

United States Bankruptcy Court
Eastern District of Missouri

Frequently Asked Questions by Parties Without an Attorney

I. COMMENCING A CASE

1) I want to come to the Court. Where are you located and where can I park?

The Clerk's Office is located at the Eagleton Courthouse, 111 S. 10th St., 4th Floor, St. Louis, MO 63102. [Parking information](#), [directions](#), and the [locations of the court in Hannibal and Cape Girardeau](#) can be found on the [Court Information](#) section of the Court's website.

2) What documents will I need to file with the court if I file a new bankruptcy case? What are the minimum documents I need to file on the day I file my bankruptcy petition?

The documents you are required to file with the Court in connection with a new case are listed in the [Filing Requirements](#) subsection of the [Filing Information and Information for Parties Without an Attorney](#) section of the [Court's website](#). At the very minimum, on the day you file your bankruptcy petition, you will need to have:

- a. The petition signed by the debtor(s);
- b. a matrix and verification (found in the [Forms](#) section of the Court's website) pursuant to [L.R. 1007-8](#);
- c. in the case of an individual, [Declaration About an Individual Debtor's Schedules](#) About an Individual Debtor's Schedules to the bankruptcy petition, and either a Credit Counseling Certificate, a Certificate of Exigent Circumstances, or a Motion for Exemption (Bankruptcy Code [§ 109\(h\)](#) and [521\(b\)](#)); and
- d. one of the following:
 - i. the filing fee;
 - ii. an [Application to Have the Chapter 7 Filing Fee Waived](#); or
 - iii. an [Application to pay Filing Fee in Installments](#).

3) Where do I get the forms for filing a new petition?

The forms are available on the [Forms](#) section of the [Court's website](#) or from most office supply stores. The Clerk's Office does not provide paper forms.

4) Can I file a petition and other pleadings without an attorney?

Yes, if you are an individual. The Court advises you to seek legal representation since bankruptcy can be a complicated process. Please see [Find an Attorney \(Sometimes Available for Free\)](#) in the [Filing Information and Information for Parties Without an Attorney](#) section of the [Court's website](#).

5) Can I take the credit counseling course after I file?

No. The credit counseling course must be taken within 180 days prior to the filing of a bankruptcy petition.

6) Where do I go for credit counseling?

You can obtain a list of approved credit counseling agencies from the Clerk's Office or on the [United States Trustee's website](#).

7) What are the fees to file a new case?

[Filing fees](#) can be found in the [Filing Information and Information for Parties Without an Attorney](#) section or on the home page of the [Court's website](#).

8) Can my filing fee be waived or paid in installments?

Under certain circumstances, the Court will waive the filing fee for an individual debtor, or allow the debtor to pay the fee in installments. To request permission to pay the fee in installments, the debtor must fill out Local Form 1, certifying that he/she is not able to pay the fee unless he/she can pay in installments. The application to pay the fee in installments can be found in the [Forms](#) section of the [Court's website](#). If a Chapter 7 debtor cannot afford to pay the filing fee, he or she can apply to have the filing fee waived. An application to have the filing fee waived is available by clicking [here](#).

9) I received an order dismissing my case because I didn't pay my filing fee. May I file a new case and pay the filing fee by installments in my new case?

Please see the 180-Day Prohibition, 109(g) Flag, and No Installment Flag section of the Court's [Procedures Manual](#).

10) I previously filed a bankruptcy petition. When can I file again?

This will depend on your particular circumstances. Unfortunately, the Court and Clerk's Office cannot tell you when you can file a new bankruptcy petition. Please see [Find an Attorney \(Sometimes Available for Free\)](#) in the [Filing Information and Information for Parties Without an Attorney](#) section of the [Court's website](#).

II. CASE PROCESS

1) A document doesn't have a place for me to sign. Do I need to sign the documents I file with the Court?

Yes. All documents that you file with the court must be signed and filed with an original signature (not a copy).

2) I misplaced my case number. Is it necessary that I put my case number on documents I file with the Court?

Yes. All documents filed with the Court after you have been assigned a case number must include the case number. If you have misplaced your case number, please call the Clerk's Office at 314-244-4500 during normal business hours, or call the VCIS at 314-244-4999 or 1-888-223-6431.

3) I found more creditors, or I want to remove some creditors I listed in my bankruptcy schedules. How do I amend my schedules to add or delete these creditors? How will these creditors know I added them or deleted them?

[Local Rule 1009](#) provides that you must file an amended schedule and/or matrix that includes only the names and addresses of those creditors being added, along with a memorandum identifying the changes being made to the schedule and/or matrix. In addition, a copy of the amended schedules, Notice of Commencement of the Case, and proof of claim form, if necessary, shall be mailed to the newly added creditors. You should send a Certificate of Service to the Clerk's Office stating that these items have been mailed to the newly added creditors. In Chapter 7 cases, the Notice of Amendments to Schedules to Add Creditor(s) (found in the Forms section of the court's website) must be filed along with the amendments to the schedules to add creditors. If you are deleting creditors, a new set of schedules, along with a memorandum explaining which creditors are being deleted, must be filed. There is also a fee to add or delete creditors from the matrix or schedules. Please see the [Filing Fees](#) section of the [Court's website](#).

4) I received returned notices for some of my creditors because of bad addresses. What should I do about these notices?

[Local Rule 2002-2C](#) states that the debtor shall send any returned notice to the entity whose notice was returned at the correct address for such entity. The debtor's counsel (or the debtor if he/she appears pro se) shall file an amended matrix listing the proper address for the creditor and a certificate of service indicating the name and correct address for the entity whose notice was returned. The debtor's counsel (or the debtor if he/she appears pro se) shall include in his/her certificate of service a list of the entities whose notices were returned and for which the debtor cannot locate correct addresses.

You must make a reasonable effort to obtain correct addresses for any entity for which a notice was returned due to an incorrect or undeliverable address. You should file a notice of any corrected addresses and of an addresses known to be incorrect or

undeliverable with the Court using [Local Form 25](#). The Clerk of the Court will update the case matrix with the correct address. Please do not use Local Form 25 to update creditor information that was accurate at the time the bankruptcy petition was filed or that has already been updated in the case. For further information regarding how to update creditor information that was accurate at the time the petition was filed or that has already been updated, please see [L.R. 1009](#).

5) When will I receive my discharge?

The answer to this question differs for each case and will depend on a number of factors. The Court cannot tell you in advance when or if you will receive a discharge. However, in a Chapter 7 case, the discharge cannot take place until after the Objection to Discharge Deadline has expired.

6) Should I file my financial management certificate with the Court or with the trustee?

Either the course provider must notify the Court of your completion of the course, or you must file your financial management certificate with the Court within 45 days after the first date set for your Meeting of Creditors. One of those things must happen within that 45 day time period. Do not wait 45 days to see if the provider has notified the Court of course completion. It is your responsibility to monitor your case and timely file the certificate if the course provider has not notified the Court of your course completion. If a financial management certificate is not filed with the Court, your case may be closed without a discharge.

III. RECORDS

1) I lost my bankruptcy papers. How can I get a copy of them?

If your bankruptcy file is located at the Court, you may come to the counter at the courthouse in St. Louis and obtain hard copies of the documents for a fee. An additional charge applies if the Court prints or photocopies the documents for you. If the file is located in the Archive Center (which is not located in St. Louis, MO), the Clerk's Office can provide the location information for the file and the contact information for the Archive Center. To obtain location information for a file or contact information for the Archive Center, contact the Clerk's Office at 314-244-4500. A listing of the relevant fees is found in the [Filing Fees](#) section of the [Court's website](#).

2) Can I get copies of Court papers online? Will you fax copies of Court papers to me? How much do copies cost?

You will have to get any copies from the Clerk's Office. The Court will not fax documents to you. If you order copies by mail, a search fee and a per page charge will apply. If you come to the Court in person to obtain copies, only a per page charge will apply. Please see the court's [Filing Fees](#) section for the applicable charges.

3) Should I keep a copy of my bankruptcy papers?

You should retain a copy of all papers from your bankruptcy case.

IV. GENERAL INFORMATION

1) What is the difference between a discharged case and a dismissed case?

In a discharged case, a debtor is relieved of any further personal liability for a debt that has been discharged in bankruptcy. A dismissal simply means that the case is no longer active before the Court. There are a number of reasons why a case may be dismissed without the entry of a discharge.

2) How do I get discharged debts off my credit report? Why is a dismissed case on my credit report?

The Court is not involvement with your credit report. You should address issues pertaining to your credit report with the credit reporting agencies. The names of the three main credit reporting agencies are [Equifax](#), [Experian](#), and [TransUnion](#).

3) Do any attorneys work for free? What is legal aid?

You may be able to find an attorney to take your case on a pro bono (free) basis if you are unable to pay. Please see the [Find an Attorney \(Sometimes Available for Free\)](#) document on the [For Pro Se Filers](#) section of the [Court's website](#).

4) Will filing a bankruptcy petition stop a foreclosure, repossession or garnishment?

It is possible that filing a bankruptcy petition will stop a foreclosure, repossession or garnishment, but that may not be true in every instance. The Court cannot give you legal advice regarding whether the filing of your bankruptcy petition will stop a specific foreclosure, repossession or garnishment. You should consult legal counsel for additional information. Please see the [Find an Attorney \(Sometimes Available for Free\)](#) document on the [For Pro Se Filers](#) section of the [Court's website](#).

5) What is the difference between a Chapter 7 case and a Chapter 13 case?

The sections of the Court's website regarding [Chapter 7](#), [Chapter 13](#) and [General Bankruptcy Info](#) explain the differences between Chapter 7 and Chapter 13 bankruptcy cases. See [Filing Information and Information for Parties without an Attorney](#).