

# How to File Chapter 7 Bankruptcy Without a Lawyer

## EZBankruptcyForms.com

**BANKRUPTCY WITHOUT AN ATTORNEY** involves some work, but if done properly can save you thousands of dollars. Receiving a **CHAPTER 7 BANKRUPTCY DISCHARGE** without a lawyer is relatively easy, if you follow certain steps properly. A typical bankruptcy should take about 100 days from start-to-finish, and all the steps involved are outlined in this **"HOW-TO" BANKRUPTCY TUTORIAL**.

The assumption is that before reading this online bankruptcy tutorial, you understand the basic differences between the two chapters of bankruptcy an individual may file under, Chapter 7 and Chapter 13, and you are already sure that you want to file for Chapter 7 Bankruptcy. For further information, please visit our homepage at [www.EZBankruptcyForms.com](http://www.EZBankruptcyForms.com)

Whether you file with an attorney or not, you can expect to pay \$299 in court filing fees and \$60-\$100 in online education costs. Our **BANKRUPTCY SOFTWARE** package has instructions how you can petition to have those fees waived, but it is not a guarantee.

If you read this **"BANKRUPTCY WITHOUT A LAWYER" TUTORIAL** and still decide to hire a bankruptcy lawyer, you will find that you will still be responsible to perform most, if not all, of the steps below with little or no assistance from your lawyer. Included in steps that you will be performing on your own regardless of whether you hire a lawyer or not are: Itemizing your assets and liabilities, completing online education courses, passing the mandated **"MEANS TEST"**, filling out the paperwork online (a lawyer will have you use a software program very similar to ours), personally attending your "Meeting of Creditors" (while your lawyer WILL attend that meeting with you, he/she is not allowed to speak on your behalf), and making your tax records, bank statements and recent paystubs available to the Bankruptcy Trustee.

Ready? Here goes...

- 1. CHAPTER 7 BANKRUPTCY QUALIFICATION.** The qualification is based on your income and family size relative to others in the state you are filing in. This is done by filling out a federal form called "The Means Test". The form provided by the federal government is very user UN-friendly, but we have simplified the form on our homepage at EZBankruptcyForms.com for you to sample our **FREE BANKRUPTCY SOFTWARE**. This form is critical, but should only take you about 5 minutes to complete. If you qualify, proceed the next step. If you DO NOT qualify, you're only option would be a Chapter 13 "debt consolidation".
  - **WARNING:** If you do not pass the "Means Test" and file for Chapter 7 anyway, you face a probability of your Chapter 7 case being "converted" to Chapter 13 by the bankruptcy judge.
- 2. ORDER A COPY OF YOUR CREDIT REPORT FROM ALL THREE CREDIT BUREAUS** because you may have more creditors than you are aware of. What is on one report might not be on the other. You get 1 free report every year at <http://www.AnnualCreditReport.com>. Your credit report will have the addresses of your creditors and you need their addresses to fill out the bankruptcy forms. If you have a debt that shows up for two different creditors, list both the creditors separately on your bankruptcy forms. That will cease collection activities for both your original creditor and the subsequent collection company.

3. **Take your "MANDATORY CREDIT COUNSELING" course.** It sounds intimidating, but it is actually a no-fail online course that will typically cost about \$30. You will receive a "Certificate of Completion", which you will need to include when you file your paperwork in step 6. You can find a list of Bankruptcy Trustee approved agencies here:

[http://www.justice.gov/ust/eo/bapcpa/ccde/cc\\_approved.htm](http://www.justice.gov/ust/eo/bapcpa/ccde/cc_approved.htm)

4. **Find out what Federal Court jurisdiction you are under.** This will let you know what location to file your paperwork at, and also is one very simple but major step in completing your paperwork. To find out what Federal Court jurisdiction you live in, click here:

[http://www.uscourts.gov/court\\_locator.aspx](http://www.uscourts.gov/court_locator.aspx)

5. **Complete your required bankruptcy paperwork** (aka fill out the bankruptcy forms). This will prove to be your most time-consuming step. You can find the forms for free here:

<http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx>.

If you use those free forms, expect this step to take about 40-50 hours, if you can complete them accurately at all. Those forms are very user UN-friendly, and will send you in several information loops. EZBankruptcyForms.com bankruptcy software will cut this step down to a reasonable 4-5 hours. **EXAMPLES:**

a) If you have a very long name, like "Arnold Schwarzenegger and Maria Shriver", you will not be able to enter it on any of the forms due to length. **EZBankruptcyForms.com bankruptcy software program will alleviate that problem.**

b) You will have to enter your name, case number separately on about 60 different pages. **EZBankruptcyForms.com bankruptcy software program will auto-populate from your first entry.**

c) You will have to subtotal about 100 mathematical calculations from multiple pages manually. **EZBankruptcyForms.com bankruptcy software program will total for you.**

d) You will have to interpret several legal questions before answering. You can probably find out the interpretation on the internet in about 5 minutes for each question, and there will be at least 50 different questions to interpret. **EZBankruptcyForms.com bankruptcy software program will explain the questions in laymans terms instantly.**

e) The government forms are posted in alphabetical order, with multiple cross-references. This leads to will have a continual problem of finishing a form halfway, only to stop and start an entirely different form. **EZBankruptcyForms.com bankruptcy software program organizes the forms for user simplicity.**

f) The government supplied forms DO NOT INCLUDE state exemption laws needed to cite the property that you want to keep, and most free internet sites have outdated information. **EZBankruptcyForms.com bankruptcy software program has information updated as of the last federal change, April 1, 2010.**

6. **File your completed paperwork with your credit counseling certificate with the bankruptcy court for your area found in Step 4, above.** If you did not apply for a fee waiver, the court will require a \$299 payment by cash or money order. You should receive a receipt with your case number, Bankruptcy Judge name, Bankruptcy Trustee name, and court date for your "Meeting of Creditors" (about 30 days out). On this date, your "Automatic Bankruptcy Stay" begins. The automatic stay stops all collection efforts, all harassment, and all foreclosure actions (if you have a loan on a car or home, see the "Warnings" section below on how your creditors can file a motion to continue collecting on you). From this point forward, THERE IS NO TURNING BACK on your filing for bankruptcy (you can no longer change your mind). Now, you want to make sure your debts are "discharged", and you want to AVOID your case getting "dismissed". To do so, between the day you file and your "Meeting of Creditors" date...

- **WARNING:** While you will get a warning if you forgot to submit a file, the court will not warn you if your paperwork is inaccurate. If you fill out the forms using software, they CAN SEEM VERY STRAIGHTFORWARD, but also can be tedious. Don't "forget" to mention something like how you might want to keep your house, or the court will assume that you don't.
  - **WARNING:** If you own a home (or car) that you are obligated to pay a mortgage on, your "Bankruptcy Stay" temporarily stops that obligation. Your creditor knows that, and will most likely file a "Motion to Remove the Automatic Stay" in order to resume collecting on you. This will result in an additional court date (that you will be notified in writing of) with the bankruptcy judge about 45 days after you file.
7. **Respond to every correspondence your trustee sends you, or the court sends you, that require a response.** GATHER YOUR LAST TWO BANK STATEMENTS, LAST TWO MONTH'S PAYSTUBS, LAST YEARS TAX FORMS AND ANY PAPERWORK ON REAL ESTATE YOU OWN. Your Bankruptcy Trustee will more-than-likely be asking for it on or before your "Meeting of Creditors" court date. If you forget to file one of the required forms, you will receive a written request from the court to submit the form in a timely manner or your case will be dismissed. All is not lost if you can correct an "honest mistake", and are able to submit it in a timely manner.
  8. **Attend your Meeting of Creditors court date. Be on time. YOU MUST ATTEND.** Don't expect to really see creditors there. You will see other bankruptcy filers. Answer truthfully all questions posed to you by the trustee. They use standard questions - the same for every filer. They will add one or a few other questions to the standard questions as they see fit based on what you filed. Most filers are asked only the standard questions such as: Your name and address for the record. Is the listed social security number correct as was originally issued? Did you read, sign, and understand the petition? Are there any errors or omission? Have you listed all assets and all creditors? Have you filed bankruptcy before? Do you have any or additional domestic support funds?
  9. **Complete your post-filing Personal Financial Management Instruction Course only after your case is filed and WITHIN 45 DAYS OF THE CREDITORS MEETING.** This is a different course from the credit counseling course you did when you submitted your paperwork. The course will cost about \$30, and links to the Trustee approved providers are here: [http://www.justice.gov/ust/eo/bapcpa/ccde/de\\_approved.htm](http://www.justice.gov/ust/eo/bapcpa/ccde/de_approved.htm) If you do not do this, you risk having your case dismissed. Submit certificate of completion as instructed in the correspondence to you.
  10. **WAIT FOR FINAL CORRESPONDENCE SAYING YOUR DEBTS ARE DISCHARGED.** This will be a minimum of 61 days after your Meeting of Creditors.

**MAKE SURE YOU ARE HONEST! Don't try to pull a "fast one" on the Trustee -- he is able to access a lot of your personal information once you file for bankruptcy, and can either make your life very easy, or very, very, hard.**