

When Creditors and Other Non-Debtor Parties May Act Without Attorneys

This page includes general information about when a creditor or other non-debtor party may act *pro se* in a debtor's bankruptcy case or in an adversary proceeding (a lawsuit within a debtor's bankruptcy case). The material provided on this page is provided only as a guide, and should not be seen as a comprehensive analysis of this issue related to a creditor's or non-debtor party's *pro se* appearance in a bankruptcy case. The information provided herein is not a substitute for the advice of legal counsel, and should not be relied upon or cited as legal authority.

A. When Corporations, Partnerships, Trusts and Other Business Entities Act With or Without Attorneys.

- Filing of Papers and Appearances in Court
 - ▶ Corporations, partnerships, trusts and other business entities generally may not act *pro se* to file papers or otherwise appear in a bankruptcy case or a proceeding brought by or against the corporation, partnership, trust or other business entity in a bankruptcy case. See [Fed. R. Bankr. P. 9010](#) and [L.R. 9010](#) and [Find an Attorney \(Sometimes Available for Free\)](#). Here are some examples:
 - ◆ A corporation, partnership, trust or other business entity may not file papers or appear in Court on its own behalf in a matter commenced by the corporation, partnership, trust or other business entity in the debtor's bankruptcy case. For example, a corporation, partnership, trust and other business entity may not act *pro se* to file a motion for relief from the automatic stay or to file an adversary proceeding.
 - ◆ A corporation, partnership, trust or other business entity may not file papers or otherwise appear in court on its own behalf to defend against a proceeding brought against the corporation, partnership, trust or other business entity.
 - ▶ Corporations, partnerships, trusts or other business entities **may** act *pro se* to file documents that **do not constitute the practice of law**. Examples include the filing of:
 - ◆ a Request to Receive All Notices under [Fed. R. Bankr. P. 2002](#);
 - ◆ a Proof of Claim ([Official Form 410](#)) (including an amended Proof of Claim) - note that the Proof of Claim form can be filled in using

your computer.

- ◆ a withdrawal of a proof of claim;
 - ◆ Transfer of Claim Other Than for Security ([Director's Procedural Form 2100A](#)) (Note that the Director's Procedural Forms can be found with the official bankruptcy forms);
 - ◆ a ballot for voting on the election of a trustee;
 - ◆ a ballot for voting on a proposed plan in a Chapter 11 case.
- Appearances at the Debtor's First Meeting of Creditors
 - ▶ Any creditor (including a corporation, partnership, trust or other business entity, acting as a creditor) or representative of the creditor (including a non-attorney representative of the creditor such as an employee), that holds a claim **arising from a consumer debt** may appear and participate in the meeting of creditors in a case filed under **Chapter 7 or Chapter 13** of the Bankruptcy Code. See [11 U.S.C. §341\(c\)](#).
 - A corporation or partnership who is proceeding *pro se* may contact counsel to an opposing party to discuss a settlement of the matter.

B. When a Creditor is an Individual.

- A creditor who is an individual may act *pro se* with respect to any matter in a debtor's bankruptcy case.
- Even though a creditor is allowed to proceed *pro se* in a debtor's bankruptcy case, a creditor may wish to consult with legal counsel before proceeding with any matter. See [Find an Attorney \(Sometimes Available for Free\)](#).