

UNITED STATES BANKRUPTCY COURT
DISTRICT OF UTAH

MEMORANDUM

TO: Bankruptcy Practitioners
Pro Se Debtors

FROM: United States Bankruptcy Court Clerk

SUBJECT: Chapter 7 Checklist - INDIVIDUAL

Voluntary Petition Minimum Filing Requirements

- Filing Fee (Local Rule 5080-1): Cashier's check, cash, money order, credit card payment, or check drawn on the account of the filing attorney made payable to "Clerk, U.S. Bankruptcy Court" for \$335.00. **(Checks from debtors will not be accepted)** Individual petitioners may file an Application to Pay Filing Fee in Installments (Official Form 3A) **or** Application to Proceed In Forma Pauperis (Official Form 3B) and Addendum to the Application for Waiver of the Chapter 7 Filing Fee.*

Original only of the following:

- Voluntary Petition (Official Form 1), signed by debtor(s) and attorney/petition preparer (with 11 U.S.C. § 342(b) certification)
*If debts are primarily business debts, it is not necessary for an attorney to sign Exhibit B on the Official Form 1.
- Official Form 1, Exhibit D (Local Rule 1007-1(d))
 1. Certification on Exhibit D attached to the petition that debtor received pre-filing budget and credit counseling during the 180-day period before the petition was filed, AND a certificate from the counseling agency describing the services provided to the debtor and copy of the debt repayment plan, if any, developed through the agency as required by 11 U.S.C. § 521(b); OR
 2. A request for waiver under 11 U.S.C. § 109(h)(3)(A) on the petition, AND file a separate application for exemption and a pending order granting the application, OR
 3. A request for determination under 11 U.S.C. § 109(h)(4).
- Statement of Social Security Number (Official Form 21)

Required Documents to be filed With or Within 2 Days of filing the Voluntary Petition

- List of Creditors and Equity Security Holders (Local Rule 1007-1(b))
Creditor listing in alphabetical order with correct addresses, not to exceed 4 lines in Courier 10, Prestige Elite, or Letter Gothic font.
NOTE: List of Creditors may be submitted via email; instructions on Court's website: http://www.utb.uscourts.gov/clerks_office/mailmtrx_030111.pdf

- List of Domestic Support Creditors, if any, as defined in 11 U.S.C. § 507(a)(1)(A) and (B), formatted as described above

Required Documents to be Filed With or Within 14 Days After Filing the Voluntary Petition

Original only of the following:

- Statement of Financial Affairs (Official Form 7)
- Schedules A through J and Perjury Statements for Schedules signed by debtors (Official Form 6A - 6J)
- Summary of Schedules (Official Form 6 - Summary)
- Statistical Summary of Certain Liabilities (Official Form 6 - Summary)
- Disclosure of Compensation of Attorney For Debtor (Official Form B203) (if applicable)
- Statement of Current Monthly Income and Means Test Calculation (Official Form 22A)
- Declaration and Signature of **Non-Attorney** Bankruptcy Petition Preparer AND Notice to Debtor by **Non-Attorney** Bankruptcy Petition Preparer (Official Form 19)(if applicable)
- Record of any interest that debtor has in an education individual retirement account or a qualified State tuition program as set forth in § 521(c).

*If filing an Application for Waiver of the Chapter 7 Filing Fee, copies of payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor from any employer of the debtor, or a statement under penalty of perjury concerning payment advices must be filed. (Local Form "Payment Advices Certification) (Standing Order Number 12-002)

Required Document to be Filed With or Within 30 Days After Filing the Voluntary Petition.

- Chapter 7 Individual Debtor's Statement of Intention (Official Form 8): Required **ONLY** if 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 First Meeting of Creditors, whichever is earlier. (11 U.S.C. § § 362(h) and 521(a)(2))

Required Documents to be Filed Within 60 Days of the First Date Set for the First Meeting of Creditors.

- Certification of Completion of Instructional Course Concerning Personal Financial Management (Official Form 23) and certificate from course provider. These documents must be filed before a discharge order can be entered. (Fed. R. Bankr. P. 1007(b)(7))

Required Documents to be Provided to the Case Trustee:

- Debtor must provide to the case trustee, not later than 7 days before the date first set for the first meeting of creditors, a copy of the Federal income tax return for the most recent tax year ending immediately before the commencement of the case. (FED. R. CIV. P. 4002(b)(3)).

- Copies of payment advices or other evidence of payment received within 60 days before the date of the filing of the petition, by the debtor from any employer of the debtor, or a statement under penalty of perjury concerning payment advices must be provided to the case trustee within 14 days of the petition date at the trustee's mailing address or an e-mail address designated by the trustee. (Standing Order Number 12-002)

Official Forms are available on the Court's website at <http://www.utb.uscourts.gov/sform1.htm> or the U.S. Courts' website www.uscourts.gov/bkforms/index.html.

Refer to Local Rules 1007-1 and 5005-1 for Filing Papers-Requirements.

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