complete all items in the application, and attach requested schedules. Then sign the application on the last page. If you and your spouse are filing a joint bankruptcy petition, you both must provide information as requested and sign the application.

Form B3B
(04/09/06)

United States Bankruptcy Court
_____ District of _____

In re: _____ Case No. _____
Debtor(s) (if known)

APPLICATION FOR WAIVER OF THE CHAPTER 7 FILING FEE FOR INDIVIDUALS WHO CANNOT PAY THE FILING FEE IN FULL OR IN INSTALLMENTS

Part A. Family Size and Income

1. Including yourself, your spouse, and dependents you have listed or will list on Schedule I (Current Income of Individual Debtors(s)), how many people are in your family? (Do not include your spouse if you are separated AND are not filing a joint petition.) _____

2. Restate the following information that you provided, or will provide, on Line 16 of Schedule I. Attach a completed copy of Schedule I, if it is available.

   Total Combined Monthly Income (Line 16 of Schedule I): $_____

3. State the monthly net income, if any, of dependents included in Question 1 above. Do not include any income already reported in Item 2. If none, enter $0.

   $_____

4. Add the "Total Combined Monthly Income" reported in Question 2 to your dependents' monthly net income from Question 3.

   $_____

5. Do you expect the amount in Question 4 to increase or decrease by more than 10% during the next 6 months? Yes ___ No ___

   If yes, explain.

Part B: Monthly Expenses

6. EITHER (a) attach a completed copy of Schedule J (Schedule of Monthly Expenses), and state your total monthly expenses reported on Line 18 of that Schedule, OR (b) if you have not yet completed Schedule J, provide an estimate of your total monthly expenses.

   $ _____

7. Do you expect the amount in Question 6 to increase or decrease by more than 10% during the next 6 months? Yes ___ No ___
   If yes, explain.

Part C. Real and Personal Property

EITHER (1) attach completed copies of Schedules A (Real Property) and Schedule B (Personal Property), OR (2) if you have not yet completed those schedules, answer the following questions.

8. State the amount of cash you have on hand: $ _____

9. State below any money you have in savings, checking, or other accounts in a bank or other financial institution.

Bank or Other Financial Institution:	Type of Account such as savings, checking, CD:	Amount:
_____	_____	$ _____
_____	_____	$ _____

Form B3B Cont.
(04/09/06)

10. State below the assets owned by you. **Do not list ordinary household furnishings and clothing**.

Home	Address: _____ _____	Value: $ _____ Amount owed on mortgages and liens: $ _____
Other real estate	Address: _____ _____	Value: $ _____ Amount owed on mortgages and liens: $ _____
Motor vehicle	Model/Year: _____ _____	Value: $ _____ Amount owed: $ _____
Motor vehicle	Model/Year: _____ _____	Value: $ _____ Amount owed: $ _____
Other	Description_____ _____	Value: $ _____ Amount owed: $ _____

11. State below any person, business, organization, or governmental unit that owes you money and the amount that is owed.

Name of Person, Business, or Organization that Owes You Money	Amount Owed
_____	$ _____
_____	$ _____

Part D. Additional Information.

12. Have you paid an **attorney** any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules? Yes ___ No ___
If yes, how much have you paid? $ _____

13. Have you promised to pay or do you anticipate paying an **attorney** in connection with your bankruptcy case? Yes ___ No ___
If yes, how much have you promised to pay or do you anticipate paying? $ _____

14. Have you paid **anyone other than an attorney** (such as a bankruptcy petition preparer, paralegal, typing service, or another person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules? Yes ___ No ___
If yes, how much have you paid? $ _____

15. Have you promised to pay or do you anticipate paying **anyone other than an attorney** (such as a bankruptcy petition preparer, paralegal, typing service, or another person) any money for services in connection with this case, including the completion of this form, the bankruptcy petition, or schedules? Yes ___ No ___
If yes, how much have you promised to pay or do you anticipate paying? $ _____

16. Has anyone paid an attorney or other person or service in connection with this case, on your behalf? Yes ___ No ___

If yes, explain.

Form B3B Cont.
(04/09/06)

17. Have you previously filed for bankruptcy relief during the past eight years? Yes ___ No ___

Case Number (if known)	Year filed	Location of filing	Did you obtain a discharge? (if known)
_____	_____	_____	Yes ____ No ____ Don't know ____
_____	_____	_____	Yes ____ No ____ Don't know ____

18. Please provide any other information that helps to explain why you are unable to pay the filing fee in installments.

19. I (we) declare under penalty of perjury that I (we) cannot currently afford to pay the filing fee in full or in installments and that the foregoing information is true and correct.

Executed on: _____ _____
Date Signature of Debtor

_____ _____
Date Signature of Co-debtor

DECLARATION AND SIGNATURE OF BANKRUPTCY PETITION PREPARER (See 11 U.S.C. § 110)

I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under 11 U.S.C. §§ 110(b), 110(h), and 342(b); and (3) if rules or guidelines have been promulgated pursuant to 11 U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required under that section.

_____ _____
Printed or Typed Name and Title, if any, of Bankruptcy Petition Preparer Social Security No. (Required by 11 U.S.C. §110.)

If the bankruptcy petition preparer is not an individual, state the name, title (if any), address, and social security number of the officer, principal, responsible person, or partner who signs the document.

_____

_____
Address

x_____ _____
Signature of Bankruptcy Petition Preparer Date

Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document, unless the bankruptcy petition preparer is not an individual:

If more than one person prepared this document, attach additional signed sheets conforming to the appropriate Official Form for each person.
A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.

Form B3B
(04/09/06)

United States Bankruptcy Court
_____ District of _____

In re: _____ Case No. _____
Debtor(s)

ORDER ON DEBTOR'S APPLICATION FOR WAIVER OF THE CHAPTER 7 FILING FEE

Upon consideration of the debtor's "Application for Waiver of the Chapter 7 Filing Fee," the court orders that the application be:

[ ] GRANTED.

This order is subject to being vacated at a later time if developments in the administration of the bankruptcy case demonstrate that the waiver was unwarranted.

[ ] DENIED.

The debtor shall pay the chapter 7 filing fee according to the following terms:

$ _____ on or before _____

$ _____ on or before _____

$ _____ on or before _____

$ _____ on or before _____

Until the filing fee is paid in full, the debtor shall not make any additional payment or transfer any additional property to an attorney or any other person for services in connection with this case.

IF THE DEBTOR FAILS TO TIMELY PAY THE FILING FEE IN FULL OR TO TIMELY MAKE INSTALLMENT PAYMENTS, THE COURT MAY DISMISS THE DEBTOR'S CHAPTER 7 CASE.

[ ] SCHEDULED FOR HEARING.

A hearing to consider the debtor's "Application for Waiver of the Chapter 7 Filing Fee" shall be held on _____ at _____ am/pm at _____.
(address of courthouse)

IF THE DEBTOR FAILS TO APPEAR AT THE SCHEDULED HEARING, THE COURT MAY DEEM SUCH FAILURE TO BE THE DEBTOR'S CONSENT TO THE ENTRY OF AN ORDER DENYING THE FEE WAIVER APPLICATION BY DEFAULT.

BY THE COURT:

DATE: _____

_____
United States Bankruptcy Judge