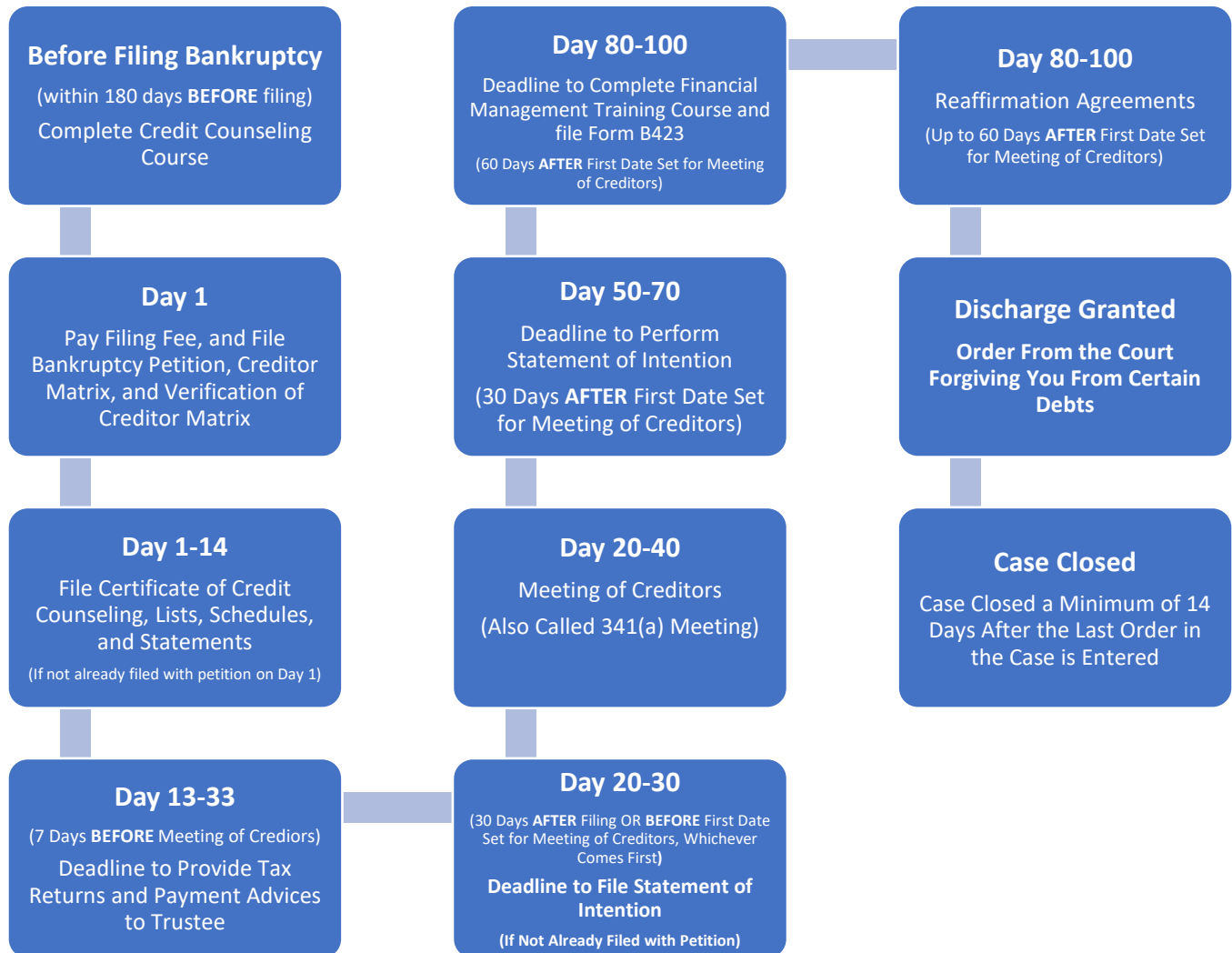


Anatomy of a Chapter 7 Bankruptcy Case



Before Filing Bankruptcy:

- Before filing for bankruptcy, you must complete a credit counseling course from an approved credit counseling agency. These courses generally last 60 to 90 minutes, and may be completed in person, online, or over the phone. A list of approved credit counseling agencies can be found at:
https://www.justice.gov/ust/eo/bapcpa/ccde/CC_Files/CC_Approved_Agencies_HTML/cc_missouri/cc_missouri.htm.
- You will receive a Certificate of Credit Counseling upon completion of the course.
- You may complete the credit counseling course any time within 180 days **BEFORE** you file for bankruptcy, but it **MUST** be completed **BEFORE** you file your bankruptcy petition.

Day 1:

- Filing a bankruptcy petition, creditor matrix, and verification of creditor matrix ([Local Form 2](#)), along with paying the filing fee of \$338.00, officially opens your bankruptcy case. You must file these three documents and pay the filing fee on **Day 1** of your bankruptcy case to avoid dismissal. The "bankruptcy petition package" refers to the complete set of court documents required to be filed in the bankruptcy case. ([See Filing Requirements](#))
- The rest of the "bankruptcy petition package" may be filed on **Day 1** of your bankruptcy case or within 14 days after filing your petition, with the exception of the Statement About Your Social Security Numbers ([Official Form B121](#)). Official Form B121 may be filed on **Day 1** or within 7 days after filing your petition.
- The Bankruptcy Court suggests you file Official Form B121 on **Day 1**. Failure to do so will result in the delay of the scheduling of your Meeting of Creditors. After Official Form B121 has been filed, the Bankruptcy Court will mail you and any creditors a notice entitled, "Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, Deadlines." This notice informs your creditors of the bankruptcy case, provides information about various court deadlines, and contains the date, time, and location of the Meeting of Creditors, which will take place **Day 20-40**
- You can bring your filing fee and "bankruptcy petition package" to the Public Service Counter of the Bankruptcy Court Clerk's Office for filing or utilize the Bankruptcy Court's [filing drop box](#). The filing fee must be paid via cash, cashier's check, or money order in the exact amount due.
- If you have trouble paying the filing fee, the Bankruptcy Court may grant you permission to pay in installments. If your income is below 150% of the poverty level and you are unable to pay the fees even in installments, the Bankruptcy Court may waive the fee requirement. ([See Local Rule 1006](#) and [Local Form 1](#))
- For more information on the bankruptcy process you can visit the [Don't Have an Attorney](#) page on the Bankruptcy Court's website.
- Bankruptcy Court Employees are forbidden from referring prospective debtors to a lawyer and from providing legal advice. This includes how to complete the bankruptcy forms or which forms may be required in your bankruptcy case. However, the Bar Association of Metropolitan St. Louis sponsors the [Pro Se Assistance Program](#) that provides limited legal assistance and may be able to answer some of your questions.

Day 1-14:

- The Certificate of Credit Counseling you received upon completing your Credit Counseling Course must be filed with your "bankruptcy petition package" on **Day 1** or within 14 days after filing your petition.
- The documents included in your "bankruptcy petition package," including Schedules of Assets and Liabilities, Schedule of Income and Expenditures, and Statement of Financial Affairs, must be filed with your bankruptcy petition on **Day 1** or within 14 days after filing your petition. ([See Filing Requirements](#))

Day 13-33:

- You must provide your Chapter 7 Trustee with a copy of your most recent federal tax return at least 7 days before the date first set for your Meeting of Creditors. Your Chapter 7 Trustee's address will be listed in a notice entitled, "Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, Deadlines" which you will receive from the court after filing your bankruptcy petition.

Day 20-30:

- The Statement of Intention is a document that addresses your secured debts, which are debts in which there is collateral (property) promised to your creditors in case you fail to pay them back. Examples of secured debts include car loans and mortgages. The Statement of Intention describes your plan to either surrender or keep any property securing your debts.
- The Statement of Intention may be filed with your bankruptcy petition package on **Day 1** but must be filed within 30 days after filing your petition **OR on or before** the date first set for the Meeting of Creditors (whichever comes first).

Day 20-40:

- After filing the necessary documents to open your bankruptcy case and Official Form B121, the Bankruptcy Court mails you and any creditors a notice entitled, "Notice of Chapter 7 Bankruptcy Case, Meeting of Creditors, Deadlines." This notice informs your creditors of your bankruptcy case, provided information about various court deadlines, and contained the date, time, and location of the Meeting of Creditors. This meeting will take place **Day 20-40**. You **MUST** attend this meeting.
- The Meeting of Creditors is a chance for the Chapter 7 Trustee overseeing your bankruptcy case, as well as any creditors who wish to attend, to ask you questions regarding your financial affairs and property. Because this is not a Bankruptcy Court hearing, there will be no Judge present during the Meeting of Creditors. However, you will be under oath as you answer questions regarding your financial situation.
- Due to the COVID-19 Pandemic, the Meeting of Creditors will be held telephonically. Information concerning call in numbers, submission of supporting documents, and photo identification confirming identity will be included on the notice you receive from the court.

Day 50-70:

- Within 30 days after the date first set for the Meeting of Creditors, you must perform what is outlined in your Statement of Intention.

Day 80-100:

- You must take a financial management course from an approved agency in addition to the credit counseling course completed before filing for bankruptcy. The course can be completed in person, on the internet, or over the phone. For a complete list of approved agencies where you can take the course, please

visit: https://www.justice.gov/ust/ao/bapcpa/ccde/DE_Files/DE_Approved_Agencies_HTML/de_missouri/de_missouri.htm.

- You will receive a Certificate of Completion after completing the Financial Management Course. You are not required to file the Certificate of Completion itself. In the alternative, you may complete Form B423 ("Debtor's Certification of Completion of Post-petition Instructional Course Concerning Personal Financial Management") and file this with the Bankruptcy Court within 60 days after the first date set for your Meeting of Creditors, unless the approved agency through which you took the course has already notified the Bankruptcy Court of your completion.
- Failure to complete the course and file the Certificate of Completion and/or Form B423 will delay your discharge and could even result in your case being closed without a discharge.

Day 80-100:

- If you wish to keep certain personal property after filing for bankruptcy, you may enter into a Reaffirmation Agreement with your creditor within 60 days after the date first set for your Meeting of Creditors. In a Reaffirmation Agreement, you agree to continue making payments on a particular debt (such as a car loan) in order to keep the property (such as a car).
- If you are represented by an attorney during the negotiation of a Reaffirmation Agreement, and your attorney signs all the appropriate sections of the agreement, it is not necessary for a Judge to approve the agreement.
- However, if you are not represented by an attorney during the negotiation of a Reaffirmation Agreement, you must attend a court hearing called a Reaffirmation Hearing, where the Judge must review and approve the Reaffirmation Agreement. The Judge must decide that the agreement is in your best interest in order to approve it.

Discharge Granted:

- The [discharge](#) is the order from the court forgiving you from certain debts. Once your discharge is granted, your creditors can no longer attempt to collect from you for the debts that were discharged. Not all debts are dischargeable in bankruptcy. ([See Chapter 7 Bankruptcy Basics](#))
- Discharges may be granted as early as 60 days after the date first set for the Meeting of Creditors. However, the timing of a discharge varies from case to case.

Case Closed After Discharge:

- The Bankruptcy Court will wait to close your case a minimum of 14 days after the last order in the case is entered. The discharge order is most commonly the last order to be entered prior to a case being closed. This delay allows any appeal-related deadlines to pass.