

## PROCEDURES RE: FILING AN INDIVIDUAL BANKRUPTCY CASE

### **Where to Obtain the Forms**

You may obtain any Official Form (OF) or Local Bankruptcy Form (LBF) from the U.S. Courts website and Oregon Bankruptcy Court website as follows—

- Official Forms: <https://www.uscourts.gov/forms/bankruptcy-forms>
- Local Bankruptcy Forms: <https://www.orb.uscourts.gov/forms/all-local-forms>

The forms for each chapter are listed on the pages 3–6 of this document.

To obtain a Certificate of Credit Counseling, you must complete credit counseling briefing with an approved agency within 180 days **before** filing bankruptcy. For a list of approved agencies, see the U.S. Trustee's website (<https://www.justice.gov/ust/credit-counseling-debtor-education-information>).

### **Filling Out the Forms**

After you obtain the forms, complete and sign each required document before submitting them to the court for filing. You may need to enter “zero” or “none” in a blank to fully complete the form.

If you need to file a bankruptcy petition on an emergency basis (for example, to stop an imminent foreclosure), please contact the clerk's office at 503-326-1500 or 541-431-4000 for instructions.

### **Legal Advice**

Federal law prohibits the bankruptcy court from giving any type of legal advice or instruction. If you have a question about how to fill out a form, it is recommended that you contact an attorney.

### **Where to File Your Documents**

<b>If you reside in this county:</b>	<b>Mail or deliver documents to:</b>
Benton, Coos, Curry, Douglas, Jackson, Josephine, Klamath, Lake, Lane, Lincoln, Linn, Marion, Polk	U.S. Bankruptcy Court 405 E 8th Ave. #2600 Eugene, OR 97401
Any other county	U.S. Bankruptcy Court 1050 SW 6th Ave. #700 Portland, OR 97204

## **Before You File**

All individual bankruptcy filers are required to complete a pre-bankruptcy credit counseling briefing **before** they file for bankruptcy.

This briefing must be completed with an approved agency within 180 days before filing bankruptcy. For a list of approved agencies, see the U.S. Trustee's website (<https://www.justice.gov/ust/credit-counseling-debtor-education-information>).

## **After You File**

Read everything very closely that is sent to you regarding your bankruptcy case.

A "Notice of Bankruptcy Case" will be mailed to you and the creditors on the mailing list you prepared. This document will list important information such as deadlines and the date, time and location of a hearing called the "Meeting of Creditors."

A "Letter to Debtor" will also be mailed to you. This document will have important information about items such as the personal financial-management course requirement, reaffirmation of debts, and where to send pay stubs and tax returns.

All individual bankruptcy filers are required to complete pre-discharge debtor education after the petition is filed. Pre-filing credit counseling and pre-discharge debtor education may not be provided at the same time. The debtor education course must take place **after** you file.

## **Meeting of Creditors**

**You are required to attend this hearing.** The date and location of the meeting will be provided to you with the "Notice of Bankruptcy Case" described in the previous section. At the hearing, the trustee will question you about your assets and the documents you filed.

## **Chapter 7 Case**

A combination of **Official Forms** (OF) and **Local Bankruptcy Forms** (LBF) must be used. You can find links to access both types of forms on page 1 of this document and under the “Forms” heading on the court’s website at <https://www.orb.uscourts.gov/forms>. Please be sure to use the correct form.

**Complete and sign each document (even if “none” or “zero” must be inserted in a blank). File the following documents in the order listed. You may put them together with a clip or rubber band, but do not staple or hole punch them.**

- \$338 Filing Fee or Individual Debtor’s Application to Pay Fees in Installments (LBF 110) or Application to Have the Chapter 7 Filing Fee Waived (OF B 103B)
- A mailing list prepared following LBF 104 instructions
- Statement of Social Security Number (OF B 121)
- Petition (OF B 101)
- Attorney's Disclosure Statement (if represented by an attorney)
- Individual Debtor’s Statement of Intention (OF B 108)
- Summary of Your Assets & Liabilities (OF B 106Sum)
- Schedules A/B, C, D, E/F, G, H, I, J, and possibly J-2 (OF B 106A-J)
- Declaration About an Individual Debtor’s Schedules (OF B 106Dec)
- Statement of Financial Affairs for Individuals (OF B 107)
- Statement of Your Current Monthly Income (OF B 122A-1) (When filing this form, an additional form may be required. Please follow the instructions on the form.)
- Certificate of Credit Counseling or Motion for Extension of Time/Exemption (LBF 100.3)

**Note to CM/ECF Participants:** [Click here](#) for case filing procedures.

## **Chapter 11 Case**

A combination of [Official Forms](#) (OF) and [Local Bankruptcy Forms](#) (LBF) must be used. You can find links to access both types of forms on page 1 of this document and under the “Forms” heading on the court’s website at <https://www.orb.uscourts.gov/forms>. Please be sure to use the correct form.

**Complete and sign each document (even if “none” or “zero” must be inserted in a blank). File the following documents in the order listed. You may put them together with a clip or rubber band, but do not staple or hole punch them.**

- \$1,738 Filing Fee or Individual Debtor’s Application to Pay Fees in Installments (LBF 110)
- A mailing list prepared following LBF 104 instructions
- Statement of Social Security Number (OF B 121)
- Petition (OF B 101)
- Attorney’s Disclosure Statement (if debtor is represented by an attorney)
- Summary of Your Assets & Liabilities (OF B 106Sum)
- Schedules A/B, C, D, E/F, G, H, I, J, and possibly J-2 (OF B 106A-J)
- Declaration About an Individual Debtor’s Schedules (OF B 106Dec)
- Statement of Financial Affairs for Individuals (OF B 107)
- Statement of Your Current Monthly Income (OF B 122B) (not required for small business debtors filing under subchapter V)
- Certificate of Credit Counseling or Motion for Extension of Time/Exemption (LBF 100.3)
- Documents required by 11 U.S.C. § 1116(1) (only if debtor is proceeding under subchapter V or is a small business)
- List of Creditors Who Have the 20 Largest Unsecured Claims (OF B 104)

**Note to CM/ECF Participants:** [Click here](#) for case filing procedures.

## **Chapter 12 Case**

A combination of [Official Forms](#) (OF) and [Local Bankruptcy Forms](#) (LBF) must be used. You can find links to access both types of forms on page 1 of this document and under the “Forms” heading on the court’s website at <https://www.orb.uscourts.gov/forms>. Please be sure to use the correct form.

**Complete and sign each document (even if “none” or “zero” must be inserted in a blank). File the following documents in the order listed. You may put them together with a clip or rubber band, but do not staple or hole punch them.**

- \$278 Filing Fee or Individual Debtor’s Application to Pay Fees in Installments (LBF 110)
- A mailing list prepared following LBF 104 instructions
- Statement of Social Security Number (OF B 121)
- Petition (OF B 101)
- Attorney’s Disclosure Statement (if debtor is represented by an attorney)
- Financial Review of Debtor’s Farming/Fishing Business (LBF Exhibit D-1)
- Financial Review of Debtor’s Non-Farming/Non-Fishing Business (LBF Exhibit D-2) (if applicable)
- Summary of Your Assets & Liabilities (OF B 106Sum)
- Schedules A/B, C, D, E/F, G, H, I, J, and possibly J-2 (OF B 106A-J)
- Declaration About an Individual Debtor’s Schedules (OF B 106Dec)
- Statement of Financial Affairs for Individuals (OF B 107)
- Certificate of Credit Counseling or Motion for Extension of Time/Exemption (LBF 100.3)
- Chapter 12 Plan (LBF 1200.05)

***Note to CM/ECF Participants: [Click here](#) for case filing procedures.***

## **Chapter 13 Case**

A combination of **Official Forms** (OF) and **Local Bankruptcy Forms** (LBF) must be used. You can find links to access both types of forms on page 1 of this document and under the “Forms” heading on the court’s website at <https://www.orb.uscourts.gov/forms>. Please be sure to use the correct form.

**Complete and sign each document (even if “none” or “zero” must be inserted in a blank). File the following documents in the order listed. You may put them together with a clip or rubber band, but do not staple or hole punch them.**

- \$313 Filing Fee or Individual Debtor’s Application to Pay Fees in Installments (LBF 110)
- A mailing list prepared following LBF 104 instructions
- Statement of Social Security Number (OF B 121)
- Petition (OF B 101)
- Financial Review of Debtor’s Non-Farming/Non-Fishing Business (LBF Exhibit D-2) (if applicable)
- Financial Review of Debtor’s Farming/Fishing Business (LBF Exhibit D-1) (if applicable)
- Summary of Your Assets & Liabilities (OF B 106Sum)
- Schedules A/B, C, D, E/F, G, H, I, J, and possibly J-2 (OF B 106A-J)
- Declaration About an Individual Debtor’s Schedules (OF B 106Dec)
- Statement of Financial Affairs for Individuals (OF B 107)
- Attorney’s Disclosure Statement (LBF 1305) (if debtor is represented by an attorney)
- Statement of Your Current Monthly Income (OF B 122C-1) (When filing this form, an additional form may be required. Please follow the instructions on the form.)
- Certificate of Credit Counseling or Motion for Extension of Time/Exemption (LBF 100.3)
- Chapter 13 Plan (LBF 1300.24)

***Note to CM/ECF Participants: [Click here](#) for case filing procedures.***