



FILING FOR BANKRUPTCY WITHOUT AN ATTORNEY

Last updated: 11/07/2008

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Guidelines & Requirements to Assist *Pro Se* (Self-Filer) Debtors

The information contained on this site is intended to answer common questions from *pro se* (*self-filer*) debtors (debtors without an attorney representing them), and is not to be interpreted as legal advice. This information is subject to change without notice.

****NOTICE TO ALL DEBTORS- READ THIS BEFORE YOU FILE YOUR CASE****

Please [click here](#) for information regarding Creditors (and Other Non-Debtor Parties Proceeding *Pro Se* (Without an Attorney)).

Office Hours and Locations

All divisional offices are open Monday-Friday and closed on federal holidays.

Richmond Division

9:00 A.M. to 4:00 P.M. (804) 916-2400

Street Address and Mailing Address:
701 E. Broad St., Suite 4000
Richmond, VA 23219

Alexandria Division

9:00 A.M. to 4:00 P.M. (703) 258-1200

Street Address and Mailing Address:
200 South Washington Street
Alexandria, VA 22314

Norfolk Division

9:00 A.M. to 4:00 P.M. (757) 222-7500

Street Address and Mailing Address:
600 Granby St.
Room 400
Norfolk, VA 23510

Newport News Division

9:00 A.M. to 4:00 P.M. (757) 244-3678

<i>Street Address:</i>	<i>Mailing Address:</i>
101 25th St.	600 Granby St., Room 400
Room 106	Norfolk, VA 23510-1915
Newport News, VA 23607	



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Social Security Number and Protection of Personal Information

Effective December 1, 2007, individuals filing bankruptcy will place only the last four digits of their Social Security Number or Taxpayer-Identification Number on the bankruptcy petition. Individuals are required to submit, with the bankruptcy petition, a separate Statement of Social Security Number (s), Official Form 21, in which their full Social Security Number or Taxpayer-Identification Number is given. This Statement of Social Security Number(s) is not part of the public record and will not be available to the public. Official Form 21 is available on the Court's website at: www.vaeb.uscourts.gov/ by clicking on the *Bankruptcy Forms* icon.

Any schedule or supporting document filed with the court should not include: 1) the names of minor children - use only initials, 2) birthdates - use only the year of birth, and 3) financial account numbers - use only the last four digits.

Legal Advice & Resources

The U. S. Bankruptcy Court Clerk's Office is not permitted to assist you with preparing your petition, schedules, or other documents. Nor is the Clerk's Office permitted to provide you with legal advice. Your local library has law books that may be of assistance to you. The Local Bankruptcy Rules for the Eastern District of Virginia and information on the various chapters in bankruptcy are available in the Clerk's Office. The local rules, instructions and forms are also available on the Court's website at: www.vaeb.uscourts.gov/

Appropriate Courtroom Attire & Conduct

All persons present in a courtroom where a trial, hearing, or other proceeding is in progress must dress and conduct themselves in a manner demonstrating respect for the court. Traditional business attire is considered appropriate. Jeans, shorts, and t-shirts are **not** appropriate.

Retaining Your Records

It is advisable to keep copies of your petition, schedules, Discharge of Debtor and, if applicable, your Order of Dismissal. You may wish to obtain copies of other pertinent documents.

Credit Rating & Reports

The U. S. Bankruptcy Court Clerk's Office is not responsible for credit reports. Bankruptcy records are public records and the information contained in them can be retrieved by anyone. Any disputes you have with a credit agency must be resolved by you and that agency.

PLEASE NOTE: Corporations and Partnerships must be represented by an attorney when filing for bankruptcy.

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Chapter 7 "Liquidation"

Chapter 7 - "Liquidation"

A chapter 7 case is the liquidation or selling off of your non-exempt property for payment to the creditors from the proceeds.

Chapter 7 Filing Requirements

An original of the following is required when filing a chapter 7:

- Notice to Individual Consumer Debtor (s)*
- Voluntary Petition*
- Statement of Social Security Number (s)* *not available to public*
- **Exhibit D - Individual Debtor's Statement of Compliance With Credit Counseling - EDVA,** and Certificate of Credit Counseling (or **Certificate of Exigent Circumstance or Motion for Exemption**) **Individuals only*
- Corporate Resolution* *only if corporation*
- Corporate Ownership Statement* *only if corporation*
- Declaration of Divisional Venue*
- Fees - a payment due at time of filing* (*must be cash or money order*)
- Schedules A through J
- Summary of Schedules and Statistical Summary of Certain Liabilities
- List of Creditors-Mailing Matrix (in txt format) with Coversheet* must be submitted on computer diskette
- Statement of Financial Affairs
- Statement of Intention (*Individual*)
- Disclosure Statement of Bankruptcy Petition Preparer (Form B280), *if applicable*
- Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer (*See 11 U.S.C. §110*) (Official Form 19 - which includes Notice to Debtor for Non-Attorney Bankruptcy Petition Preparer)
- Statement of Current Monthly Income and Means Test Calculation (Form B22A) *Individuals only*
- Copies of Payment Advices and Tax Returns (received 60 days prior to petition filing) should be submitted to Trustee at least 7 days prior to your scheduled Meeting of Creditors.

*The asterisk at the noted bullet items above identify the minimum requirements to initiate a bankruptcy case. You must file these asterisked items to initiate your bankruptcy case. *You will need to provide your daytime telephone number to the Clerk's Office.*

PLEASE NOTE: Corporations and Partnerships must be represented by an attorney when filing for bankruptcy.

IMPORTANT: Failure to comply with the filing requirements or missing deadlines may result in your case being dismissed and loss of bankruptcy protection. Please read the section on [Minimum Requirements to Initiate Bankruptcy Case; Notice of Possible Dismissal of Your Case.](#)



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Chapter 11 - “Reorganization”

A chapter 11 case provides you the opportunity to reorganize or readjust debts through a plan or contract with creditors. Creditors are allowed to vote on the plan and the plan must be approved by the Court. Individuals and most businesses can file a petition under chapter 11.

Chapter 11 Filing Requirements

An original of the following is required when filing a chapter 11:

- Notice to Individual Consumer Debtor (s)*
- Voluntary Petition*
- Statement of Social Security Number (s)* *not available to public*
- **Exhibit D - Individual Debtor's Statement of Compliance With Credit Counseling - EDVA, and Certificate of Credit Counseling (or Certificate of Exigent Circumstance or Motion for Exemption) *Individuals only**
- Corporate Resolution* *only if corporation*
- Corporate Ownership Statement* *only if corporation*
- Declaration of Divisional Venue*
- Fees - a payment due at time of filing* (*must be cash or money order*)
- Schedules A through J
- Summary of Schedules and Statistical Summary of Certain Liabilities
- List of Creditors - Mailing Matrix (in txt format) with Coversheet* must be submitted on computer diskette
- List of Creditors Holding 20 Largest Unsecured Claims*
- Small Business: Balance Sheet, Statement of Operations, Cash-flow Statement, Income Tax Return*
- Statement of Financial Affairs
- Statement of Current Monthly Income (Form B22B) (*individual only*)
- Disclosure Statement of Bankruptcy Petition Preparer (Form B280), *if applicable*
- Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer (*See 11 U.S.C. §110*) (Official Form 19 - which includes Notice to Debtor for Non-Attorney Bankruptcy Petition Preparer)
- List of Equity Security Holders

*The asterisk at the noted bullet items above identify the minimum requirements to initiate a bankruptcy case. You must file these asterisked items to initiate your bankruptcy case. *You will need to provide your daytime telephone number to the Clerk's Office.*

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Chapter 12 “Family Farmer or Fisherman”

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Chapter 12 – “Family Farmer or Fisherman”

A family farmer or family fisherman may be a debtor under chapter 12. A chapter 12 case provides you the opportunity to restructure your debts through a payment plan, which normally lasts three years. With court approval, a plan may last up to five years. The chapter 12 Trustee receives all funds you pay through the plan and pays creditors from these funds.

Chapter 12 Filing Requirements

An original of the following is required when filing a chapter 12:

- Notice to Individual Consumer Debtor (s)*
- Voluntary Petition*
- Statement of Social Security Number (s)* *individuals only and not available to public*
- **Exhibit D - Individual Debtor's Statement of Compliance With Credit Counseling - EDVA**, and Certificate of Credit Counseling (or **Certificate of Exigent Circumstance or Motion for Exemption**) **Individuals only*
- Declaration of Divisional Venue*
- Fees - a payment due at time of filing*
- List of Creditors - Mailing Matrix (in txt format) with Coversheet* must be submitted on computer diskette
- Schedules A through J
- Summary of Schedules and Statistical Summary of Certain Liabilities
- Statement of Financial Affairs
- Chapter 12 Plan (may be filed with petition but must be filed within 90 days thereafter except as otherwise provided for by local bankruptcy rule)
- Disclosure Statement of Bankruptcy Petition Preparer (B280) *if applicable*
- Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer (*See 11 U.S.C. §110*) (Official Form 19 - which includes Notice to Debtor for Non-Attorney Bankruptcy Petition Preparer)
- Copies of Payment Advices and Tax Returns (received 60 days prior to petition filing) should be submitted to Trustee at least 7 days prior to your scheduled Meeting of Creditors.

*The asterisk at the noted bullet items above identify the minimum requirements to initiate a bankruptcy case. You must file these asterisked items to initiate your bankruptcy case. *You will need to provide your daytime telephone number to the Clerk's Office.*

Your Chapter 12 Plan payments must be mailed to the Chapter 12 Trustee assigned to your case.

IMPORTANT: Failure to comply with the filing requirements or missing deadlines may result in your case being dismissed and loss of bankruptcy protection. Please read the section on [Minimum Requirements to Initiate Bankruptcy Case; Notice of Possible Dismissal of Your Case.](#)



Chapter 13 “Wage Earner Plan”

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Chapter 13 - “Wage Earner Plan”

A chapter 13 case provides you the opportunity to restructure your debts through a payment plan which normally lasts three years. With court approval, a plan may last up to five years. The Chapter 13 Trustee receives all funds you pay through the plan and pays creditors from these funds.

Chapter 13 Filing Requirements

An original of the following is required when filing a chapter 13:

- Notice to Individual Consumer Debtor (s)*
- Voluntary Petition*
- Statement of Social Security Number (s)* *not available to public*
- **Exhibit D - Individual Debtor's Statement of Compliance With Credit Counseling - EDVA, and Certificate of Credit Counseling (or Certificate of Exigent Circumstance or Motion for Exemption) *Individuals only**
- Declaration of Divisional Venue*
- Fees - a payment due at time of filing*
- List of Creditors-Mailing Matrix (in txt format) with Coversheet* must be submitted on computer diskette
- Schedules A through J
- Summary of Schedules and Statistical Summary of Certain Liabilities
- Statement of Financial Affairs
- Statement of Current Monthly Income and Disposable Monthly Income (Form B22C)
- The Chapter 13 Plan (may be filed with petition but must be filed within 15 days thereafter except as otherwise provided for by local bankruptcy rule). *Use only the Chapter 13 Plan form approved by the Court – Ver. 06/28/06 (effective 09/01/06); available from the Clerk’s Office upon request and on the Court’s website at www.vaeb.uscourts.gov/*
- Disclosure Statement of Bankruptcy Petition Preparer (B280), *if applicable*
- Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer (*See 11 U.S.C. §110*) (Official Form 19 - which includes Notice to Debtor for Non-Attorney Bankruptcy Petition Preparer)
- Copies of Payment Advices and Tax Returns (received 60 days prior to petition filing) should be submitted to Trustee at least 7 days prior to your scheduled Meeting of Creditors.

*The asterisk at the noted bullet items above identify the minimum requirements to initiate a bankruptcy case. You must file these asterisked items to initiate your bankruptcy case. *You will need to provide your daytime telephone number to the Clerk’s Office.*

Your Chapter 13 Plan payments must be mailed to the Chapter 13 Trustee assigned to your case.

IMPORTANT: Failure to comply with the filing requirements or missing deadlines may result in your case being dismissed and loss of bankruptcy protection. Please read the section on [Minimum Requirements to Initiate Bankruptcy Case; Notice of Possible Dismissal of Your Case.](#)



Minimum Requirements to Initiate Bankruptcy Case: *Notice of Possible Dismissal of Case*

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Under each of the Chapter "Filing Requirements" headings included on this site for chapter 7, 11, 12 and 13 cases, the asterisk at the noted bullet items identify the minimum requirements to initiate a bankruptcy case. You must file these asterisked items to initiate your bankruptcy case. You will be issued a Notice of Possible Dismissal if all of the provisions set forth in each of the Chapter "Filing Requirements" headings are not received at the time of filing, except as specifically stated below.

The Notice provides that if you are an "individual" debtor, you have one business day from the date the petition is filed to file your Statement of Social Security Number (s). You have three business days from the date the petition is filed to file your Mailing Matrix. You must file the appropriate document(s) as set forth in Exhibit D (Official Form 1D). You have 15 days to file your Schedules and Statement of Financial Affairs and 15 days to file Statement of Monthly Income/Mean Test.

In a chapter 11 case, you have three business days from the date the petition is filed to file your list of 20 Largest Creditors.

In a chapter 12 case, except as otherwise provided by local bankruptcy rule, if you fail to file a plan within 90 days after the filing of the petition, your case will be dismissed. Your chapter 12 plan payments must be mailed to the Chapter 12 Trustee assigned to your case.

Your Chapter 13 Plan payments must be mailed to the Chapter 13 Trustee assigned to your case. You have 15 days to file the chapter 13 plan and/or Notice to Secured Creditors (if applicable).



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The filing fees are as follows:

Chapter 7	\$ 299.00
Chapter 11	\$1,039.00
Chapter 12	\$239.00
Chapter 13	\$274.00

Filing Fees/Installment Payments/Waiver

You may pay the filing fee in installments. The number of installments shall not exceed three. An initial installment payment of \$100.00 is required when filing chapter 7 cases, \$105.00 for chapter 12 cases, \$90.00 for chapter 13 cases, and \$430.00 for chapter 11 cases. An *Application to Pay Filing Fee in Installments - EDVA* must be filed with the Petition, and approved by the Court. This form is available from the Clerk's Office and on the Court's website at www.vaeb.uscourts.gov/ under the [Bankruptcy Forms](#) icon.

If the debtor is not able to pay the filing fee in a chapter 7 case, either in full or in installments, the Court "may" waive the filing fee, as provided for in 28 U.S.C. §1930(f), and further provided that the debtor meets certain requirements. *Application for Waiver of the Chapter 7 Filing Fee for Individuals Who Cannot Pay the Filing Fee in Full or in Installments* must be filed by the debtor together with the voluntary petition. This form is available from the Clerk's Office and on the Court's website at www.vaeb.uscourts.gov/ under the [Bankruptcy Forms](#) icon. By statute, the Court must first make a determination that the individual debtor "has income less than 150 percent of the office poverty line... applicable to a family of the size involved and is able to pay that fee in installments." 2005-2007 Committee Note to Bankruptcy Official Form 3B. Both spouses must complete, sign and date the Application if the chapter 7 petition is being filed jointly.

Acceptable Forms of Payment

The U.S. Bankruptcy Court accepts cash*, money orders and cashier's checks. Personal checks from the debtor, two-party checks, and post-dated checks will not be accepted.

* The Newport News Divisional Office does **not** accept cash.

* **Effective February 4, 2008, exact change only** will be accepted for cash payment of fees and services in the Richmond Divisional Office.

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Meeting of Creditors (All Chapters)

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After your petition is filed, a Notice will be mailed to you and your creditors giving the location, date and time of the meeting of creditors (341 Meeting). This Notice will also include the name and address of your trustee. Please read your notice carefully.

Please note: 341 Meetings are not held in the courthouse.

A photo identification is required at the Meeting of Creditors, along with verification of your social security number.

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Official Forms and Petition Preparation

Official Forms & Petition Preparation

The U. S. Bankruptcy Court Clerk's Office does not supply the official forms required for filing bankruptcy. You may purchase the forms from a local office supply store or download applicable forms from the court's website at: www.vaeb.uscourts.gov/. If someone other than an attorney assists you with the preparation of the bankruptcy forms, the petition preparer must sign the voluntary petition and provide you with the notice contained in Bankruptcy Official Form 19, *Declaration and Signature of Non-Attorney Bankruptcy Petition Preparer (see 11 U.S.C.§110)*. This form is available from the Clerk's Office and on the Court's website at www.vaeb.uscourts.gov/ under the [Bankruptcy Forms](#) icon.

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U. S. Courts:

- [Filing for Bankruptcy Without an Attorney](#)
- [Bankruptcy Basics](#)
- [Federal Rulemaking - New Privacy Rules](#)

U. S. Trustee Program:

[Bankruptcy Information Sheet](#) (this sheet is available in Spanish and other languages.)

Eastern District of Virginia:

- [Bankruptcy Forms](#)
- [General Information](#)

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