

Show Me the Proof: What is a “Proof of Claim?”



A **creditor** is someone owed a debt by a person or entity. When a person or entity that owes the creditor a debt files a bankruptcy case, the creditor may be required to file a **Proof of Claim** with the bankruptcy court. You must show proof of the debt you are owed.

What is a Proof of Claim?

A **Proof of Claim** is a form used by the creditor that indicates the amount of the debt they are owed by the debtor on the date the bankruptcy case was filed.



How do I file a Proof of Claim?

The creditor must file the Proof of Claim form with the clerk of the bankruptcy court where the bankruptcy case was filed. In the U.S. Bankruptcy Court for the Eastern District of Missouri, you can file a Proof of Claim in one of three ways.

1. You can mail a completed Proof of Claim to: U.S. Bankruptcy Court, Eastern District of Missouri, 111 S. 10th Street, 4th Floor St. Louis, Missouri 63102
2. You can submit your Proof of Claim in person by visiting the Thomas F. Eagleton Courthouse at: 111 S. 10th Street, 4th Floor St. Louis, Missouri 63102
3. You can file a Proof of Claim electronically using the ePOC system at: <https://ecf.moeb.uscourts.gov/cgi-bin/autoFilingClaims.pl>

The Proof of Claim form must be completed in full, including the basis of the claim, the amount of the claim, and whether the claim is secured or any part of the claim is secured. The Proof of Claim form (Official Form 410) can be found at:

https://www.uscourts.gov/sites/default/files/form_b_410_0.pdf

Secured Claims vs. Unsecured Claims

Secured Claim:

You must check the "secured claim" box on the Proof of Claim form if the debt you are owed is secured. A claim is secured when the debtor has put up an asset or property that can be sold if they fail to repay the debt under the agreed upon terms. This asset or property is referred to as collateral.

Unsecured Claim:

Unsecured claims are not backed by a security interest in collateral. Therefore, there is no collateral that can be sold to pay the outstanding debt in the event of nonpayment. Common unsecured claims are those for credit card debt, student loans, personal loans, and medical bills.

