LEGAL AID SOCIETY OF GREATER CINCINNATI

Filing for Chapter 7 Bankruptcy

A step by step guide

How to File

1. Preparing to File

- Talk to an attorney for **advice** about bankruptcy protections.
- Collect **specific** information and documents about your income, debts, and personal property.
- Ask your attorney about the filing fee, as you may qualify to have this **waived**.
- Take the first class required by the Bankruptcy Court. This is a **credit counseling course**.

2. Filing

- Meet with your attorney to go over your **bankruptcy petition**, which is a collection of forms showing your financial information.
- Make sure the petition is **complete and correct**.
- Your attorney files the signed petition, **opening** your case at Bankruptcy Court.

Where do I take the counseling classes?

The counseling classes can be taken over the **phone or online**. If you cannot afford the fee for the class, speak to your counseling agency to get it **waived**.

To find a list of **approved agencies**, visit www.justice.gov/ust/list-credit-counseling-agencies-approved-pursuant-11-usc-111

3. Post-Filing

- As soon as you file, an automatic stay is put in place. After creditors receive notice of the filing, they **cannot** contact you.
- Complete the second class required by the Bankruptcy Court. This is a **personal finances course**.
- The court will choose an attorney, called a **Trustee**, to look at your case. Their job is to find out if you have money or property that can be used to pay your creditors.
- In a **meeting** with you and your attorney, the Trustee will ask about your income, property, and debts.
- If you have secured debts, your attorney will go over the **different options** you have for dealing with those.

A debt is **secured** when a creditor can take your property (like a car or a house) if you don't pay the debt.

4. Post-Discharge

- After the case, the court will file an **Order of Discharge**.

What is an Order of Discharge?

This means that you are no longer personaly reponsible for debts listed in your case. Your attorney will review which debts have been discharged and which have not.

- If you have secured debts, the liens on the property **will still be in place** after the bankruptcy. A **lien** is a right to take possession of property belonging to another person when a debt is not repaid.
- The goal in filing bankruptcy is to get this Order of Discharge.
- Most debts will be discharged, but there are a few exceptions, like child support debts and student loans.

To Do

Please **keep** all:

- paystubs, notices, bills, letters from creditors, bank accounts statements, pay card statements

Don't forget to **let your attorney know** if you move or change phone numbers.

Be sure to talk to your attorney **before** doing any of the following:

- Spending tax refunds, buying a new car, or opening new credit accounts

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