

LEWIS LEGAL SERVICES PROFESSIONAL CORPORATION

STEPS TO A SUCCESSFUL CHAPTER 13 BANKRUPTCY CASE

Step 1 Before Filing

- **Read everything** given to you by your attorney and don't hesitate to ask questions
- Gather all your "Documentation Needed to File" from the checklist provided by our office
- If on a payment plan for upfront fees to file, continue to make **timely attorney fee payments**

Step 2 Before Filing

- Fax, mail or drop off documentation to your attorney as soon as possible
- Once documentation is received, your attorney will begin to draft your bankruptcy petition
- Once your upfront fees have been paid (including court costs), you will **set an appointment** to come into the office and review your petition and plan to ensure it is ready to file in court

Step 3 Before Filing

- Appointment with attorney to **sign and review** petition and make sure all documentation has been provided; attorney will advise you of any pending issues and will answer any questions
- At this appointment, your attorney will discuss your "**plan to file**" including the timetable

Case Filed!

- Your attorney will prepare your case for electronic filing with the bankruptcy court
- Once your case is filed, notice is sent out to the creditors listed that the "automatic stay" against collection effort is in immediate effect (including against paycheck garnishments)
- Creditors are given a deadline in which to file a "Proof of Claim" with the Court to be paid

Step 1 After Filing

- The court will set a meeting in which you have to attend with your lawyer called the "**Meeting of Creditors**" or "**341 Meeting**" (required by bankruptcy code 11 U.S.C. § 341)
- You have a second Debtor Education course to take but don't take it until after your meeting with the bankruptcy Trustee (some Trustees offer it for free, so wait and find out)

Step 2 After Filing

- Attend your scheduled "Meeting of Creditors" (actual meeting time typically 5 to 10 minutes)
- If the bankruptcy Trustee requires more information or documentation, comply with that request. It is very common for the Trustee to request a modification of your proposed plan before **confirmation will be recommended to the judge** so don't panic if you are told you need an **amendment**

Bankruptcy Discharge

- After Confirmation of your plan, continue to make timely payments for the length of your plan. At the end of the repayment period, and upon completion of your second course, you will receive a **discharge of the balance on your debts** that are remaining unpaid and subject to discharge