

Before you File Bankruptcy

- **DID YOU TAKE A CREDIT COUNSELING CLASS BEFORE YOU FILED FOR BANKRUPTCY?**
- **DID YOU OBTAIN A COPY OF THE CERTIFICATE OF COUNSELING AFTER YOU COMPLETED THE CLASS?**
- **DID YOU INCLUDE A COPY OF YOUR CERTIFICATE OF COUNSELING WITH YOUR BANKRUPTCY PETITION?**

**WARNING: IF YOU ANSWERED NO TO ANY OF THESE QUESTIONS, YOUR BANKRUPTCY CASE MAY BE
DISMISSED**

TO OBTAIN A LIST OF APPROVED CREDIT COUNSELING CLASS PROVIDERS, PLEASE VISIT THE U.S. TRUSTEE'S WEBSITE:
http://www.justice.gov/ust/eo/bapcpa/ccde/cc_approved.htm

- **A credit counseling class MUST BE COMPLETED within 180 days before filing bankruptcy**
- **If filing a joint petition with a spouse, each debtor MUST COMPLETE a credit counseling class**
- **Debtor Education: Financial Management is the 2nd class required AFTER you file your bankruptcy case**

BEFORE YOU FILE FOR BANKRUPTCY

Credit Counseling Requirement

In compliance with the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, individual debtors (not business debtors) must earn **TWO different certificates** to obtain a discharge:

**1. Credit Counseling
(BEFORE YOU FILE FOR BANKRUPTCY)**

**2. Debtor Education: Financial Management
(AFTER YOU FILE FOR BANKRUPTCY)**

You must complete a Credit Counseling course BEFORE you file for bankruptcy, as follows:

- The Credit Counseling course must be completed **within 180 days before filing** a bankruptcy case.
- Each debtor must complete a Credit Counseling course to earn a **Certificate of Counseling**.
- If filing a joint petition with a spouse, each debtor must complete the course and earn a separate **Certificate of Counseling**.
- A complete list of approved agencies in your area can be found on the U.S. Trustee's website:

http://www.justice.gov/ust/eo/bapcpa/ccde/cc_approved.htm

Most agencies offer services in Spanish and English

- The course can be completed in person, over the Internet, or by telephone.
- The fees vary from agency to agency. If you cannot afford to pay the fee, ask the agency if you qualify for a fee waiver.

If you do not obtain credit counseling from a United States trustee-approved credit counseling agency within 180 days before filing your bankruptcy petition, ***your case may be dismissed***. In some cases, you may not be permitted to file a bankruptcy case for 180 days from the date of the order of dismissal. You and your property may not be protected from the actions of creditors if you do file a bankruptcy case during those 180 days, or later.

For information on the second certificate requirement read: ***AFTER YOU FILE FOR BANKRUPTCY***

AFTER YOU FILE FOR BANKRUPTCY

Debtor Education: Financial Management Requirement

In compliance with the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, individual debtors (not business debtors) must earn **TWO different certificates** to obtain a discharge:

1. Credit Counseling

BEFORE FILING FOR BANKRUPTCY

2. Debtor Education

**(Financial Management)
AFTER FILING FOR BANKRUPTCY**

You must complete a Financial Management course AFTER you file for bankruptcy, as follows:

- Each debtor must complete a Financial Management course to earn a **Certificate of Debtor Education**.
- The Financial Management course must be completed within 60 days from the initial date of your 341 Meeting of Creditors hearing (**for Chapter 7 cases**). For **Chapter 11 and 13 cases**, the course must be completed prior to making your last payment.
- If filing a joint petition with a spouse, each debtor must complete the course and earn a separate **Certificate of Debtor Education**.
- The **Certificate of Debtor Education** for each debtor **must** be filed the approved agency through which the course was taken has already notified the court of the debtor's completion of the course.
- A complete list of approved agencies in your area can be found on the U.S. trustee's website:

http://www.justice.gov/ust/eo/bapcpa/ccde/de_approved.htm

Most agencies offer services in Spanish and English

- The course can be completed in person, over the internet, or by telephone.
- The fees vary from agency to agency. If you cannot afford to pay the fee, ask the agency if you qualify for a fee waiver.

Delay in complying with the above can result in the bankruptcy case being **closed** (not dismissed) **without a discharge** of debts being granted. If the case is closed, an individual debtor will have to file a motion and order to reopen, using mandatory court forms. The judge will decide to grant or deny your motion to reopen the case. To complete this process, there is a **substantial filing fee**.

For information on the first certificate requirement read: ***BEFORE YOU FILE FOR BANKRUPTCY***