



UNITED STATES BANKRUPTCY COURT  
CENTRAL DISTRICT OF CALIFORNIA

# SELF-REPRESENTED PARTIES AND THE COURT 2015-2016





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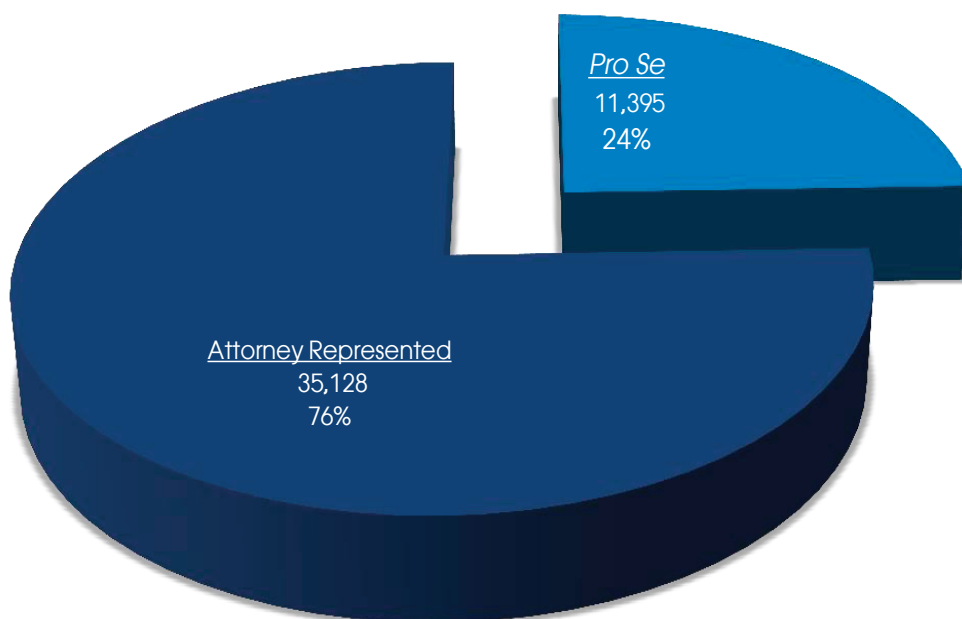
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## SELF-REPRESENTED PARTIES – THE NUMBERS

The U.S. Bankruptcy Court for the Central District of California (CACB) has a consistently high rate of *pro se* filings and handles more *pro se* cases than any other district in the nation. This report is based on *pro se* bankruptcy filings from 2015 and 2016 and the efforts made by the Court and its *pro bono* partners during that period. The statistics in this section capture the state of the *pro se* filings in the district and provide a broader context for these filings.

Figure 1

U.S. Bankruptcy Court - Central District of California  
CY 2015



\*Total filings include chapter 9, 12, and 15 filings

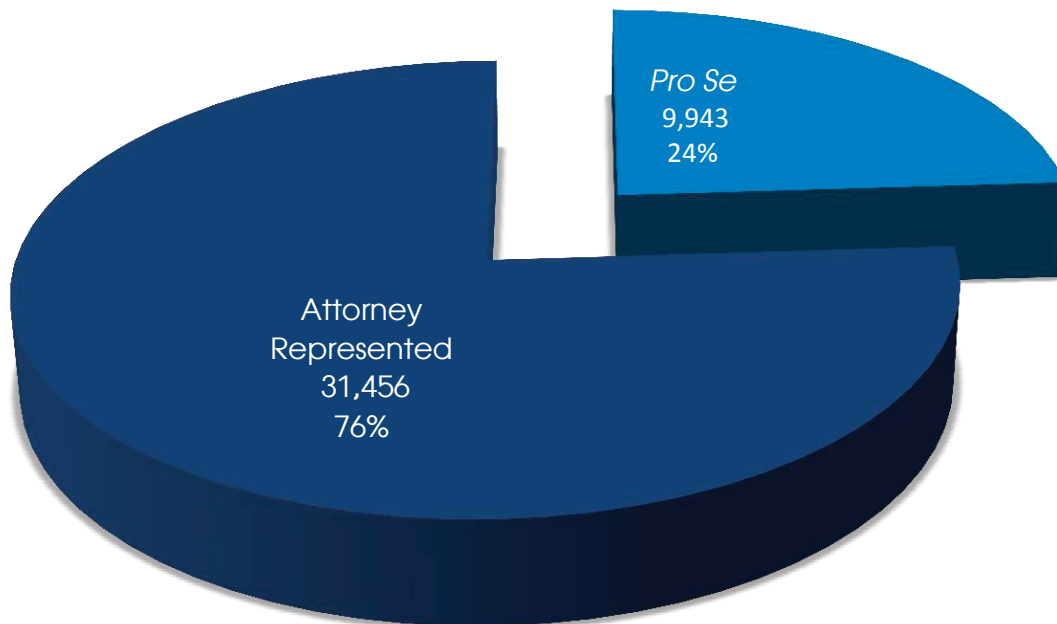
### Central District's Large Proportion of Self-Represented Parties

CACB continued to lead the nation in *pro se* filings with 11,395 in 2015.<sup>1</sup> Over 24 percent of the district's filings were filed without an attorney (self-represented or *pro se*), compared to only 8.9 percent nationwide. CACB received 15.1 percent of the nation's *pro se* bankruptcy filings in 2015. Notably, the number of *pro se* filings in the Central District was more than double that of the bankruptcy court with the second-highest *pro se* total, the Middle District of Florida.

<sup>1</sup> See next page for 2016 pie chart that shows the following: in 2016, the percentage of *pro se* filings remained at 24 percent (9,943) and the attorney represented filings remained at 76 percent (31,456).

Figure 2

U.S. Bankruptcy Court - Central District of California  
CY 2016



*\*Total filings include chapter 9, 12, and 15 filings*

The number of bankruptcy filings continued to decline as a national trend, but 2016 was the first calendar year since 2011 that filings declined nationally at a rate of less than 10 percent.<sup>2</sup> In the Central District, total filings decreased by 11 percent from 2015 to 2016.

### **Overall Pro Se Filing Trends**

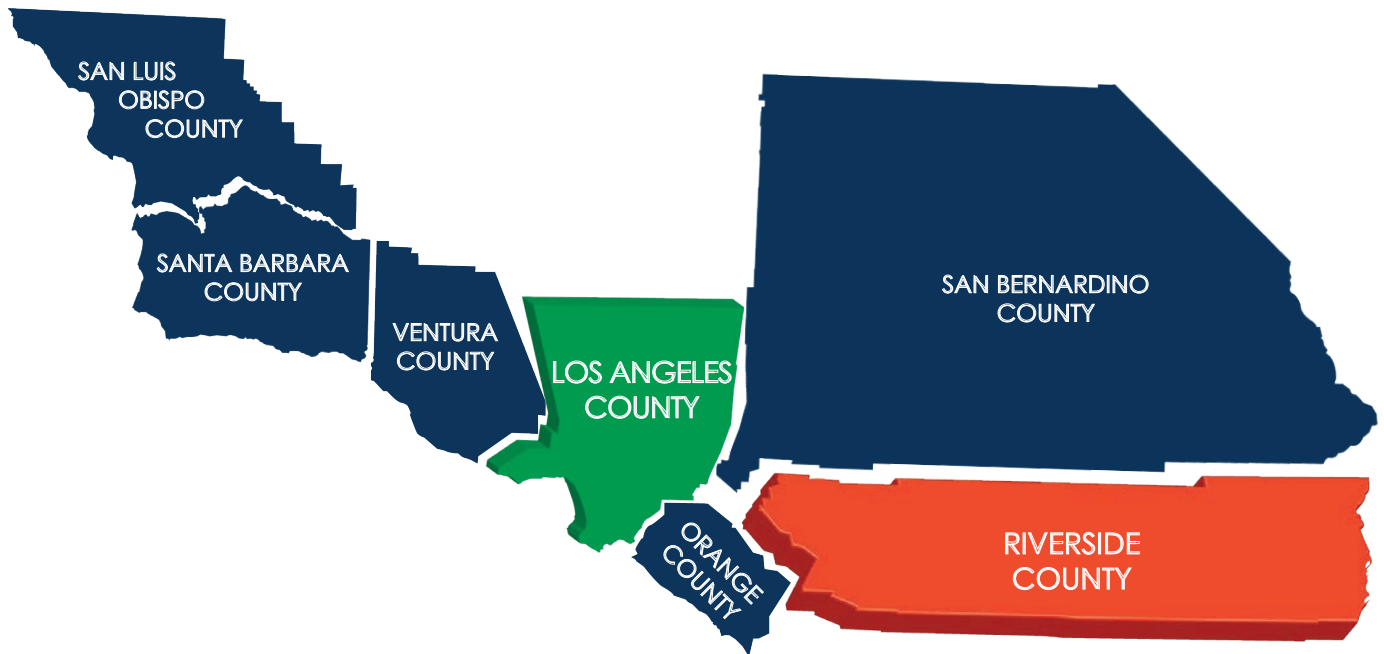
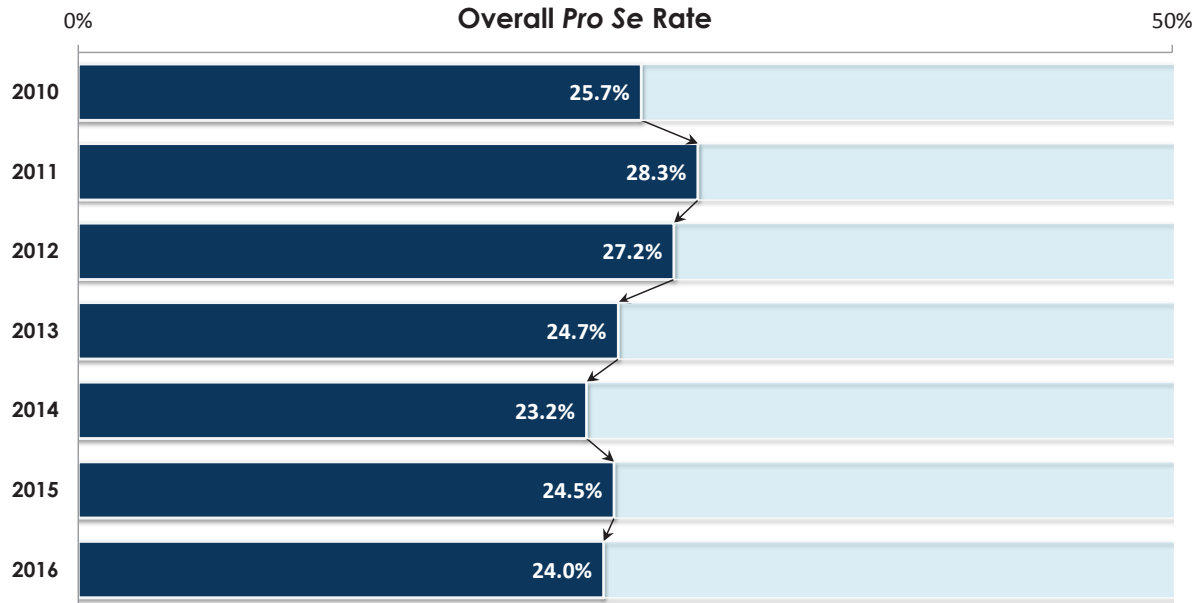
During the 2016 calendar year, a total of 41,399 bankruptcy cases were filed in the Central District of California, and 9,943 of these cases—nearly a quarter—were pro se. Over the last six years, the proportion of self-represented filers has tended to fluctuate between one or two points annually. As shown in Figure 3, the highest pro se filing rate was 28.3 percent in 2011, when annual filings were more than triple the total for 2016. While CACB's overall filings have been declining since 2010, the total number of pro se filings has been falling at a slightly faster rate, supporting the trend toward the 24 percent pro se filing rate in 2016.

Once again, in 2016 CACB had more than double the pro se filings of the next highest district (the Northern District of Illinois with 4,115) and more pro se cases were filed in California Central than the bottom two-thirds of bankruptcy court districts combined. The Los Angeles and Riverside divisional offices alone accounted for one-tenth of all pro se cases filed nationally in 2016.

<sup>2</sup> <http://www.uscourts.gov/news/2017/01/25/bankruptcy-filings-fall-59-reach-lowest-level-2006>

Figure 3

U.S. Bankruptcy Court - Central District of California  
Overall Pro Se Rate from 2010 to 2016





Compared to the national *pro se* rate of 8.7 percent in 2016, **Figure 4** (below) shows how vast of a departure CACB's *pro se* rate is from the rest of the nation. Even in its own circuit, California Central dominates other districts with its share of *pro se* filings. With 16.7 percent in 2016, the Ninth Circuit had the second highest *pro se* rate for a circuit in the nation next to the single-district D.C. Circuit. (Omitting CACB does not change the Circuit's standing.) CACB towered over the Ninth Circuit in 2016, accounting for nearly half of the Circuit's total *pro se* filings.

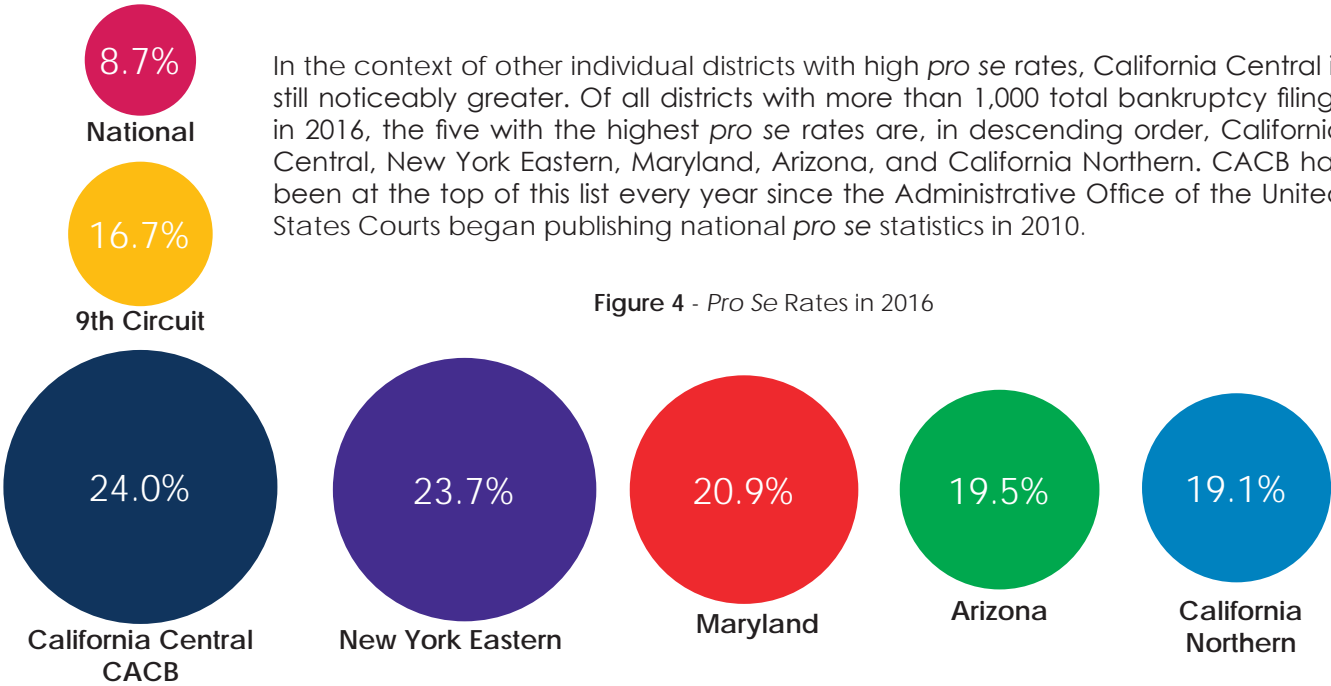


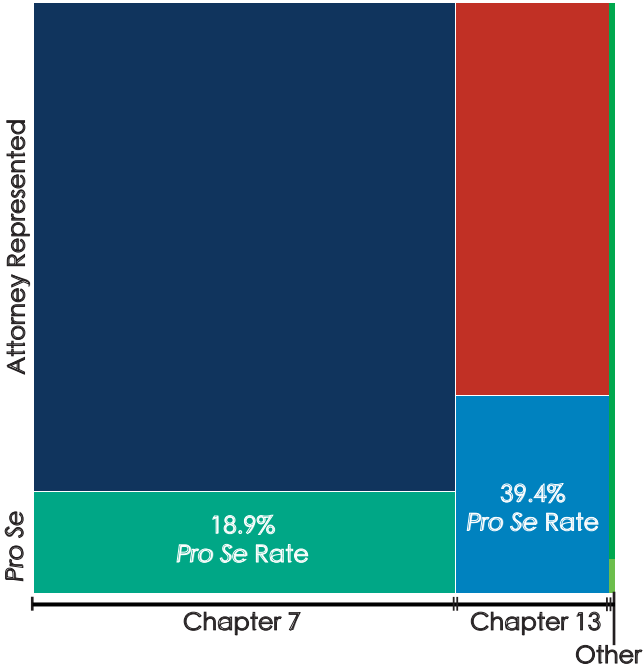
Figure 4 - Pro Se Rates in 2016

### 2016 Snapshot of Pro Se Filing Trends

A closer look at the breakdown by chapter for the 2016 *pro se* rate reveals important nuances. First, the *pro se* rate for each chapter of bankruptcy differs from the overall *pro se* rate, both in the rate itself and in the scale of annual fluctuation. The full square in **Figure 5** represents all 41,399 filings in 2016, broken down by chapter and representation status relative to the size of each category. Chapter 7 and chapter 13 *pro se* filings eclipse the *pro se* filings of any other chapter, both in size and proportion. A mere 6.2 percent of cases are filed *pro se* under chapter 11, which is not surprising considering that Local Rules prohibit corporate entities and most non-individuals (i.e., half of chapter 11 cases) from filing without an attorney. This discussion focuses on chapters 7 and 13.

Looking at chapter 7 *pro se* cases alone, the *pro se* rate falls below the overall rate to 18.9 percent. Chapter 13 has a significantly higher *pro se* rate of 39.4 percent. In other words, three out of every eight chapter 13 cases filed in 2016 were filed without an attorney.

Figure 5  
U.S. Bankruptcy Court - Central District of California  
Breakdown of Filings in 2016 by  
Representation & Chapter





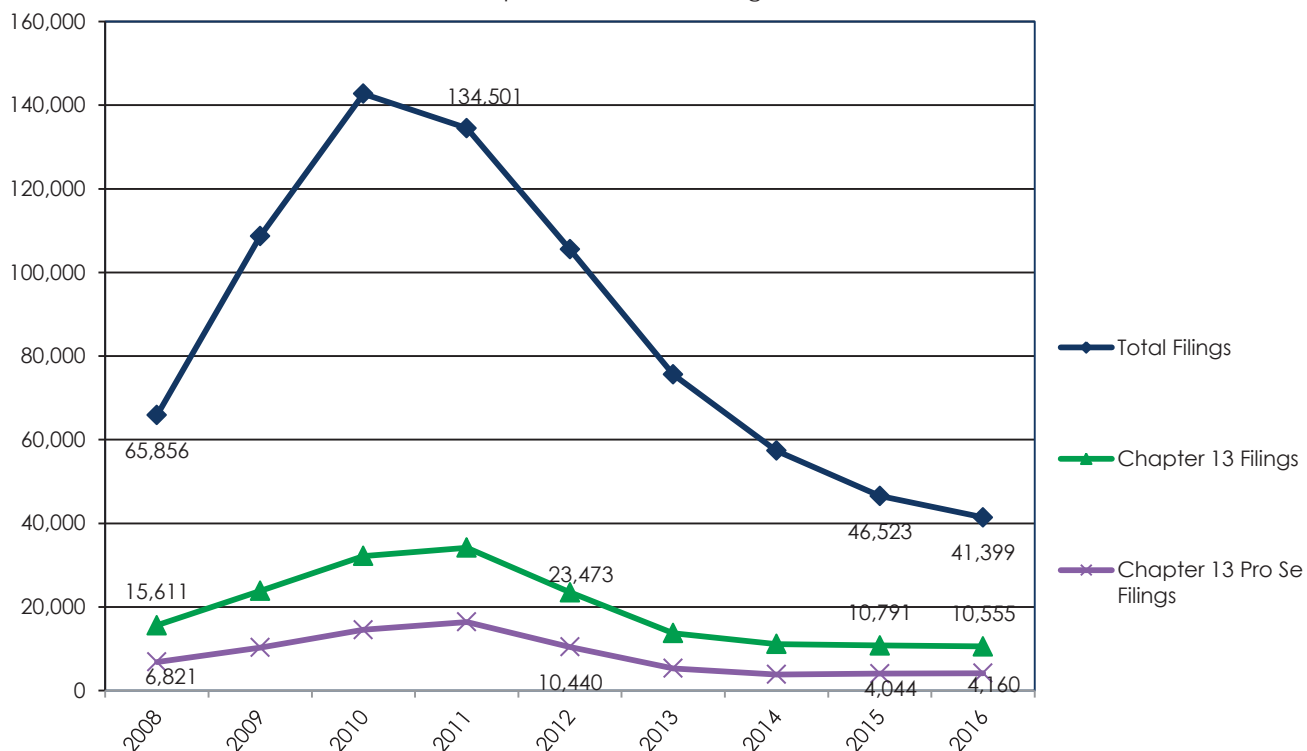
Though most *pro se* cases are filed under chapter 7, chapter 13 debtors file without an attorney at double the rate of chapter 7 filers. The jump in *pro se* filing rates between chapters is counterintuitive at first glance. One might expect that given the additional complexity involved in chapter 13 cases, as well as the homes and vehicles that are typically at stake in these cases, debtors would be more likely to hire counsel in chapter 13.

## Chapter 13 Update

In 2016, CACB had the most chapter 13 *pro se* filings in the nation. More *pro se* chapter 13 cases were filed in CACB than in all other districts in the Ninth Circuit combined. The *pro se* rate for chapter 13 is the second highest nationally, behind New York Eastern, where the rate has drastically increased to 58.6 percent from 25.1 percent in 2011. New York Eastern and Florida Middle appear the most similar to CACB both in volume and proportion.

Figure 6

U.S. Bankruptcy Court - Central District of California  
2008 - 2016 Chapter 13 and Total Filings

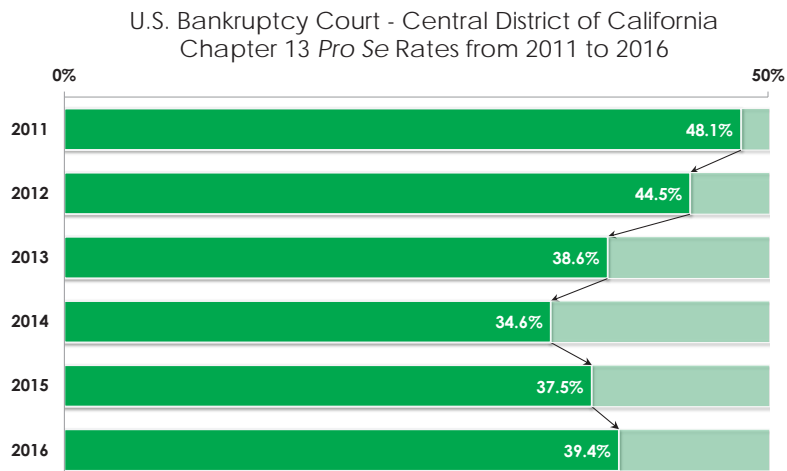


**Figure 7** shows the chapter 13 *pro se* filing rate over the last six years. From this depiction, it is clear that chapter 13 is the reason the Court's data shows noticeable variance in the overall *pro se* rate over time. The chapter 13 *pro se* rate is 40.7 percent on average, with a standard deviation of 5.0 percent discernible in each year's three- to six-point changes. Thus, the chapter 13 *pro se* filing rate is relatively unstable, vacillating between a low of one-third and a high of one-half of CACB's *pro se* cases (Figure 6).

With 41,399 filings in 2016, CACB's overall filings were reduced to less than one-third of the 134,501 total filings in 2011. Chapter 13 filings dropped along with overall bankruptcy filings, and from 2011 to 2014 *pro se* chapter 13 filings fell at an even faster rate. However, the filings for 2015 and 2016 seem to indicate that *pro se* cases are rising relative to attorney-represented cases for chapter 13. In fact, 2016 was the second year in a row that *pro se* chapter 13 cases increased from the prior year despite the continuing decline in filings overall. This is not surprising, given that the decline in overall filings appears to be leveling out and *pro se* chapter 13 cases are sensitive to changes in the trend.

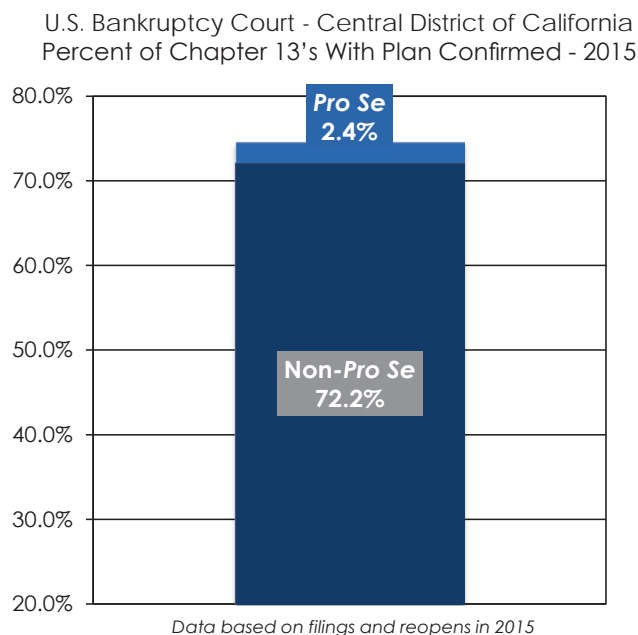
Unfortunately, 2015 data for chapter 13 *pro se* filings shows that chapter 13 cases are less successful than filing chapter 7, if success is defined as obtaining a discharge in the case. **Figure 8** shows that less than three percent of self-represented chapter 13 debtors confirmed a plan in 2015. (Data on confirmed chapter 13 plans is not yet available for cases filed in 2016. When this report went to press, 2016 cases were still pending.)

**Figure 7**



U.S. Bankruptcy Court - Central District of California 2016 Chapter 13 <i>Pro Se</i> Cases					
Top 5 by <i>Pro Se</i> Filings			Top 5 by <i>Pro Se</i> Rate		
District	Filings	(Rate)	District	Rate	(Filings)
CA, C	4,160	(39.4%)	NY, E	58.6%	(1,877)
NY, E	1,877	(58.6%)	CA, C	39.4%	(4,160)
FL, M	1,756	(22.6%)	RI	26.9%	(145)
GA, N	1,669	(10.7%)	FL, M	22.6%	(1,756)
IL, N	1,550	(7.7%)	CT	22.0%	(251)

**Figure 8**



## All Other *Pro Se* Cases

While the overwhelming majority of *pro se* cases are filed under the chapters covered above, this section briefly addresses *pro se* cases filed in all other chapters. A total of 30 *pro se* cases out of 9,943 filed in this district during 2016 (about three-tenths of a percent) were under a chapter other than 7 or 13. Of these, 27 were filed under chapter 11 and the remaining three were filed under chapter 12.

### Chapter 11

At the time of drafting this report, of the 27 chapter 11 cases filed *pro se* in 2016, only four are pending and the vast majority have been dismissed. Per Local Bankruptcy Rule 9011-2(a), attorney representation is mandatory for corporations, partnerships, and various other non-individual debtors (precluding the *pro se* filing of municipalities under chapter 9 and non-U.S. Corporations under chapter 15). The number of successfully discharged *pro se* chapter 11 cases filed in the last five years is in the single digits, as most *pro se* chapter 11 cases are dismissed, converted, or are no longer *pro se* because the filers eventually hire counsel.

### Chapter 12

Out of the seven chapter 12 cases filed in 2016, four were *pro se*. Three of these were dismissed and one was converted to a chapter 7. The district has no record of a *pro se* chapter 12 ever receiving a discharge.

## LEVELS OF ASSISTANCE SOUGHT BY *PRO SE* DEBTORS

Another useful perspective on *pro se* filings emerges when considering the level of assistance associated with these filings. The data in this section captures significant influences underlying the Court's exceptionally high *pro se* rate. *Pro se* debtors receive different levels of assistance with their bankruptcy filings, and these different levels produce noticeably different case outcomes. To avoid the cost of hiring an attorney, *pro se* filers may: (1) hire a bankruptcy petition preparer (BPP) who is disclosed in the case ("BPP cases"), (2) use the electronic self-representation program made available by the Court ("eSR cases"), or (3) file without either form of assistance. Because this last group often receives assistance that was not disclosed to the Court, it is categorized as "undisclosed help".

In this discussion, we will analyze these three levels of *pro se* assistance. It is worth noting that some filers who have not hired an attorney still receive advice from counsel when they visit the Court's self-help desks, which is discussed in further detail in the appendix to this report. Also, Court staff have reason to believe that undisclosed BPPs are involved in a number of cases. Within the third category (undisclosed assistance), *pro se* cases submitted by runners will be treated separately from cases submitted by debtors.



*Attorney M. Jonathan Hayes explains the chapter 7 petition to pro se debtors visiting the San Fernando Valley Self-Help Desk. Neighborhood Legal Services of Los Angeles County, the Central District Consumer Bankruptcy Attorneys Association, and the San Fernando Valley Bar Association partner to provide access to petition forms, reference materials, and knowledgeable volunteers.*

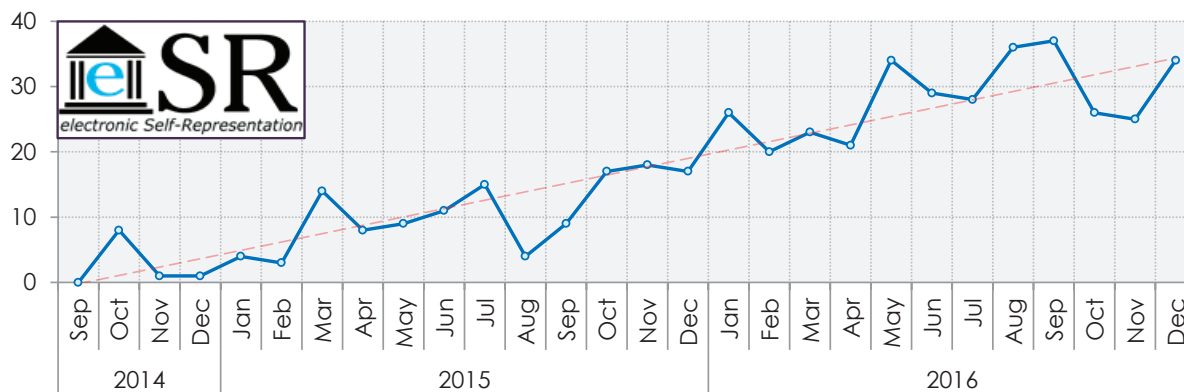
## Pro Se Cases Filed Using eSR

California Central was one of the courts that contributed to the development of electronic Self-Representation (eSR), a tool for preparing chapter 7 bankruptcy petitions electronically, and was one of the first courts to implement eSR for live use by debtors. Since its full release in September 2014, the program has offered an electronic do-it-yourself option for local filers who would have either completed the bankruptcy petition paperwork without assistance from an attorney or hired a BPP to prepare the documents. Debtors who use eSR may view links with helpful information before entering and while using the program, and many eSR users obtain further assistance from volunteer attorneys at the Court's self-help desks. The enhanced accessibility and ease of use provided by eSR's online platform may be contributing to the increasing number of self-represented filers who have used eSR over the past few years.

Access to a convenient electronic tool for preparing bankruptcy documents and obtaining legal advice from volunteer attorneys benefits the district's low-income debtors, many of whom would otherwise seek assistance from non-attorney BPPs. Debtors who hire BPPs face a very real risk of receiving illegitimate and even harmful legal advice; they may also end up paying more for assistance with their bankruptcy documents than competent legal counsel would have charged. A review of the Court's filing data shows that debtors who seek assistance in the form of eSR have better case outcomes, such as avoiding early dismissal. Because eSR encourages debtors to complete all forms required for a chapter 7 filing, the program reduces the chance that the case will be dismissed for failure to provide the necessary paperwork, and thereby increases the chance that a debtor will successfully receive a discharge.

Figure 9

U.S. Bankruptcy Court - Central District of California  
eSR Filings per Given Month



Since the district began offering eSR, **Figure 9** shows that use of the program has been growing steadily, with total eSR filings more than doubling from 129 in 2015 to 339 in 2016. The Court expects eSR to sustain this level of growth in the near term as it continues to promote eSR and the public becomes familiar with the program.

**Figure 10** breaks down the *pro se* chapter 7 cases filed in 2016 by level of assistance. The share of cases filed using eSR more than tripled from 1.8 percent in 2015 to 6.1 percent in 2016. This difference of 4.3 percent does not appear to come from the shares of any one particular group of the three levels of *pro se* assistance. Future reports will evaluate which group is most affected by eSR's continued growth. An increased use of assistance (like eSR) that correlates with better success for debtors would be a desirable outcome for the Court.

## Pro Se Cases Filed with the Help of a BPP

A bankruptcy petition preparer (BPP) is a non-attorney who charges a fee to prepare the bankruptcy petition of a debtor. The large population of self-represented debtors in the Central District may be linked to the demand for low-cost legal assistance in the area. BPPs purport to offer bankruptcy document preparation services for less money than an attorney would charge. Unfortunately, recurring instances of problematic conduct perpetrated by BPPs are often to the detriment of debtors.<sup>3</sup> Likewise, BPPs create unnecessary work for the Court and U.S. Trustee's Office. In the past, BPPs have dispatched "runners" to carry bankruptcy petitions to the Court's filing window on behalf of debtor clients. Judges have described numerous cases in which debtors are charged far in excess of the fee limit, have received inaccurate legal advice from a non-attorney, or debtors are unaware that a bankruptcy case was filed. Regrettably, debtors who suffer from these circumstances tend to come from disproportionately low-income regions with limited English proficiency, as explored in depth in the 2013 *Pro Se Annual Report*. This discussion provides further updates on two categories of BPPs: disclosed and undisclosed.

### Disclosed BPPs

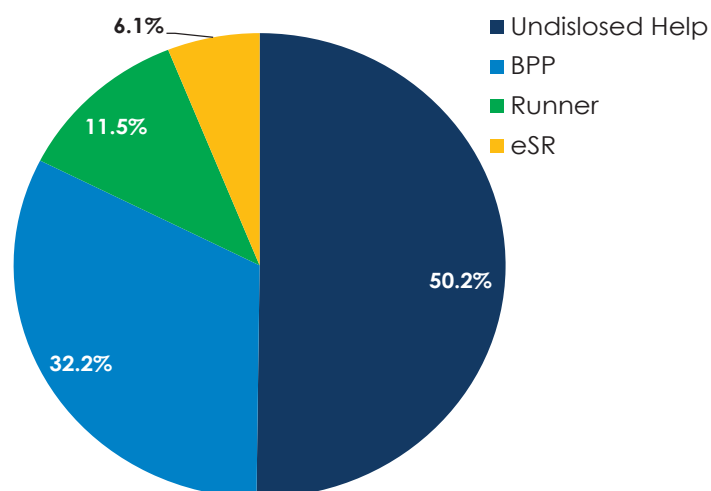
By statute, 11 U.S.C. § 110 requires that cases with a BPP include a "declaration under penalty of perjury by the bankruptcy petition preparer. . . filed together with the petition, disclosing any fee received from or on behalf of the debtor within 12 months immediately prior to the filing of the case, and any unpaid fee charged to the debtor." For this discussion, cases with a "disclosed BPP" are those in which a disclosure form has been filed. CM/ECF, the Court's electronic case filing system, dependably tracks these cases. (For the purposes of this report, the four unusual cases from 2016 marked as having a disclosed BPP in addition to eSR assistance are treated as eSR cases only.)

### Runners

The Court has no precise way to comprehensively track cases involving undisclosed BPPs, but Court data identifies cases where it is likely that a BPP prepared the petition without filing a disclosure form. Since 2011, the Court has used the Debtor ID Program to keep track of individuals other than the debtor who file petitions in *pro se* cases ("runner" cases). While there might be instances where a third party files the petition for a debtor when no BPP was involved, and there have been instances where undisclosed BPPs were involved in cases that bypassed the Debtor ID Program, cases marked in the Debtor ID Program that do not have a BPP disclosure on the record are a useful proxy for undisclosed BPP involvement. Assuming runner cases are an imperfect proxy for undisclosed BPP cases, the runner group is considered here as a distinct level of assistance in order to observe the unique characteristics and outcomes for bankruptcy filings filed by both disclosed and undisclosed BPPs. Because many BPPs send the debtor alone with the filing documents to avoid detection, the "runner" category may possibly underestimate debtors who pay for assistance from non-attorneys.

Figure 10

United States Bankruptcy Court - Central District of California  
Share of Chapter 7 *Pro Se* Debtors by Assistance Level



<sup>3</sup> See 2012 report <http://www3.cacb.uscourts.gov/prose/annualreport/2012/sectioniiiic.htm>

**Figure 11** shows the levels of *pro se* assistance involved for chapter 13 cases in 2016. As with chapter 7, the collective share of disclosed and undisclosed BPPs is between 42 and 44 percent. However, the group of possibly undisclosed BPP (runner) cases makes up most of this combined share for chapter 13 cases. In chapter 7, disclosed BPPs assist with only one-tenth of cases. **Figure 12** shows that, in 2016, eSR cases,<sup>4</sup> disclosed BPP cases, and attorney-represented cases were filed under chapter 7 far more frequently than under chapter 13. The figure also shows that *pro se* debtors without any disclosed assistance filed chapter 7 and chapter 13 at about the same rate, and that cases submitted by a runner were likely to be under chapter 13.

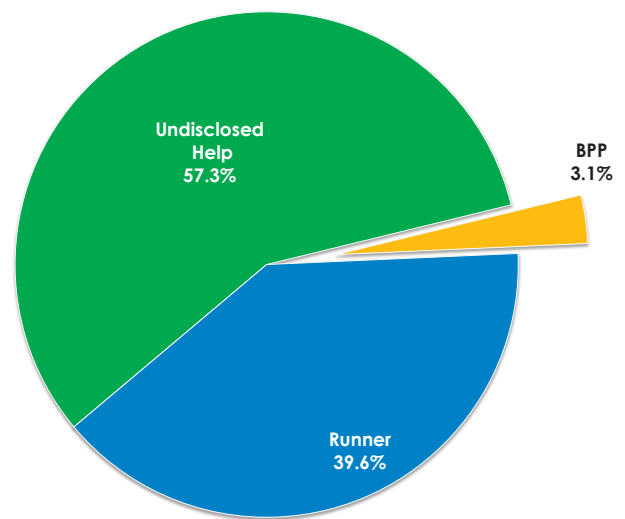
To the extent that there are “good” BPPs that operate according to the rules set forth by 11 U.S.C. § 110, one might expect that “good” and “bad” BPPs are self-separating based on whether they file a disclosure form in the first place. When a BPP has been shown to cause harm, this district and the U.S. Trustee respond and pursue punitive action,<sup>5</sup> so “bad” BPPs wishing to continue their businesses face pressure to provide assistance anonymously. If runner cases generally represent undisclosed BPPs, **Figure 12** shows that disclosed BPPs are more likely to be involved in the simpler chapter 7 cases where the debtor’s likelihood of success is high. Given the low discharge rates in chapter 13, **Figure 12** is also consistent with the assumption that undisclosed BPPs are not concerned with negative outcomes for debtors.

## Undisclosed Help

Finally, this report considers those cases in which there is no indication that the debtor had assistance when filing the case. This group includes both cases where the debtor filed with assistance from one of the Court’s self-help desks (self-help desks report that visitors largely have questions regarding chapter 7 matters), and where the debtor filed a bankruptcy case independently, without any professional assistance at all. In all likelihood, there are cases in this group that have had some level of assistance that was not reported, but this report assumes that such cases have little impact on our analysis.

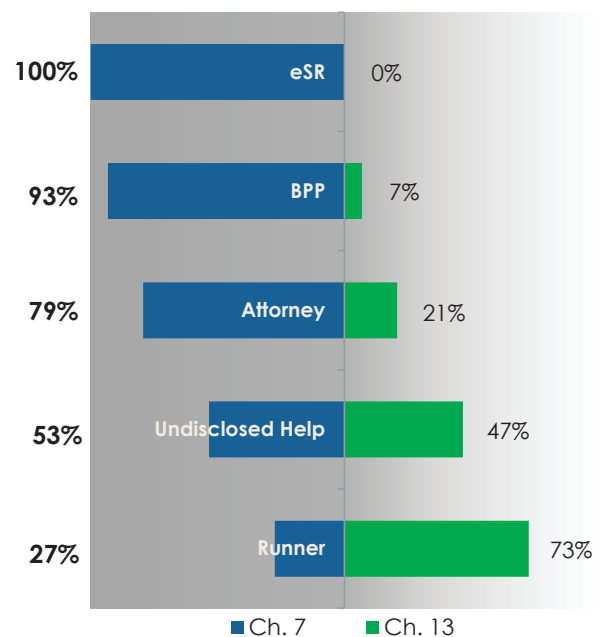
**Figure 11**

United States Bankruptcy Court - Central District of California  
Chapter 13 *Pro Se* Cases by Assistance Level



**Figure 12**

United States Bankruptcy Court - Central District of California  
*Pro Se* Level of Assistance by Chapter



<sup>4</sup> Chapter 7 is the only chapter that has been made available for eSR users in the Central District but other districts that offer eSR may provide chapter 13 as an additional option. See 2012 report: <http://www3.cacb.uscourts.gov/prose/annualreport/2012/sectioniiif.htm>

<sup>5</sup> See 2012 report: <http://www3.cacb.uscourts.gov/prose/annualreport/2012/sectioniiif.htm>



## OUTCOMES FOR *PRO SE* DEBTORS

Figure 13

U.S. Bankruptcy Court - Central District of California  
Discharge Rates Among Chapter 7 Debtors in 2016

Whether *pro se* debtors have access to reliable help when seeking bankruptcy relief may be evaluated by whether or not such help results in a favorable case outcome. While not a perfect measure of success, the disposition of cases from each level of assistance indicates whether that assistance yields a desirable outcome. The following discussion compares the rates of the different dispositions (e.g., discharge, dismissal, etc.) in chapter 7 and chapter 13 for each level of assistance.

### Rates of Discharge

Although there are other reasons debtors file, receipt of a discharge in a bankruptcy case is generally considered a favorable outcome. The debtor receiving a discharge may have been better off not filing in the first place, but to learn that before filing would necessitate receiving legal advice that is often unavailable to *pro se* debtors. On occasion, filing bankruptcy unintentionally leads to the sale of the debtor's home, which the debtor may not consider to be a good outcome. Case data shows the sale of real property is actually more prevalent among attorney-represented debtors than *pro se* debtors, so there are relatively few *pro se* cases that received a discharge and led to the sale of a home. Given the limited data available, the Court's discharge rates are the best indicator available for determining the outcome of bankruptcy cases for *pro se* debtors.

Level of Assistance to Debtor	Received a Discharge
Atty-Represented	93.9%
eSR	81.5%
Disclosed BPP	85.7%
Undisclosed Help	49.7%
Runner	23.7%

**Figure 13** shows the rate at which chapter 7 cases have received a discharge, excluding cases that are still pending as of May 2017. Attorney-represented cases set the bar high with a 93.9 percent discharge rate, followed by eSR and disclosed BPP cases, which had rates of 81.5 and 85.7 percent, respectively. These numbers reveal that certain types of assistance are likely to result in a discharge. The data shows that hiring a BPP who is willing to file a disclosure form is the next best alternative to hiring an attorney. Since 2015, the success rate of eSR has fallen below that of filings with a disclosed BPP (the 2015 discharge rate for eSR was 89.4 percent while the disclosed BPP discharge rate was still about 85.7 percent). The decline in eSR discharge rates may be due to the increased number of eSR filings suffering from common pitfalls: failure to file information, failure to pay the filing fee, or failure to submit a financial management course certificate.

Debtors honestly seeking a discharge appear to be better off when they do not seek the help of a BPP who is unwilling to disclose his or her involvement in the case. Among the "undisclosed help" cases, the discharge rate was 49.7 percent—so the chance of getting a discharge in this group was effectively a coin toss. Interestingly, the discharge rate among (runner) cases presumed to have an undisclosed BPP was significantly lower at 23.7 percent.

### Incomplete Filings in Chapter 7

Corresponding with the high discharge rate, attorney-represented cases have the lowest rates of unfavorable dispositions, the most common being dismissals for failure to submit complete documentation. For eSR cases, the dismissal rate for failure to file information is 3.4 percent, compared to 5.8 percent for cases where a BPP was disclosed. For cases submitted personally by the debtor without any disclosed help from a BPP, the dismissal rate for an incomplete filing goes up to 31.6 percent—10 times the rate of eSR cases. Finally, looking at runner cases alone, a staggering 49.5 percent of cases were dismissed for failure to file the necessary paperwork.



Figure 14

U.S. Bankruptcy Court - Central District of California  
Rates of Common Unfavorable Dispositions in Incomplete Chapter 7 Cases

Level of Assistance to Debtor	Dismissed for Failure to File Information	Discharge Withheld: No Financial Mgmt. Course	Dismissal for Failing to Pay the Filing Fee	All Other Dismissals
Atty-Represented	2.3%	0.7%	0.0%	1.8%
eSR	3.4%	4.6%	4.6%	5.6%
Disclosed BPP	5.8%	3.1%	1.2%	3.9%
Undisclosed Help	31.6%	2.9%	1.8%	13.8%
Runner	49.5%	1.9%	0.0%	24.4%

For those who lack adequate assistance, incomplete filings appear to be the largest contributor to the low discharge rates in chapter 7. A debtor receiving assistance from a BPP who does not disclose involvement is twice as likely to have the case dismissed due to filing incomplete paperwork than to have the case discharged. On the other hand, it appears that once a *pro se* debtor gets over the hurdle of filing the correct paperwork, that debtor's chances of receiving a discharge rise steeply.

## Dismissal for Failure to Pay Filing Fee and Discharge Withheld

The data shows that, while using eSR is the next best alternative to hiring an attorney, when it comes to avoiding a dismissal for incomplete filing, filers who use eSR do not fare as well as those who hire disclosed BPPs. Cases filed with BPPs who are willing to disclose have better success when it comes to (1) ensuring the filing fee is paid and (2) following through with filing the certification of completing the post-petition financial management course required for discharge. Surprisingly, eSR cases have the highest rates of dismissal in both categories. If eSR cases and cases with disclosed BPPs had identical complete filing rates, then the discharge rate of eSR cases would surpass that of disclosed BPPs. The Court will seek to address this in clearer and stronger language in the eSR instructions.

While it is not surprising that runner cases in 2016 do not have a high rate of discharges withheld, given that half of the cases were already dismissed early on for incomplete filings, it is worth reporting that in all of the cases the debtor either paid the filing fee or had the fees waived.

## Dismissals of Any Other Kind

When it comes to miscellaneous dismissals in 2016, including dismissals for abuse, all groups are equal in their rates of dismissal with the exception of disclosed BPPs. Cases with disclosed BPPs have a slightly lower rate of miscellaneous dismissal than eSR cases.

## Outcomes in Chapter 13

### Confirmation of Plan and Case is Still Pending

The outcomes for *pro se* debtors in chapter 13 are quite different than in chapter 7, as the rate of dismissal in chapter 13 is extremely high. Considering that chapter 13 cases should last from three to five years, the complete discharge rates for 2016 filings will not be known for some time. Instead, we can substitute the

discharge rate for the rate of cases that are still pending as of May 2017 and have received confirmation of a chapter 13 plan. Even for the cases filed in November and December of 2016, the vast majority that are going to reach confirmation will have done so by May 2017 (prior to the publication date of this report), so this measure effectively identifies the cases that are on their way to a successful chapter 13 discharge.

As mentioned previously, the additional complexity and work involved in prosecuting a chapter 13 case appears to have a severe effect on debtors who do not retain counsel. Even with the help of a "good" BPP, the chance of receiving a discharge in chapter 13 for *pro se* debtors is miniscule. For chapter 13 self-represented filers, the best advice remains to seek the guidance of competent counsel.

Figure 15

U.S. Bankruptcy Court - Central District of California  
Chapter 13 Cases Filed in 2016 that Have a  
Chance of Discharge

Level of Assistance to Debtor	Pending and Ch. 13 Plan Confirmed	Pending and No Confirmed Plan
Atty-Represented	49.3%	7.0%
Disclosed BPP	1.6%	3.1%
Undisclosed Help	0.6%	1.0%
Runner	0.1%	0.2%

Figure 16

U.S. Bankruptcy Court - Central District of California  
Unfavorable Dispositions for Chapter 13 Cases Filed in 2016

Level of Assistance to Debtor	Dismissed for Failure to File Information	Dismissed for Failure to Pay Plan Payments	Dismissal for Failing to Pay the Filing Fee	All Other Dismissals
Atty-Represented	8.3%	3.9%	0.0%	28.5%
Disclosed BPP	41.4%	5.5%	0.8%	46.1%
Undisclosed Help	67.9%	1.6%	0.1%	28.4%
Runner	69.1%	2.0%	0.0%	28.2%

## Dismissal

Of all *pro se* chapter 13 cases filed in 2016, an incredible 98.3 percent have since been dismissed as of May 2017. About two-thirds of these *pro se* cases were dismissed for failure to submit the required schedules, the chapter 13 plan, and other necessary paperwork. The dismissal rate for *pro se* filers compares to a much smaller dismissal rate of 40.3 percent for attorney-represented cases, with only 8.3 percent of attorney-represented cases dismissed due to incomplete filings.

Disclosed BPPs held a very small share of the chapter 13 cases filed in 2016, but appear to have been the next best alternative to hiring an attorney, giving debtors a greater than 50/50 chance of avoiding dismissal due to an incomplete filing. Unfortunately, if cases with disclosed BPPs are not dismissed at the onset of the case, it appears they are dismissed at a later date for other reasons.

It is apparent from the data that self-represented debtors have an even more pronounced need for assistance with completing the documentation in chapter 13 cases, but there are fewer alternatives to hiring counsel for those who may not be able to afford the attorney fees that are due prior to filing.

## DEMOGRAPHIC DATA ON *PRO SE* DEBTORS

### Income Level of *Pro Se* Debtors

When debtors who use the self-help desks throughout the district are surveyed regarding their reason for not hiring an attorney, cost is the nearly unanimous response. While the subdivision of individuals who use the District's *pro se* resources and happen to complete a survey may not be robustly representative of the greater population of *pro se* debtors, their responses show that even more resourceful self-represented debtors find it prohibitively costly to hire counsel and receive comprehensive representation.

When looking at the monthly income of chapter 7 debtors from each level of assistance—from those who have attorney representation to those who have no disclosed help at all—a clear divide emerges. **Figure 17** shows the first, second, and third quartiles of the reported current monthly income of debtors at each level of assistance for 2016. Because many cases are dismissed for failure to file the required documentation (most often under chapter 13) that discloses a debtor's income, cases that failed to report a current monthly income to the Court were not included.

Figure 17

U.S. Bankruptcy Court - Central District of California  
Current Monthly Income Reported by Debtor



In 2016, the median chapter 7 debtor who hired an attorney earned an additional \$685.30 more each month than the median debtor who hired a “good” BPP (one willing to be disclosed in the petition). The same debtor earned almost double the monthly income of the median debtor who had no help or appeared to go to a “bad” BPP (because a runner filed the petition, the evidence suggests a BPP was involved but a BPP disclosure form was not filed). Consequently, the data shows that the debtors who have the lowest socioeconomic status appear to be the ones least likely to receive a discharge in chapter 7.

The monthly income of debtors who responded to the Court’s questionnaire may differ from the monthly income of all *pro se* debtors. Yet, there is reason to suspect that the monthly income of *pro se* debtors who did not file the required schedule reporting their income would skew the data of the *pro se* groups to an even lower income, rather than a higher income. Since **Figure 17** appears to show a clear distinction in earnings between groups already, we might expect the true income disparity to be more exacerbated than is known.



Bankruptcy Court Staff providing assistance at the Intake window

Language Barriers

While Limited English Proficient (LEP) filers do not necessarily file without an attorney, when LEP filers are not represented by an attorney, the barriers to accessing the Court are that much greater for those filers. As mentioned in previous reports, the Court does not provide funding for interpreters other than in proceedings initiated by the United States Government. The combination of the Central District’s large *pro se* population and the state’s sizeable LEP population results in an increased burden on the Court and a greater barrier to success in filing bankruptcy.

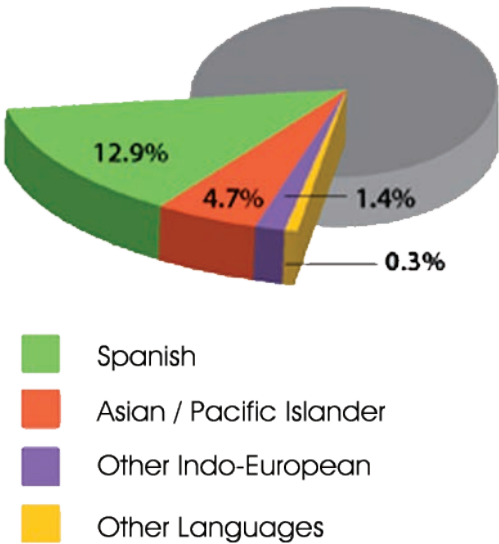
California courts are subject to state authority, rather than the federal judiciary, and consequently have greater flexibility to address the language needs of California’s diverse population. As pictured, the California Courts Language Access web page cites the U.S. Census Bureau’s 2015 data to show the breakdown of LEP needs among those who reside in California. The *California Superior Courts 2016 Language Access Survey Report (Language Access Report)* states that most requests for interpreters seek Spanish language assistance (88 percent in 2016). Given their shared geography, it makes sense that CACB filers reflect roughly the same LEP need as reported by California courts. Bankruptcy filers who attend 341(a) creditor meetings requested a Spanish language interpreter 85 percent of the time in 2016, according to data from the Office of the U.S. Trustee Program.

Figure 18

Reprinted from The Judicial Branch of California

DID YOU KNOW?

Nearly 7 million (19%) Californians report speaking English “less than very well”



Source: U.S. Census Bureau (2015)  
Link: <http://www.courts.ca.gov/languageaccess.htm>

Figure 19

Differences between Divisions in Language Needs in 2015

Language	San Fernando Valley Division (Woodland Hills)	Language	Riverside
Arabic	1	Arabic	9
Armenian	20	Armenian	1
Bengali	1	Bosnian	1
Bulgarian	1	Cambodian	2
Farsi	5	Cantonese	2
Japanese	4	Czech	1
Korean	9	Farsi	1
Punjabi	2	Filipino	1
Russian	12	Gujarati	3
Sinhalese	1	Indonesian	1
Spanish	255	Korean	20
Thai	1	Laotian	1
<b>Grand Total</b>	<b>312</b>	Mandarin	5
		Spanish	1083
		Tagalog	3
		Thai	3
		Vietnamese	12
		<b>Grand Total</b>	<b>1149</b>

The San Fernando Valley division had a smaller number of different languages requested. Specific languages requested differed from the Riverside division's language assistance.

Other than Spanish, a multitude of languages are requested in the Central District at 341(a) meeting of creditor locations. A more in-depth study of U.S. Trustee Program data shows that the proportion of languages requested varies among divisional offices within the district. For example, at the Riverside Division, 95 percent of the requests were for language assistance in Spanish. In Woodland Hills, only 82 percent of language assistance requests were for Spanish. Likewise, there are specific languages requested at some divisions that are not requested at other divisions. Bankruptcy cases are assigned to each division based on the debtor's ZIP code, so the variance in the language assistance requests presumably reflects the variation in the languages spoken in the communities that surround each division. Comparing language assistance summary charts for 2015 and 2016, it is also evident that language needs vary from year to year.

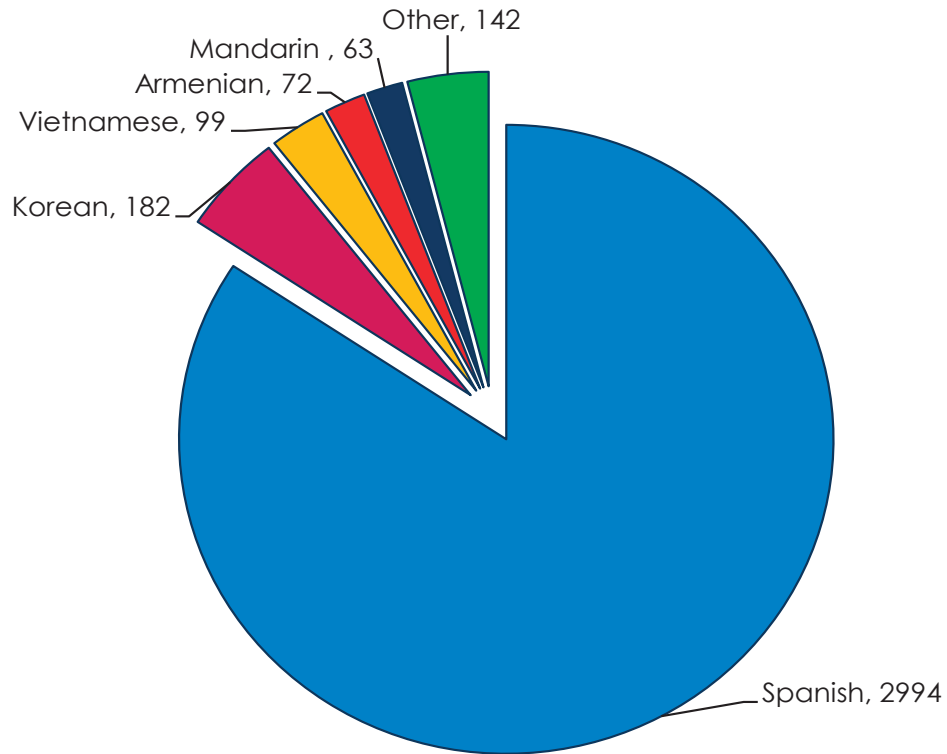
Figure 20

USTP 2015 Language Assistance Summary by Division TOTAL: 4519	
LA	2260
RS	1149
SA	613
ND	185
SFV	312

Given the judiciary's limited language assistance resources for bankruptcy filers, the number of different languages spoken by the Central District's large LEP population creates another hurdle between the Court and the second goal stated in its Strategic Plan, "Access to Justice and Service to the Public." The Court has previously focused its efforts on reaching the largest LEP population, by first targeting better communication with the Spanish-speaking public. Strategies used by the California courts have been helpful in informing CACB's efforts, which will be discussed in the "Language Needs Log" discussion in the next section of this report.

**Figure 21**

U.S. Trustee Program  
Language Assistance Summary Statistics for 2016



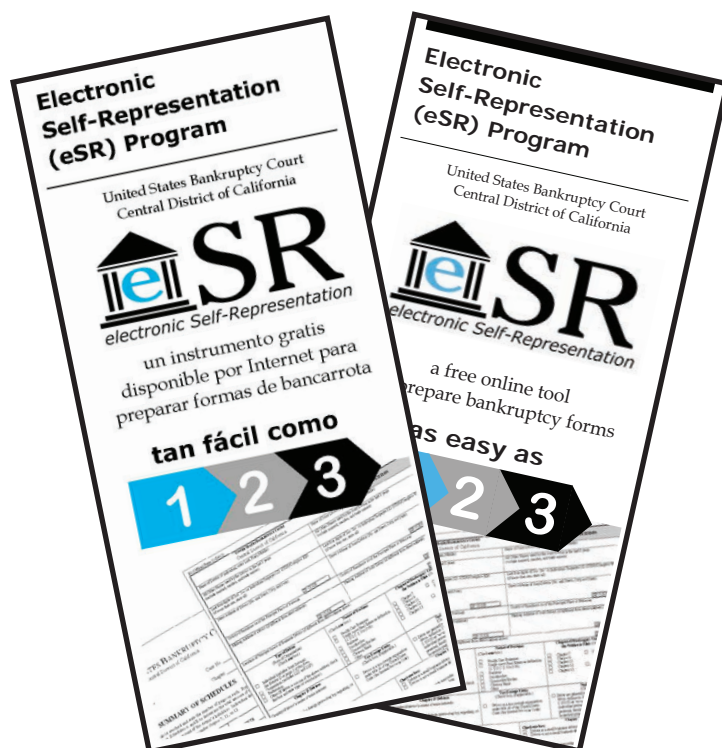


## EXISTING PROGRAMS AND SERVICES

The judges on the Court's *Pro Se* Committee, together with staff from the Clerk's Office, have worked hard to identify and eliminate barriers to access and provide much needed information on the Court's services, in alignment with the goals of the Court's Strategic Plan. The Court's website, Call Center, Online Chat program, "Don't Have an Attorney" web page, eSR (electronic Self-Representation) petition preparation system, and other resources are described in earlier [reports](#). Below are updates from 2015 and 2016 pertaining to the Court's free resources and a noteworthy expansion of its effort to communicate with and support *pro se* filers.

### eSR

The eSR (electronic Self-Representation) program enables users to prepare and submit chapter 7 petitions electronically – a feature debtors are increasingly using. Users may access [eSR](#) through the Court's website or at the Court's five offices throughout the district where dedicated computer stations are available. The self-help computers are conveniently located near a self-help desk staffed by volunteer attorneys, so debtors can ask for assistance when filing. Since the Internet launch of eSR in the fall of 2014, the total number of chapter 7 bankruptcy cases filed that were prepared using eSR has more than doubled. By October 1, 2015, there had been approximately 100 cases filed that were submitted via eSR. In April 2016, a petition was submitted via eSR almost every day. By the end of 2016, 339 cases had been filed through eSR. As mentioned earlier in this report (see the section on outcomes for *pro se* debtors), cases filed by eSR users receive a discharge more frequently than cases filed by *pro se* parties reporting no outside assistance. Likewise, eSR cases have a significantly lower dismissal rate for failure to file information. For chapter 7 cases submitted personally by the debtor, without any disclosed outside help, the dismissal rate for an incomplete filing goes up to 31.6 percent—10 times the rate of eSR cases.



Informational Brochures on eSR  
(in Spanish and English)



## Introduction

**Bankruptcy has serious long-term financial and legal consequences and hiring a competent attorney is strongly recommended.**

The bankruptcy court is not permitted to provide legal advice. Individuals filing for bankruptcy without an attorney are still responsible for knowing and following all of the legal requirements. Low or no cost legal resources are available in all divisions of the bankruptcy court. For additional information on hiring an attorney, please visit the Don't Have an Attorney section of our website at <http://www.cacb.uscourts.gov/dont-have-attorney> or use your smart phone and scan the above QR code.



## eSR Computer Requirements

You must have an Internet-enabled computer with the pop-up blockers disabled. You will also need Adobe Reader, version 8 or higher. With respect to browsers, it is recommended that you use the latest version of Mozilla Firefox, Internet Explorer, or Safari.



## eSR Features

### What is eSR?

Electronic Self-Representation (eSR) is an online tool to help an individual prepare a chapter 7 bankruptcy petition for later filing with the Court after he or she has decided to file bankruptcy without an attorney. eSR asks the user a series of questions and uses the data entered by the debtor to automatically populate official forms. After each section is completed, the applicable forms are available for viewing by the user. Upon completion, a unique bankruptcy package ID is assigned.



### Who can use eSR?

Individuals who wish to file a chapter 7 bankruptcy petition and who live in the Central District of California are eligible to use eSR. To determine if you are eligible to use eSR, enter your residential ZIP code in the ZIP Code Search field on our website located in the Court Locator tab. eSR may not be used for business or corporate bankruptcy filings. It is currently only available for chapter 7 individual filings.



### Why use eSR?

eSR is free to use. You pay only the chapter 7 bankruptcy filing fee. eSR has a guided, step-by-step process that allows you up to 45 days to complete your petition. Your personal information is only accessible to you, using a unique login and password. eSR is accessible 24 hours a day from any Internet-enabled computer. There is no software to download or purchase.



## eSR Features

### What should I do before I use eSR?

- Review the resources on our website.
- Decide which chapter you wish to file. If the chapter you wish to file is chapter 7, eSR may be something to consider using to create and submit your bankruptcy paperwork.
- Complete the credit counseling course from an approved agency. A list of approved agencies is available on the Court's website.

### Getting Started and using eSR:

It could take anywhere from three to six hours (may be done at one time or several sessions) to enter your information. **You can speed up the data entry process if you have documents such as these readily available:**

- A list of real property (real estate you own), its value, and a mortgage statement showing current loan balance.
- A list of personal property (e.g., household goods, vehicles, jewelry, etc.) you own and their values.
- Names and addresses of all the people to whom you owe money. It may be helpful to obtain a free annual credit report at [www.annualcreditreport.com](http://www.annualcreditreport.com).
- Income documentation such as pay stubs, W-2s, or proof of income from other sources such as social security, disability, etc.
- Two years of prior financial records (e.g. tax returns and bank account statements).

Inside content of eSR Brochure

## Court Outreach Efforts

### Court Intern 2015

Beginning in the summer of 2015, the Clerk's Office hired a graduate student intern, Samuel Moore, from the University of Southern California's Price School of Public Policy, to focus on increasing the Court's outreach efforts to communicate with *pro se* filers. Working with then *Pro Se* Committee Chair Judge Maureen Tighe and Court staff, Mr. Moore designed an "issue briefer" pamphlet titled "Facing Eviction, Foreclosure, and Financial Distress: U.S. Bankruptcy Court Offers Free Programs to Help" (pictured on page 21). The pamphlet contained information about the Court's self-help desks, *pro bono* services and access to eSR (electronic Self-Representation is explained in the "eSR" section of this report on page 18). It also described the challenges faced by those who cannot afford an attorney, detailing, for example, cases of unscrupulous BPPs overcharging clients or providing unauthorized legal services. The issue briefer was sent to 247 senior centers; 131 federal, state, county, and city political offices; 96 neighborhood councils; and 13 organizations that represent major religious denominations in Los Angeles. In addition, the Court offered to deliver in-person presentations to any interested group. The material was very well received and generated a number of speaking requests.

### Court Visits to the Surrounding Community

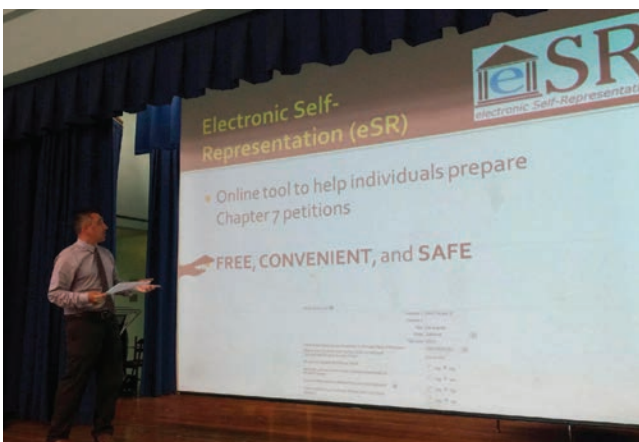
Clerk's Office staff enthusiastically stepped forward to assist with speaking requests that followed the publication of an issue briefer in the summer of 2015. Staff volunteers spoke at events hosted in the evenings and on weekends. Over the next 18 months, volunteers delivered presentations to a wide range of groups, including the Motion Picture and Television Fund, Paul Robeson Free Legal Clinic, LIFT LA, and neighborhood councils of Harbor Gateway South, Empowerment Congress West, Foothill Trails District, Northridge South, Torrance, and West Los Angeles. Staff also spoke at local government events including Home Foreclosure Resource Fairs in Boyle Heights and Huntington Park, and at senior centers in South Pasadena, El Monte, and Jurupa Valley. Volunteers were partnered



Self-Help Desk Team Leader Sabrina Palacio-Garcia and Court Intern Sam Moore at the Motion Picture Television Fund (June 26, 2015)



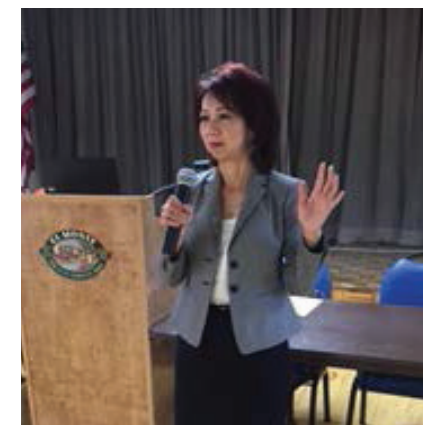
Legal Analyst Jennifer Kohout at the Empowerment Congress West neighborhood council (October 2015)



Operations Supervisor Otoniel Gonsales presenting at the Harbor Gateway South neighborhood council in Torrance, California (September 2015)



Operations Support Clerk Gabriela Huerta delivering flyers to the LA City Attorney's Office (January 2016)



Operations Manager Winnie Diep-Shen at the Foothill Trails District neighborhood council (October 2015)



**An All Too Common Story**

Nadia is a single mother, works two jobs to support her children, receives no support from her former husband, lives with her mother, and recently filed for bankruptcy. Nadia's problems began when she wanted to move out with her children into their own apartment. There were evictions on her credit report, and she thought that bankruptcy might remove those evictions from her record, so Nadia went to a local Bankruptcy Petition Preparer (BPP) for help. Unfortunately for Nadia, the BPP she went to was not qualified to help with her case. The BPP: did not give her information about how to file for bankruptcy; charged her \$680 more than the legal BPPs are required to give by law; charged her \$680 more than the legal BPPs are required to give by law; and asked Nadia to lie to Court staff about how much she was charged. Nadia was not provided the legal advice she needed regarding whether filing bankruptcy actually removes evictions from a credit report, and whether filing bankruptcy may lower her overall credit score. In this case, she lost a lot of money, and her credit report became even worse (people filing for bankruptcy) suffer and are taken advantage of, simply because they don't have a lawyer.

The facts in the story above are from a real case, but the name has been changed to respect the debtor's privacy.

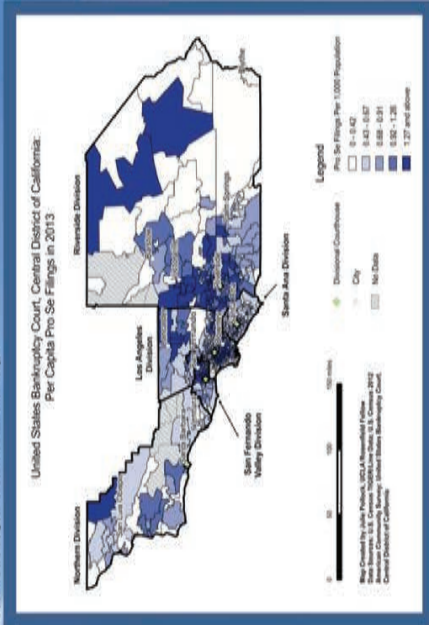
### At-risk Population

Bankruptcy Petition Preparers (BPPs)

Many unlicensed document preparers, such as notarios, assist people in filing bankruptcy. These BPPs frequently ignore the limitations imposed on them by law, taking advantage of financially distressed individuals. This is a significant problem in the Central District and for the debtors that hire these BPPs. They can seriously mislead people who cannot afford attorneys when free legal help is available at the Court.

Counties Served by the Central District	
Los Angeles	Orange
Riverside	San Bernardino
San Luis Obispo	Santa Barbara
Ventura	

The Court is fortunate enough to partner with Public Counsel, the Public Legal Aid Foundation of Santa Barbara County, the Public Law Center of Santa Barbara, and the Santa Barbara County Public Defender's Office. Services to staff self-help desks at each Court division throughout Southern California are provided by Public Counsel attorneys. In Santa Barbara County, self-help desks are run by staff and volunteer attorneys who provide information on how to file for bankruptcy, as well as referrals to attorneys for legal assistance. The services they provide are free to income-qualifying individuals and are available to people considering bankruptcy. The hours and locations of these services are listed on the Public Counsel website at [www.cabpc.org/need-have-attorney](http://www.cabpc.org/need-have-attorney).



The electronic Self-Representation (eSR) program allows debtors to enter their information into easy-to-use online tax preparation software. The program then uses that information to understand text boxes, similar to online tax preparation software. The program then uses that information to populate the many forms necessary to start a bankruptcy case, and gives the debtor the opportunity to submit their bankruptcy paperwork online. While the debtor must still submit a handful of forms in person or by mail, eSR now gives debtors a streamlined alternative without having to seek the assistance of a bankruptcy petitioner. Additionally, the self-help desks at each Court location provide guidance on using eSR, and allow eSR users to have their legal questions answered—given that Court staff, unlike voluntary attorneys, are not permitted to provide legal advice.

Even with the Court's continued efforts to better serve men and women who cannot afford an attorney, partnerships with community organizations are necessary to inform the public that these support programs are available. The Court has a series of informational presentations ready to share upon request from interested community members. With your help, we can prevent individuals, who are thinking about starting a bankruptcy without the help of an attorney, from being victimized by unscrupulous bankruptcy petition preparers.

Call us toll free at (855) 460-9641  
Visit our website [www.cacb.uscourts.gov](http://www.cacb.uscourts.gov)  
Follow us on Twitter @cacbnews  
Email us at [SelfHelpPrograms@cacb.uscourts.gov](mailto:SelfHelpPrograms@cacb.uscourts.gov)

into multilingual teams, so that as needed, they could present in other languages besides English, including Spanish and Mandarin. Local representatives and community leaders were appreciative of and satisfied with the presentations from Court staff. Citizens in attendance were often surprised to learn about the many services offered by the Court.

After Court staff attended a local Home Foreclosure Resource Fair, a representative from the California Department of Business Oversight, connected Court Staff to a representative from the Los Angeles City Attorney Office's Foreclosure Crisis Outreach Department. The latter office was hosting a two-day symposium in January 2016: "Loan Modification Scams & Foreclosure Prevention." Due to space limitations at the venue, the Court was unable to send a representative but was invited to send information for the event. Instead, the Court sent 400 flyers with information about the Court's self-help desks in multiple languages, and received feedback that the symposium was well attended and the flyers were appreciated. Through sustained engagement with the community, the Court has formed relationships with local organizations that will bring its outreach to an even broader audience.

## Paper and Online Marketing

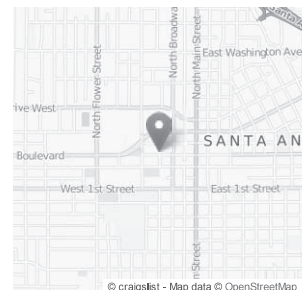
8/26/2015

Free Bankruptcy Help! -- Contact U.S. Bankruptcy Court for More Info

CL orange co > services > legal services

Posted: less than a minute ago

Free Bankruptcy Help! -- Contact U.S. Bankruptcy Court for More Info (Santa Ana)



The U.S. Bankruptcy Court, Central District of California has a self-help desk at each court location where volunteer lawyers may answer your questions or refer you to low cost legal help. The court also offers a free online tool to help you prepare bankruptcy documents. Visit [www.cacb.uscourts.gov/dont-have-attorney](http://www.cacb.uscourts.gov/dont-have-attorney), call toll free (show contact info) or speak to a court representative using our online chat service at [www.cacb.uscourts.gov/contact-us](http://www.cacb.uscourts.gov/contact-us). The Court serves the residents of Los Angeles, Orange, Riverside, San Bernardino, Santa Barbara, San Luis Obispo, and Ventura Counties, with courthouses in Los Angeles, Riverside, Santa Ana, Santa Barbara, and Woodland Hills. (See <http://www.cacb.uscourts.gov/court-locator>)

Tags:

Paperless, document, electronic, preparation, assistance, eviction, sheriff, lock-out, bankruptcy, emergency bankruptcy, bancarrota, court, federal, judiciary, self-help, petition, preparer, automatic, stay, order, foreclosure, repo, repossession, motion, filing, free, e-file, chapter 7, unlawful, detainer, attorney, abogado, lawyer, debtor, creditor, landlord, debt, credit, credit card, credit repair, loan, garnishment, lien, legal, collector, collection, notary, notario, judgment, paralegal, privacy, stop a sale, modification, legal aid, document service.

• do NOT contact me with unsolicited services or offers



With multilingual messages, the Court took advantage of traditional marketing approaches to address the challenges posed by its outsized *pro se* population. In August 2015, the Court began a marketing campaign for its self-help resources, placing descriptions of eSR in print and online media outlets throughout the Central District. The campaign countered the tactics of unscrupulous BPPs by targeting the same channels they use. The Court created its own Craigslist campaign, posting weekly announcements describing self-help desk services and free assistance in English and Spanish. In addition, the Court published print ads in English, Spanish, and Korean newspapers throughout the Central District in August 2015 and again in August 2016, informing the public about the Court's services. These ads were also placed in the same sections of the newspapers where BPP ads had appeared. The Court created informational flyers in English, Spanish, and Mandarin, describing the services of the Court's self-help desks and its programs. Staff volunteers distributed over 800 flyers to their local libraries, cafes, and community centers.

As a possible indicator of the campaign's impact, the Los Angeles self-help desk reported a spike in the number of visitors in August 2015.

**SUFFERING FROM FINANCIAL DISTRESS AND THINKING ABOUT BANKRUPTCY?**  
Court Services for People Who Do Not Have an Attorney

**U.S. Bankruptcy Court Resources**

**eSR** is a program that allows people to complete chapter 7 bankruptcy paperwork electronically and submit it to the Court online.

**DeBN** is a program that allows people who have started a bankruptcy to receive orders and Court-generated notices through their email.

The **Self-Help Desks** at each Court division provide individuals with:

- Chapter 7 bankruptcy information;
- Bankruptcy forms and reference materials; &
- Referrals for additional legal assistance.

NOTE: The Self-Help Desks are closed on Court and Federal Holidays.

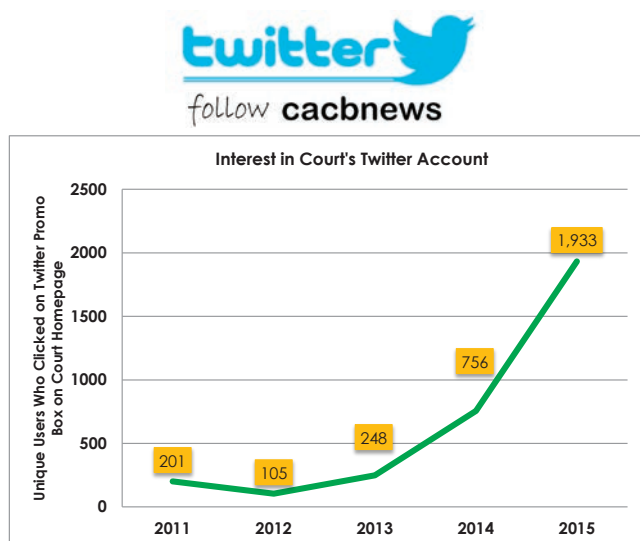
Website: [cacb.uscourts.gov/dont-have-an-attorney](http://cacb.uscourts.gov/dont-have-an-attorney)  
Follow the Court on Twitter @cacbnews

**Bankruptcy Self-Help Desks\***

LOCATIONS	TIMES
300 N Los Angeles Street Room 1200, First Floor Los Angeles, CA 90012	Mondays & Wednesdays 10:00 am - 12:00 pm 2:00 pm - 4:00 pm
3420 Twelfth Street, Room 125 Riverside, CA 92501	Tuesdays & Thursdays 10:00 am - 2:00 pm
411 West Fourth Street Second Floor Santa Ana, CA 92701	Wednesdays 1:30 pm - 3:30 pm Fridays 9:00 am - 11:00 am
1415 State Street, 1st Floor Santa Barbara, CA 93101	Fridays 10:00 am - 12:00 pm
21041 Burbank Boulevard Woodland Hills, CA 91367	Thursdays 9:00 am - 12:00 pm 1:00 pm - 4:00 pm
33-520 Date Palm Drive Cathedral City, CA 92234	Fourth Monday of the Month 10:30 am - 2:30 pm

\*Made possible thanks to the hard work of...  
Public Counsel, Public Service Law Corporation, Legal Aid Foundation of Santa Barbara County,  
Public Law Center, and Neighborhood Legal Services.

Figure 22

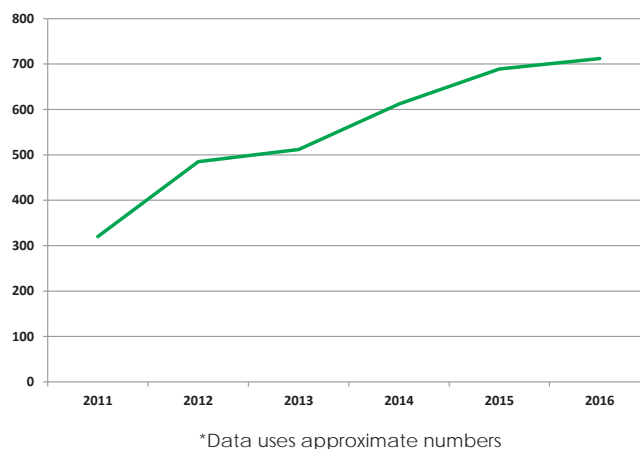


## Tweets

In 2015, the Court began posting weekly tips to its Twitter account from a list of tweets developed by the Clerk's Office, based on common questions received by the Call Center and frequent issues identified. The *Pro Se* Committee also contributed tweets regarding the self-help services offered at each division. The Court continues to look for ways to expand social media use and communicate more effectively through its existing Twitter account. In 2015, this included seasonal tweet campaigns focusing on specific topics such as procedural tips in Spanish and English. The number of Twitter users following the Court's account, @cacbnews, has steadily increased over the years, and now stands at over 750.

Figure 23

U.S. Bankruptcy Court – Central District of California  
Cumulative Number of Followers\*



## Website

In 2015, the Court took a fresh look at its website with a *pro se* debtor's perspective in mind. To investigate the needs of *pro se* filers and improve content accordingly, the Court posted a new survey tool on its website and opened a dialogue with *pro se* debtors, seeking feedback on the website's self-help areas through in-person interviews with self-represented parties. In response to user comments, the Court simplified and reorganized web content so that a visitor would be able to access desired information from a variety of different paths.

### Excerpt of Summary from Interviews in 2015 with *Pro Se* Filers



4. What information did you seek when accessing the website? (no direct response)

5. Did you go to any of the following pages?

- a. The Court's home page - yes
- b. For Debtors - yes
- c. Don't Have an Attorney - yes
- d. E-Filing - yes
- e. Electronic bankruptcy petition landing page - no
- f. Under website footer: Bankruptcy Resources - yes
- g. Locations - yes
- h. Local Rules - no
- i. Court Manual - no

Follow up question: What kind of information would you expect to find in the Local Rules or Court Manual?

Court Manual – procedures for using eSR.

6. Did you visit the FAQs section of our website?

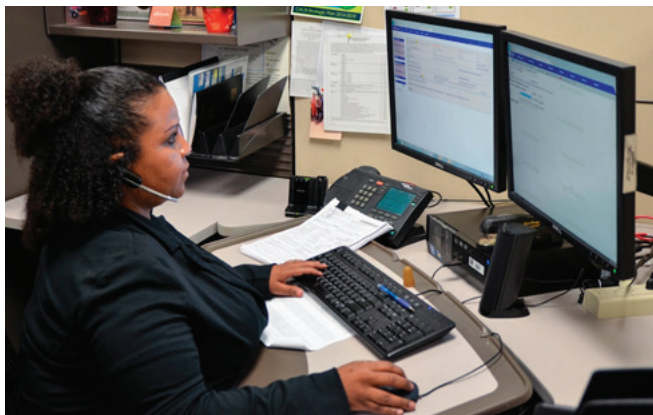
Yes. Recommended that an eSR question be added to the general FAQs posted on the DHAA page.

7. Do you think there is too much information on any web page?

No.

8. Would you find it helpful to place the eSR button on the home page?

Yes.



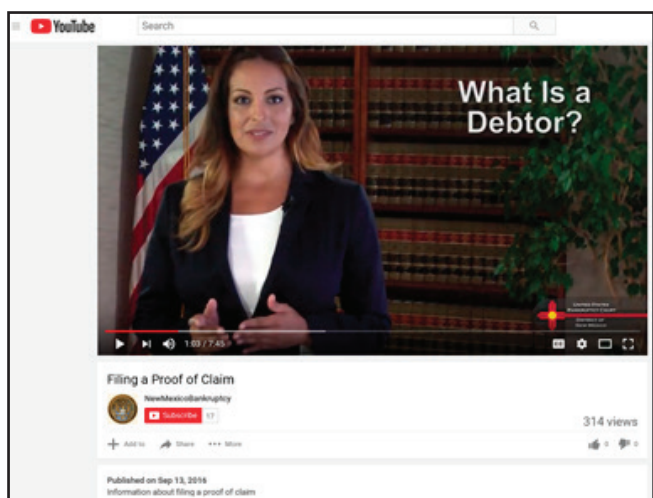
## Online Chat

Approximately 1,730 chat users contacted the Court from its website in 2015, growing to 2,443 in 2016 even as overall filings declined. The chat service provides a convenient way to reach Court staff for answers to case-specific questions and links to frequently requested forms, motions, and orders. Both eSR and chat may be especially helpful to parties in remote locations who cannot visit the Court's onsite self-help desks. Online chat is available Monday through Friday from 9 a.m. to 4 p.m., excluding federal holidays and other published Court closures.

## Online Videos and Self-Help Desk Live Video

The Clerk's Office produced brief online videos on [Credit Counseling](#) and [Personal Financial Management](#) to assist self-represented parties. The Court published English and Spanish versions of both videos on its website and YouTube channel in December 2015. In a collaborative effort between districts, the Clerk's Office produced a duplicate version of each video for the U.S. Bankruptcy Court for the District of New Mexico, along with [additional videos](#) requested by that district. The Court also locally produced a video on [eSR](#) that was published in July 2017.

As of the fall of 2015, the Northern Division's self-help clinic was working with Legal Aid of Santa Barbara County to establish a live video connection to the State Court's self-help desk in San Luis Obispo (SLO). The video connection would allow visitors in outlying areas to obtain assistance with bankruptcy from volunteers in the Northern Division. A volunteer bankruptcy attorney coordinates with an onsite contact at the SLO self-help desk to serve clients using a video feed. The attorney would also be able to send bankruptcy documents for the client to print at the client's location. This was the first pilot effort to connect the Bankruptcy Court's self-help volunteers to the SLO self-help desk. By December 2015, a successful video test was completed with SLO, but the volunteers discovered that they would need more bandwidth to make the connection go smoothly. The video conference component of the self-help desk was successfully implemented in October 2016.





## Surveys and Questionnaires

Using an iPad, the Clerk's Office staff approached visitors waiting for assistance at the self-help desks and asked the visitors to complete the "How Are We Doing?" survey posted in English and Spanish on the Court's "[Don't Have an Attorney](#)" webpage. The Court also developed a uniform questionnaire to collect data from visitors to the self-help desks at all five divisions. The self-help desks collect data about their visitors using the legal services organizations' proprietary forms, which vary from location to location. With particular interest in gauging the impact of its marketing and outreach efforts, the Court created a standard questionnaire for districtwide use in the fall of 2016. Some of the organizations opted to incorporate the Court's questions into the *pro bono* organization's intake form provided at that self-help desk, and agreed to share the results with the Court.

## Student Volunteers

- Los Angeles Division

In the spring of 2015, the Los Angeles self-help desk once again partnered with the Legal Aid Foundation of Los Angeles (LAFLA), Loyola Law School, and the Court to hold the Loyola Law School Consumer Bankruptcy Litigation Practicum (CBLP). Judge Sandra R. Klein, chair of the Court's Community Outreach Committee, helped to coordinate the Court's involvement with the program. The CBLP course fulfills the law students' 40-hour *pro bono* requirement. Students who completed the CBLP during the fall semester were permitted to assist at the Los Angeles self-help desk in the spring. Of the five students who participated in the fall 2014 CBLP, four went on to aid the self-help desk in the spring, assisting with ongoing cases, job shadowing attorneys, and attending hearings. Judge Sandra R. Klein coordinated with Clerk's Office staff to set up a mock hearing and reception for the CBLP students. The students performed well in the mock hearing, which concerned a complicated chapter 11 matter. Several bankruptcy judges, the Clerk of Court, and approximately 50 practitioners attended the 2015 reception. Public Counsel Staff Attorney Christian Cooper commented that the students were especially helpful in conducting intake interviews for the Los Angeles self-help desk, and when funding cuts forced LAFLA to drop out of the program in the fall of 2015, Public Counsel agreed to take over the CBLP for the semester.



In the fall of 2015, a dozen students enrolled in the CBLP. The increase in enrollment corresponded with an uptick in the number of clients assisted through the Los Angeles self-help desk: 29, up from 20 clients in 2014. On April 11, 2016, the Court hosted a mock trial regarding an objection to discharge case for the CBLP. Approximately 40 people participated in the reception, including Chief Judge Sheri Bluebond, Judge Sandra R. Klein, Judge Julia W. Brand, Executive Officer/Clerk of Court Kathleen J. Campbell and members of her staff. The students reported how much they have learned about client interaction, the law, and procedures while assisting at the Los Angeles self-help desk.

- Northern Division

In 2016, the Legal Aid Foundation of Santa Barbara County (LAFSBC) was seeking additional volunteers to keep the self-help clinic operating smoothly at the Northern Division. Ryan Zick, a Law Clerk and Santa Barbara College of Law graduate, contacted his professor to recruit additional volunteers for the self-

help clinic. As a result, the Clerk's Office connected the law school to LAFSBC to obtain assistance from student volunteers. Students at the nearby law school must complete 50 volunteer hours as a graduation requirement, making volunteering at the self-help desk a great opportunity for students. The Court has initiated plans with the LAFSBC and the law school to allow students to assist with basic issues in chapter 7 and 13 matters, under attorney supervision.

### ***Language Needs Log***

From June through December 2016, the Clerk's Office began recording instances where Limited English Proficient (LEP) filers required assistance at the intake window or in court. The Court's Case Management Committee requested data about LEP filers in order to estimate the cost of language assistance solutions, such as a telephone interpreter service that is used by other bankruptcy courts. Due to issues related to funding, the Court decided against the use of a telephone interpreter, but this project may be revisited in the future as national efforts toward assisting LEP filers progress.

### ***Requests for Extension of Time Hearings***

In November of 2015, Judge Vincent P. Zurzolo partnered with attorneys at Public Counsel on an initiative to set Orders to Show Cause (OSC) hearings when *pro se* parties file requests for extension of time to file case commencement documents. Public Counsel attorneys and the U.S. Trustee's Office expressed interest in participating in the hearings. The goal of the initiative was to connect filers with volunteer attorneys early on in *pro se* cases. If the initial hearings proved successful, the Court would consider setting these hearings on the same day as the reaffirmation common calendar. Through the end of 2016, the hearings suffered from low attendance in response to the OSC notices.

## **Recognition**

At the Court's Winter Education Seminar in December 2015, the Clerk's Office awarded certificates to the staff members who participated in community outreach for self-represented parties. Employees assisted the Court at all stages of the process, volunteering to speak at offsite events, preparing translated flyers, printing and creating hundreds of flyers, and distributing flyers in their communities.

### ***Lasarow Awards***

On December 3, Public Counsel hosted its 2015 William J. Lasarow Awards in the lobby of the Edward R. Roybal Federal Building and U.S. Courthouse in Los Angeles. Public Counsel holds the annual ceremony and reception to recognize volunteers serving the *pro se* bankruptcy population throughout the Central District, and the Court provides space for the event. Retired Judge William J. Lasarow was among more than 65 guests in attendance, including Chief Bankruptcy Judge Sheri Bluebond and Bankruptcy Judges Vincent P. Zurzolo, Thomas B. Donovan, Victoria S. Kaufman, Robert N. Kwan, Catherine E. Bauer, Sandra R. Klein, and Scott H. Yun.

Each of the five organizations operating a self-help desk in the Central District honored an outstanding volunteer for 2015. The honorees were: for Public Counsel in Los Angeles, W. Sloan Youkstetter; for the Legal Aid Foundation of Santa Barbara County in the Northern Division, Uchechi Egeonuigwe; for the Public Service Law Corporation in the Riverside Division, Ruben Escalante; for Public Law Center in Santa Ana, Philip Metzinger; and for Neighborhood Legal Services of Los Angeles County in the San Fernando Valley, Gail Higgins.



*Left to Right: Public Counsel Supervising Staff Attorney Magdalena Reyes Bordeaux with 2016 Lasarow Award winners Jeffrey Krause and Thomas Wolper; Hon. Vincent P. Zurzolo; Public Counsel Staff Attorney Christian Cooper*

On November 10, Public Counsel hosted the 2016 William J. Lasarow Awards and reception in Los Angeles at the same Court location. The over 50 guests in attendance included Chief District Court Judge Virginia A. Phillips, Chief Bankruptcy Judge Sheri Bluebond and Bankruptcy Judges Vincent P. Zurzolo, Ernest M. Robles, Thomas B. Donovan, Robert N. Kwan, Deborah J. Saltzman, Sandra R. Klein, Julia W. Brand, and Martin R. Barash. The honorees were: for Public Counsel in Los Angeles, Brian Brumfield; for the Legal Aid Foundation of Santa Barbara County in the Northern Division, Christopher Gautschi; for the Public Service Law Corporation in the Riverside Division, Christian Uchechukwu Anyiam; for Public Law Center in Santa Ana, Lydia Tse; and for Neighborhood Legal Services of Los Angeles County in the San Fernando Valley, Nan Blitman.

In addition to the volunteers being honored, three other special awards were presented by Judge Zurzolo and Ms. Bordeaux. First, Judge Zurzolo presented the Lasarow Founders Award to attorneys Jeffrey Krause and Thomas Wolper. Judge Zurzolo spoke about the way the *pro bono* effort has grown as a result of the founders efforts, which all began with non-dischargeability defense but now includes everything from assistance at reaffirmation hearings to helping debtors to determine whether to file at all. When accepting their awards, Mr. Krause and Mr. Wolper also expressed their support for the way the *pro bono* effort has grown since its inception. Ms. Bordeaux presented a surprise award to Hon. Thomas B. Donovan in honor of his extraordinary career and contributions to the bankruptcy population. Ms. Bordeaux spoke of Judge Donovan's intelligence, compassion, and temperament and described his background including his time as a competitive golfer, service in the army, career in private practice and eventual appointment to the bankruptcy bench. Judge Donovan accepted his award by distinguishing his service from that of the volunteers, noting that he gets paid, and he "was just doing his job."

## Honor Roll

In 2015 and 2016, the Court published its annual updates to the [Honor Roll](#) for *pro bono* volunteers in October, to coincide with the American Bar Association's [National Pro Bono Celebration](#) Week. The Honor Roll is featured prominently on the Court's website. Each September, participating *pro bono* organizations submit the names of those who have volunteered during the previous 12 months. The 2016 Honor Roll listed 291 volunteers, including attorneys, law students, paralegals, and interpreters. Quarterly updates to the Honor Roll may be submitted to [HonorRoll@cacb.uscourts.gov](mailto:HonorRoll@cacb.uscourts.gov). Since 2011, the Court features the Honor Roll on its website under Programs & Services>For Attorneys>Pro Bono Volunteers Honored.



Christopher Gautschi (right) receiving the 2016 William J. Lasarow Award for volunteer service at Northern Division Clinic.



Attorney Nan Blitman was honored with the William J. Lasarow Award, which recognizes the outstanding contributions of bankruptcy *pro bono* volunteers. Ms. Blitman's patient and approachable demeanor reassures and empowers litigants. In presenting the award, Neighborhood Legal Services of Los Angeles County thanked Ms. Blitman for her tireless efforts on behalf of *pro se* debtors.





## Honor Roll Receptions

On April 5, 2016, the Los Angeles Division hosted a reception for the *pro bono* volunteers listed on the Court's Honor Roll. During the month of April, each division planned a reception to honor the volunteers serving the local self-help desk. The only exception was the Riverside Division, which opted to honor the volunteers in conjunction with an Inland Empire Bankruptcy Forum event in January 2016. The Court's *Pro Se* Committee coordinated with each division to hold local events so that volunteers from throughout the district would be able to attend.

The Los Angeles reception began immediately following the afternoon meeting of the Debtor Assistance Project (DAP), which is organized by the Commercial Law and Bankruptcy Section of the Los Angeles County Bar Association and held at the Court on a quarterly basis. Chief Bankruptcy Judge Sheri Bluebond and bankruptcy judges Vincent P. Zurzolo, Thomas B. Donovan, Sandra R. Klein, and Julia W. Brand attended, along with DAP Chair Roksana Moradi, Public Counsel staff attorneys Magdalena Reyes Bordeaux and Christian Cooper, and around 30 guests, including attorneys, trustees, and interpreter volunteers from throughout the district. Judge Bluebond spoke at the reception and praised the volunteers' efforts to assist those who cannot afford attorney representation. She also gave a special shout-out to the interpreter volunteers in attendance, noting how much their service means to the Court and the parties they assist.

The event was made possible by funds provided by the Central District's Attorney Admission Fund.



Honor Roll Reception at the Santa Ana division on April 26, 2016. From left to right: Hon. Scott C. Clarkson; Hon. Catherine E. Bauer, Pro Se Committee Chair; Hon. Erithe A. Smith; Hon. Mark S. Wallace.



Experienced bankruptcy attorneys, including Yi Sun Kim and Michael W. Davis, pictured, volunteer to conduct the Chapter 7 Seminar and the Question and Answer sessions at the San Fernando Valley Self-Help Desk, which is staffed by Neighborhood Legal Services of Los Angeles County.



*The United States Bankruptcy Court  
cordially invites you to*

*A Celebration in Honor of Pro Bono Volunteers*

*April 5, 2016*

*12:45 p.m.*

*Edward R. Roybal Federal Building  
and U.S. Courthouse  
255 East Temple Street, Room 1245  
Los Angeles, CA*

*Food and refreshments will be provided.*

*Please RSVP to Jennifer\_Wright@cach.uscourts.gov by March 29.*



**The United States Bankruptcy Court  
cordially invites you to**

**A Celebration in Honor of Pro Bono Volunteers**

**April 26, 2016**

**4:00 p.m.**

**Ronald Reagan Federal Building and U.S. Courthouse  
411 West Fourth Street  
Suite 5130  
Chambers of Hon. Scott C. Clarkson  
Santa Ana, CA**

**Fiesta food and refreshments will be provided.**

**Please RSVP to Jennifer\_Wright@cach.uscourts.gov by April 19.**



## FUNDING SOURCES FOR NON COURT SERVICES

### Attorney Admission Fund

The self-help desks at the Los Angeles, Santa Ana, and Riverside Divisions are funded, in part, by the Attorney Admission Fund managed by the Attorney Admission Fund Board. Each clinic is required to show that it has sought and obtained funding from other sources to meet its obligations before it is eligible to receive funding from the Attorney Admission Fund. The self-help desks also rely on independent fundraising efforts and grants, and local bar associations.

### Bar Support and Holiday Parties

#### *Golf Tournament*

The 7th Annual Earle Hagen Memorial Golf, Tennis & Poker Tournament was held on September 21, 2015, in Northridge, California. Public Counsel coordinated the event, with assistance from the Central District Consumer Bankruptcy Attorneys Association (cdcbaa) and the Los Angeles Bankruptcy Forum. Bankruptcy Attorney Jim King was honored posthumously for his leadership in organizing the Earle Hagen Tournament and the extraordinary *pro bono* contributions he made throughout his legal career. Mr. King's family attended the event and accepted the award on his behalf. The event raised approximately \$29,000. The 8th Annual Earle Hagen Tournament was held on September 19, 2016, at the same location. Leslie Cohen was the first recipient of the new James T. King Public Service award that was announced at the event.

#### *Run for Justice*

On Saturday, March 14, 2015, Court staff participated in the Run for Justice 5K organized by Public Counsel. Public Counsel operates self-help and reaffirmation programs at the Court's Los Angeles and San Fernando Valley Divisions (see appendix). Participants from the Clerk's Office included Cristina Rogers, Veronica Magno, Monica Yepes, Tina Yepes, Michel Rudy, Jennifer Harmon, Jennifer Kohout, and Jan Zari, who walked, jogged, and ran in support of Public Counsel. The runners enjoyed a challenging 3.1 mile course around Elysian Park and Dodger Stadium. Court staff attended the race again on February 13, 2016.





### *Los Angeles Bankruptcy Forum Holiday Party*

Grant funding provided from the previous year's Los Angeles Bankruptcy Forum (LABF) holiday party allowed the Los Angeles Self-Help Desk to purchase two new laptops and other supplies. The laptops allow more volunteers to look up cases via Pacer and to complete case work. In 2015, the LABF holiday party was held at the Bonaventure Hotel and it raised \$2,700. Also, on December 5, 2016 an LABF holiday party was held at the new District Courthouse in Los Angeles, and raised about \$6,000. All proceeds were split between Public Counsel and Neighborhood Legal Services of Los Angeles County.



*LABF Holiday Party at First Street Federal Courthouse*



### *Leslie Cohen 5K*

On April 26, 2015, and on April 16, 2016, the Leslie Cohen 5K was held at Dockweiler Beach in Playa del Rey, California. Approximately 200 people participated in the 2015 race, which benefitted Public Counsel's Debtor Assistance Project (DAP) and a local high school sports program. Each year the event raised \$10,000 with donations by Leslie Cohen, the event's organizer. In 2016, all proceeds went to the DAP.

# PROJECT UPDATES AND FUTURE ENHANCEMENTS

## eSR

Without the Judicial Conference's permission to continue operating eSR with the existing bankruptcy forms, eSR would no longer be available to *pro se* debtors, and would remain unavailable until the Court adopts NextGen CM/ECF. Locally, the Court began developing an alternative version of eSR in the spring of 2016 for *pro se* debtors to use after the deadline for accepting old Official Forms became effective on December 1, 2017. The Clerk's Office's programmers developed the eSR alternative, which uses the new Official Forms that went into effect on December 1, 2015. For Court staff, there were some processing differences, but to the outside user, the process is similar to the existing eSR experience. The Court began offering the new Official Forms via its new version of eSR beginning in November 2017.

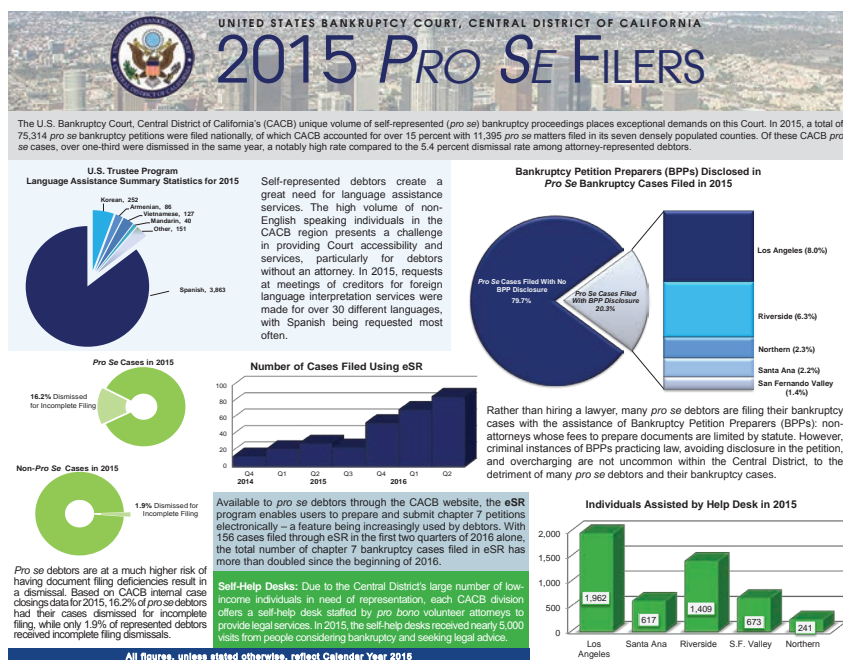
## Ninth Circuit *Pro Se* Conference

On August 26, 2016, the Ninth Circuit *Pro Se*, Death Penalty and Bankruptcy Conference was held in Spokane, Washington. Judge Barry Russell, Judge Maureen A. Tighe, *Pro Se* Committee Chair Catherine E. Bauer, and Law Clerks Hilda Montes de Oca and Gerrick Warrington attended with Executive Officer/Clerk of Court Kathleen J. Campbell and members of her staff. Many of those in the Court's delegation were featured as speakers at the conference: Judges Russell, Tighe, and Bauer, Ms. Campbell, Law Clerk Hilda Montes de Oca, and Clerk's Office staff members Meredith Klassen, and Sabrina Palacio-Garcia all spoke.

The conference agenda, which included both joint sessions and breakout sessions, focused on methods of effective *pro se* and capital case management for prisoner and non-prisoner cases in district and bankruptcy courts and legal issues associated with *pro se* and capital habeas litigants. Conference attendees included Ninth Circuit district, bankruptcy and magistrate judges, clerks of court from district, bankruptcy, and appellate courts, as well as death penalty law clerks, *pro se* law clerks, staff attorneys, and staff from the Administrative Office of the U.S. Courts and Federal Judicial Center.

## 2015 District Profile

In preparation for the Ninth Circuit *Pro Se*, Death Penalty and Bankruptcy Conference and Court employees' presentations and panel discussions, the Clerk's Office created the District Profile brochure. Published on the Court's website in September 2016, the 2015 brochure provides demographic information on bankruptcy filers, along with filing data. The reverse side of the brochure focuses on the district's *pro se* population.





## Creditor Entry

In 2016, the Clerk's Office reviewed a program developed by the U.S. Bankruptcy Court for the Eastern District of Wisconsin, which allows debtors to enter and submit a creditor list electronically. (The Court does not accept the creditor list until the fee requirement is met.) The Clerk's Office is considering local implementation of this system. The creditor entry feature may be helpful to eSR users, especially, because eSR already allows most of the required forms to be submitted electronically. Also, the creditor entry program makes updates to the creditor list easier for users to enter and for Court staff to process.

## Social Media Outreach

Members of the Clerk's Office staff attended a social media training program in January 2017 to assist the Court with its social media strategy and increase the public's engagement with the Court via social media, while remaining mindful of judiciary regulations for social media use. Additional summer internships offered at the Court may provide new insight from students well versed in social media.



## Court to Court Outreach

In the spring of 2015, the Court participated in a "Court-to-Court" video produced by the Federal Judicial Center (FJC) regarding the Court's experiences with bankruptcy petition preparers, and describing the Court's self-help resources, such as eSR. Chief Judge Sheri Bluebond and Judges Maureen A. Tighe and Deborah J. Saltzman participated in the video, along with Executive Officer/Clerk of Court Kathleen J. Campbell, Court staff, and Public Counsel staff.

## Access to Justice Advocates

The Court continues to look for ways to leverage technology to assist *pro se* debtors, which led Executive Officer/Clerk of Court Kathleen J. Campbell to establish a Clerk's Office working group in the fall of 2016. The Access to Justice Advocates focus on applying the takeaway ideas from the Ninth Circuit *Pro Se* Conference (described earlier on page 32) to meet the Court's strategic goals. For example, the Court explored using iPads for translation at Intake counters, and creating a family-friendly area at the Intake office. The group also works to keep the Court's self-help videos up to date, and to promote self-help initiatives, such as new student volunteer programs to support self-help desks, and the expansion of video capabilities to connect self-help desks to remote locations.

## Enhancements Targeting Language Assistance

In 2016, the Clerk's Office began tracking language assistance needs (see the "Language Needs Log" section on page 27) to estimate the cost of addressing LEP filers' communication needs. Also, the Clerk's Office's Access to Justice Advocates working group created a list of future projects aimed at improving communication with LEP filers, such as by using mobile apps and translated survey tools.

## CONCLUSION

The Court continues to promote hiring counsel as a bankruptcy filer's best option. Yet, the Court's *pro se* rate remains high. Given the disparity in outcomes between self-represented debtors and those who have an attorney or other help, the Court continues to seek new ways to inform the public about its self-help resources and volunteer attorneys who are available to provide assistance at each of the Court's five divisions.

The Court's ongoing initiatives will continue to address the issues facing the *pro se* population. The Clerk's Office has expanded its communication with self-represented litigants, improving its website to meet their needs, producing educational videos, and engaging the surrounding community with offsite visits. It is hoped these efforts will help the Court to raise awareness about its self-help programs and more effectively address the needs of self-represented litigants. With the Court's development of surveys and implementation of questionnaires districtwide, the Court continues to more accurately measure and tailor programs, services and marketing efforts for self-represented parties more precisely in the future.

## APPENDIX

### Number of Self-Represented Litigants Served

Self-help desks on location at the Los Angeles, San Fernando Valley, Northern, Santa Ana, and Riverside Divisions assist the Court and the public of the Central District of California by:

- providing free legal advice and programs for self-represented parties;
- reducing the burden on judges and staff from filers who cannot afford the legal assistance necessary to navigate a complicated bankruptcy process;
- reducing delays for all parties that result from unrepresented filers requiring additional time and assistance from judges and staff;
- improving access to the bankruptcy process for all parties, regardless of income;
- enabling referral by Court staff, who are prohibited from providing legal advice, to self-help desk volunteers, who can provide legal advice; and
- offering an alternative to non-attorneys who are known to provide illegal and overpriced services.

Total	PRO BONO SERVICES BY DIVISION Total Debtors Served in Central District: 5,106 (January – December 2015)				
	Los Angeles	Riverside	Santa Ana	Northern	San Fernando Valley
5,106	2,126	1,409	657	241	673


Total	PRO BONO SERVICES BY DIVISION Total Debtors Served in Central District: 4,842 (January – December 2016)				
	Los Angeles	Riverside	Santa Ana	Northern	San Fernando Valley
4,842	2,000	1,444	569	253	576

The number of bankruptcy filings in the Central District fell by 5,124 between 2015 and 2016 (compare 46,523 total filings in 2015 to 41,399 total filings in 2016), but the self-help desks served only 264 fewer individuals districtwide. In the summaries that follow, which are based on the reports received from our public interest partners throughout the district, the number of visitors served accompanies a description of each *pro bono* organization.

### Los Angeles

In 2015 and 2016, the Los Angeles Division was served by the Public Counsel's [Debtor Assistance Project \(DAP\)](#) and the Legal Aid Foundation of Los Angeles. Self-help information and materials were coordinated district-wide through Public Counsel's Debtor Assistance Project (DAP). The DAP began as the Court's first effort to make *pro bono* programs available to the public within its jurisdiction, and has become the umbrella committee and resource for projects for all self-represented parties throughout the district. Despite its name, the DAP addresses the needs of self-represented creditors as well as those of debtors. Each participating nonprofit organization serves its dedicated clientele, but all self-help desks using Court space must provide service to any party who visits the Court.


The DAP holds bi-monthly meetings at the Court, bringing together representatives of public interest law firms, volunteer attorneys, chapter 7 and 13 trustees, bankruptcy judges, the Clerk's Office, and the Office of the U.S. Trustee. The DAP raises funds for and awareness of its programs, provides training for *pro bono* attorneys, and exchanges information on trends and issues related to providing *pro bono* and self-help assistance, as well as best practices.

 <b>Debtor Assistance Project</b> December 2015 Stats		
I. DAP SERVICES	Month	YTD
Total incoming hotline calls and debtor inquiries	33	510
▪ Other hotline calls received*	13	37
▪ Hotline calls where intake forms were mailed to debtors	20	473
▪ Debtors who returned intake form to Public Counsel	14	139
▪ Debtors sent Clinic by Mail	1	48
▪ Debtors whose cases were placed (pro bono and in-house)	1	32
II. L.A. SELF-HELP DESK AND PRO SE CLINIC	Month	YTD
Visits to the Los Angeles Bankruptcy Self-Help Desk	61	1277
Visits to Chapter 7 Bankruptcy Pro Se Clinics	11	164
III. REAFFIRMATION HEARINGS	Month	YTD
Debtors we counseled before reaffirmation hearings in Los Angeles	42	539
Debtors we counseled before reaffirmation hearings in Woodland Hills	6	146

\* Calls referred to Self-Help Desk or other agency, or other service provided

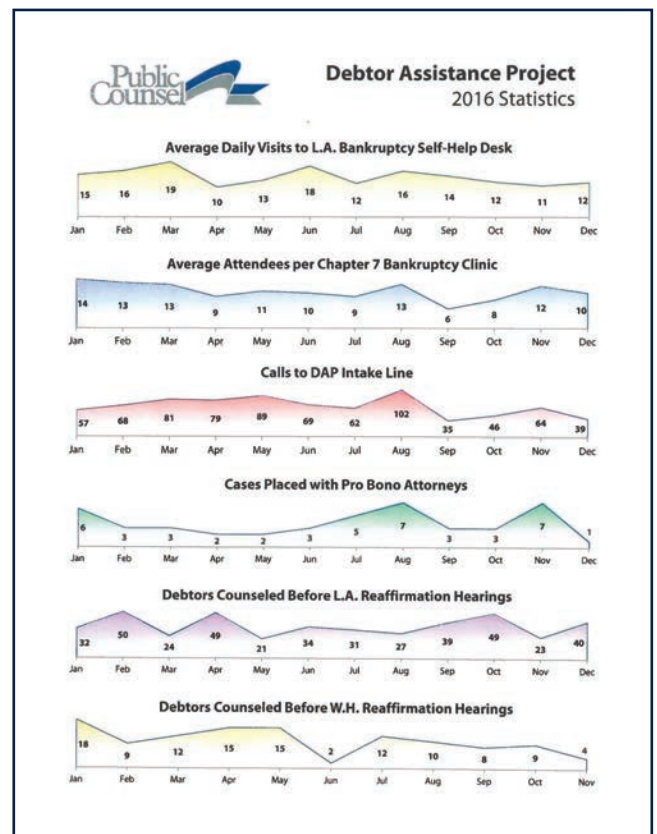
**NOTE:** We do NOT count hang-ups or duplicate calls in our numbers

4825-1041-4036, v. 1

 <b>Debtor Assistance Project</b> December 2016 Statistics		
I. DAP SERVICES	Month	YTD
Callers who left messages on DAP intake line (excluding hang-ups)	39	791
▪ Callers we gave outside referrals or provided other services	4	166
▪ Callers we sent applications for case placement	35	625
▪ Returned applications that we processed	5	169
A. Eligible applicants we asked to send case placement docs	9	73
B. Cases we place in-house or with pro bono attorney	1	45
C. Cases we placed through Loyola Practicum	0	18
D. All debtors whose cases we placed (B+C)	1	63
II. L.A. SELF-HELP DESK AND PRO SE CLINIC	Month	YTD
Visits to the Los Angeles Bankruptcy Self-Help Desk	48	1255
Visits to Chapter 7 Bankruptcy Pro Se Clinics	10	218
III. REAFFIRMATION HEARINGS	Month	YTD
Debtors we counseled before reaffirmation hearings in Los Angeles	40	419
Debtors we counseled before reaffirmation hearings in Woodland Hills	0	108

## Updates in 2015 and 2016

In 2015, Public Counsel Staff Attorney Christian Cooper created a document for self-represented filers on how to cancel a reaffirmation agreement and shared the document with DAP members. By the spring of 2016, the LA self-help desk reported at the DAP meeting that its numbers appeared to be increasing, including the number of incoming hotline calls (January 2016, assisted 89 visitors, compared to 57 in 2015; February 2016, assisted 146 visitors, compared to 68 in 2015; March 2016, assisted 173 visitors, compared to 81 in 2015). Also in 2016, Public Counsel moved its chapter 7 seminars to the Karsh Center. The [Karsh Center](#) provides additional help to visitors such as dental assistance, food, and free parking. In 2016 CSULA agreed to provide interpreter services at the reaffirmation hearings held in the San Fernando Valley. At the San Fernando Valley Division, Public Counsel organizes volunteers to counsel self-represented parties prior to reaffirmation hearings and the California State University, Los Angeles volunteers assist with communication difficulties for these hearings when litigants are not fluent in English.



## Los Angeles Self-Help Desk

### Services offered at the L.A. Self-Help Desk:

- Preparing answers to adversary proceedings
- Amending bankruptcy petitions
- Reporting attorney misconduct
- Motions to vacate bankruptcy case dismissal
- Answering chapter 7 bankruptcy questions
- Chapter 13 bankruptcy feasibility analysis
- Preparing responses to motions for relief from stay
- Creditor is suing me
- Creditor rights
- Credit repair
- Debt collection/creditor harassment
- Eviction
- Food and housing assistance
- Foreclosure issues
- Identity theft
- Loan modification referrals
- Reporting petition preparer fraud
- Preparing proofs of claim
- Assisting with reaffirmation agreements and rescissions
- Preparing motions to reopen cases to file the financial management certificate
- Review of chapter 7 petition before filing

Public Counsel continued providing training to attorneys in return for two volunteer hours at any of the self-help desks throughout the district. The Court frequently provided meeting space for the training sessions. Public Counsel hosted an MCLE training on chapter 7 in April 2015. For its summer program, Public Counsel reported a high turnout for volunteer coverage as a result of the training. Another event was held in November 2015. From its two training sessions in 2015, Public Counsel recruited more than 100 volunteers, including many for self-help programs in Woodland Hills, Santa Ana, Riverside and Santa Barbara. Approximately 100 attorneys attended the March 2016 MCLE. In July 2016, an MCLE on "Crafting a Chapter 13 Plan" was attended by over one hundred attorneys.

### **bankruptcy basics** an introduction to chapter 7 consumer bankruptcy law **panel:**

**M. Erik Clark, Esq.**  
Borowitz & Clark LLP

**James Beirne, Esq.**  
Law Office of James G. Beirne

Moderator  
**Christian Cooper, Esq.**  
Public Counsel

**date:** Thursday, April 16, 2015  
**time:** 9:00 a.m. – 1:00 p.m.  
**location:** Roybal Federal Building  
255 E. Temple Street  
12th Floor, Assembly Room 1268  
Los Angeles, CA 90012

**YOU MUST COMPLETE A TWO-HOUR PRO BONO  
COMMITMENT BEFORE ATTENDING THE PROGRAM**

If you are interested in attending the program, please complete an online survey at [www.surveymonkey.com/s/bkbasics](http://www.surveymonkey.com/s/bkbasics) to determine your *pro bono* options. You must complete your *pro bono* hours before the date of the program. This program is approved for **four (4) hours** of MCLE credit. **Space is limited.**

Program co-sponsored by **edcbaa** and the **United States Bankruptcy Court for the Central District of California**


Refreshments generously provided by  
**CINgroup**



## San Fernando Valley

Neighborhood Legal Services of Los Angeles County	
Total Visitors in 2015	673
Total Visitors in 2016	576

The San Fernando Valley Division self-help desk is operated by [Neighborhood Legal Services of Los Angeles County](#), the [Central District Consumer Bankruptcy Attorneys Association \(cdcbaa\)](#), and the [San Fernando Valley Bar Association](#). Attorneys from the two bar associations continue to volunteer at weekly seminars, and provide free legal information on bankruptcy, including a variety of self-help resources, videos, seminars, and one-on-one workshops for self-represented litigants. A Spanish seminar is also offered. Topics commonly covered include bankruptcy filing requirements, the difference between chapter 7 and chapter 13, and where to find a bankruptcy attorney. Volunteers answer creditors' questions on issues such as Relief from Stay and filing Proofs of Claim.

				
WOODLAND HILLS BANKRUPTCY SELF HELP DESK STATISTICS				
December 8, 2015				
October - November 2015				
Month	Total Visitors	Total Seminars	Total Q&As	Total Creditors
October 2015	53	5	5	2
November 2015	44	3	3	4
2015 YTD Statistics				
# of Chapter 7 Seminars	# of Q&A Sessions	Total Creditors	Total Visitors	
43	44	20	640	

### Updates in 2015 and 2016

In 2015, approximately 673 visitors were assisted by the self-help desk operated by Neighborhood Legal Services of Los Angeles County and its programs. The self-help desk assisted approximately 576 visitors in 2016. The decrease in the number of visitors is in line with the decrease in bankruptcy filings in the Central District. By the summer of 2016, the self-help desk reported a shortage of volunteers after some retirements. Through 2016, all of the volunteers with Neighborhood Legal Services of Los Angeles County's Bankruptcy self-help desk were experienced bankruptcy attorneys. New volunteers receive one-on-one training by shadowing attorneys with more experience assisting *pro se* debtors.

Neighborhood Legal Services of Los Angeles County					
2015					
Total Visitors	Chapter 7 Seminars	Questions & Answers	Total Creditors	Total Attendees for Seminars	Total Attendees for Q&As
673	46	47	20	179	226

Neighborhood Legal Services of Los Angeles County					
2016					
Total Visitors	Chapter 7 Seminars	Questions & Answers	Total Creditors	Total Attendees for Seminars	Total Attendees for Q&As
576	48	45	22	204	230



## Northern

Representatives of the [Legal Aid Foundation of Santa Barbara \(LAFSBC\)](#) reported that visits to the Bankruptcy & Consumer Debt Clinic at the Court's Northern Division increased at the beginning of 2015, compared to the previous year, averaging 28 clients per month. This was surprising given the decline in bankruptcy filings. By the end of 2015, the self-help desk's monthly numbers remained higher than the previous year, which self-help desk staff attributed to the Court's community outreach efforts.

Northern Division Consumer Debt Clinic Total Visitors by Year	
2015	241
2016	253

### *Consumer Debt Clinic*

The Bankruptcy & Consumer Debt Clinic is sponsored by the LAFSBC and serves Santa Barbara, San Luis Obispo, and Ventura Counties. The clinic operates every Friday from 10 a.m. to 12 p.m. out of the lobby of the U.S. Bankruptcy Court and is staffed entirely by a dedicated group of attorneys who volunteer at the clinic on a rotating basis. Clinic attorneys are available on a first-come, first-served basis to answer questions and provide free information to self-represented individuals regarding consumer debt and bankruptcy matters. In 2015, the clinic was served by 14 volunteers assisting 241 visitors, and in 2016, the clinic was served by 18 volunteers assisting 253 visitors. The majority of visitors had chapter 7 questions.

The clinic trains new volunteer attorneys, introducing them to the clinic's day-to-day operations and pairing them with seasoned volunteers for shadowing. The clinic also maintains a set of bankruptcy resource materials that clinic attendees and volunteers may utilize. In 2015, LAFSBC was able to update the materials that are available for self-help desk visitors.

The Northern Division's Clerk's Office also hosts a Resource Center in its first floor lobby. The Resource Center, staffed by a Court clerk during clinic hours, provides forms and filing information. The Center also maintains a set of bankruptcy resource materials that clinic attendees may check out with a driver's license.

### *Reaffirmation Agreement Clinic*

Since the fall of 2000, volunteer attorneys at the Northern Division have provided reaffirmation assistance, counseling debtors on their rights prior to reaffirming debt owed for property, such as an automobile. Instead of an organized clinic, the Santa Barbara County Bar Association arranges for volunteer attorneys to coordinate with chambers and meet with self-represented debtors before each reaffirmation agreement hearing.

## Santa Ana

Approximately 657 Debtors Served in 2015	
Volunteers	38
Clinics	97
Chapter 7 Clinic attended by	477 visitors
Reaffirmation Clinic attended by	146 visitors
Cases placed with private attorneys for full representation (chapter 7 and adversary proceeding cases)	34

### Approximately 569 Debtors Served in 2016

Volunteers	25
Clinics	98
Chapter 7 Clinic attended by	430 visitors
Reaffirmation Clinic attended by	112 visitors
Cases placed with private attorneys for full representation (chapter 7 and adversary proceeding cases)	27

### Legal Clinic

At the Santa Ana Division, an onsite legal clinic operated by **Public Law Center** (PLC) operates two days a week. Funding for the clinic comes from the Attorney Admission Fund, the American College of Bankruptcy Foundation, and donations from numerous lawyers and law firms in Orange County. In 2015, PLC received a \$10,000 grant from the American College of Bankruptcy. PLC also provides *pro bono* representation in chapter 7 cases with attorneys from the local bar, when available.

The legal clinic is co-sponsored by the Orange County Bar Association, Orange County Bar Association – Commercial Law and Bankruptcy Section, and the Orange County Bankruptcy Forum. Orange County Legal Aid also holds a weekly chapter 7 clinic and assists debtors in filing no asset cases on their own. While the number of visitors declined from 2015 to 2016, the visitors were assisted with more complex cases and individual visits lasted around twenty to thirty minutes.

### Reaffirmation Agreement Clinic

The Santa Ana Division also has a Reaffirmation Agreement Clinic similar to the one in Los Angeles. Public Law Center operates the clinic with volunteers from the local bar. In 2015, the number of visitors decreased by 100 clients from the previous year.



#### DEBTORS ASSISTANCE PROJECT Orange County Bankruptcy Project

Visitors to the Santa Ana Bankruptcy Self-Help Clinics January – September		
Clinic	2014	2015
Chapter 7	538	455
Reaffirmation	155	127
<b>TOTAL</b>	<b>693</b>	<b>582</b>

Chapter 7 Cases for Pro Bono Placement January-September		
	2014	2015
Opened Cases	86	103
Placed Cases	20	24

The Orange County Bankruptcy Pro Bono Program is made possible through the cooperation of the **Public Law Center**, the **Orange County Bar Association**, the **Orange County Bar Association-Commercial Law & Bankruptcy Section** and the **Orange County Bankruptcy Forum**

The Program is generously funded by the **Central District Attorney Admissions Fund**, the **American College of Bankruptcy Foundation**, the **Orange County Bar Association Charitable Fund** and **Numerous Private lawyers and law firms in Orange County.**

601 Civic Center Drive West - Santa Ana, CA 92701-4002 - (714) 541-1010 - Fax (714) 541-5157

## Riverside

Public Service Law Corporation held two quarterly public chapter 7 workshops in Riverside and two in the Coachella Valley, where visitors received information about chapter 7 and instructions on how to file, including page-by-page instructions on the forms. The Federal *Pro Se* Clinic is held at the Riverside Division on Tuesdays and Thursdays between 10 a.m. and 2 p.m. Volunteers may attend Public Counsel's bankruptcy training in Los Angeles.

A grant from the American College of Bankruptcy Foundation also enabled Public Service Law Corporation to provide bankruptcy services in the Coachella Valley area. The clinic opens for four hours on the fourth Monday of each month at the Cathedral City Library. The library provides its main room and private conference rooms for the clinic.

Public Service Law Corporation		
Year	2015	2016
<b>Riverside:</b>	<b>21 volunteers</b>	<b>16 volunteers</b>
Debtor	1257	1346
Creditor	97	35
Pre-file	565	615
Post-file	796	772
Adversary Proceeding	106	82
<b>Coachella Valley:</b>	<b>2 volunteers</b>	<b>1 volunteer</b>
Debtor	52	63
Creditor	0	0
Pre-file	42	54
Post-file	10	9
Adversary Proceeding	0	0

Most of the funding for the [Riverside Clinic](#) came from the Court's Attorney Admission Fund (AAF), other than a grant of \$10,000 from the American College of Bankruptcy (ACB). The funds received from ACB support bankruptcy self-help workshops at monthly clinics in Cathedral City and Riverside.

# HONOR ROLL

2015

United States Bankruptcy Court  
Central District of California

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Jill David  
Seth Davidson  
Aaron de Leest  
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# HONOR ROLL

2016

United States Bankruptcy Court  
Central District of California

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