

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF KANSAS**

**FILING BANKRUPTCY WITHOUT AN ATTORNEY
(Revised Dec. 2015)**

NOTE: EMPLOYEES OF THE CLERK'S OFFICE ARE FORBIDDEN BY LAW FROM GIVING LEGAL ADVICE AND CANNOT HELP YOU COMPLETE THE REQUIRED PAPERWORK.

I. INTRODUCTION

Although an individual is permitted to file a personal bankruptcy petition *pro se* (without an attorney's help), filing bankruptcy is a very complex undertaking and the Court strongly recommends that anyone thinking about doing so should consult an attorney. You and your spouse can file a personal bankruptcy case without an attorney, but you cannot file a case without an attorney on behalf of your corporation, limited liability company, or other similar entity you own, or on behalf of any other person. If the extensive documents required in a bankruptcy case are not completed properly, or if further steps in the bankruptcy process are not done properly and on time, you, as the debtor in the case, can lose property or other important rights unnecessarily. The following information is neither comprehensive, nor should it be relied upon as a substitute for reading the applicable laws and rules.

Bankruptcy Basics:

<http://www.uscourts.gov/services-forms/bankruptcy/bankruptcy-basics> This website provides general information about Chapters 7, 11, 12, and 13 of the Bankruptcy Code and a glossary with definitions of many words and phrases commonly used in bankruptcy.

***Pro Se* Filers:**

<http://www.uscourts.gov/services-forms/bankruptcy/filing-without-attorney> This website provides general information to those people who decide to proceed on their own, and also identifies some of the difficulties of filing bankruptcy without an attorney.

Official Forms:

<http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx> is an excellent resource for updated bankruptcy forms and information.

The District of Kansas Bankruptcy Website:

www.ksb.uscourts.gov is a good resource for general information about Court and Clerk's Office locations, local rules, bankruptcy forms, fees and pre-filing requirements, as well as the hearing calendars and guide to other resources. You

may also access the U.S. Trustee link from this website for a list of approved credit counselors for the pre-filing credit counseling course and the debtor education course required in order to obtain a discharge.

II. WHERE TO FILE YOUR CASE

Generally, people living in Kansas may file a personal bankruptcy case in any one of three divisional offices in the District of Kansas. See 28 U.S.C. § 1408 for more information about where you can file your case. Petitions may be mailed to an office or may be presented in person during the Court’s normal business hours: Monday through Friday, excluding holidays, from **9:00 a.m. to 4:00 p.m.** Public telephone hours are **9:30 a.m. to 3:30 p.m.** Please contact the divisional office where your case is filed.

<p>Clerk’s Office US Bankruptcy Court 500 State Ave Room 161 Kansas City KS 66101 (913) 735-2110</p>	<p>Clerk’s Office US Bankruptcy Court 444 SE Quincy Room 240 Topeka KS 66683 (785) 338-5910</p>	<p>Clerk’s Office US Bankruptcy Court 401 N Market Room 167 Wichita KS 67202 (316) 315-4110</p>
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You will be required to attend scheduled meetings and hearings while your case is pending, and that will usually mean you must travel to the city where you filed the case.

III. HELPFUL RESOURCES TO REVIEW

A. Title 11, United States Code (the Bankruptcy Code) and Federal Rules of Bankruptcy Procedure (the Bankruptcy Rules) contain requirements that control how bankruptcy cases proceed.

B. The District of Kansas also has local rules that must be observed. The following are some local rules that may help you prepare your petition, schedules, and other required documents.

D. Kan. LBR 1007.1 **Initial Filings. (a) Assembly of Petition and Accompanying Documents**

D. Kan. LBR 1007.2 **Preparation and Filing of Matrix**
 The matrix is a list of the names and addresses of all the debtor’s creditors. It is used to notify the parties about the activities in the bankruptcy case.

D. Kan. LBR 1009.1	Amendments to Lists and Schedules of Creditors and Applicable Deadlines (See also Appendix 1-01 to LBR Rule 1009.1)
D. Kan. LBR 2002.1	Notice to Creditors and Other Interested Parties
D. Kan. LBR 2002.2	Scheduling, Listing And Noticing the United States And Agencies of the State of Kansas As a Creditor
Standing Order 15-1	Debtor Electronic Bankruptcy Notification
Standing Order 15-4	Amending a number of local rules, including D. Kan. LBR 1007.1(a) and D. Kan. LBR 1009.1

IV. GENERAL INFORMATION

Maintaining copy for your records

If you wish to have a file-stamped copy of documents you are filing for your records, and are delivering the documents to the Clerk's Office in person, bring an extra copy of the documents with you. If you are filing the documents by mail and wish to have a file-stamped copy, you must include an extra copy of the documents plus a self-addressed, stamped envelope that is large enough to hold all of the documents to be returned to you.

Pleading originals

Your pleadings (documents you file with the Court) must contain original signatures, and the case caption (your complete name, your spouse's complete name if filing jointly, and your bankruptcy case number). Your bankruptcy petition must contain your complete address and a telephone number where you may be reached weekdays, but only the last four digits of your Social Security Number. The Statement About Your Social Security Numbers (Official Form 121), containing your full SSN, must be signed by you (and your spouse, if applicable) and submitted with your petition. If someone who is not an attorney has prepared the petition and schedules for you, the Bankruptcy Petition Preparer's Notice, Declaration, and Signature (Official Form 119) must be completed and filed.

Verification of Matrix and Matrix

The *matrix* is the list of your creditors used by the Court to notify your creditors of your bankruptcy case filing and of subsequent filings in your case. The **Verification of Matrix** is a document signed by you to verify that the list of creditors with their mailing addresses is true and correct to the best of your knowledge. You cannot expect the Clerk's Office to compare the matrix with your petition and schedules.

The matrix must be formatted as described in D. Kan. LBR 1007.2. (See the “Sample Matrix” attachment.)

Filing Fee(s)

The Clerk’s Office can only accept cash or money orders from you for any Court filing fees you must pay. Cash payments must be exact because the Clerk’s Office is unable to make change. Your personal check cannot be accepted. If you wish to pay the new case filing fee in installments, an Application for Individuals to Pay the Filing Fee in Installments (Official Form 103A) must be completed and filed with the petition. Other fees may not be paid in installments.

Waiver of the Chapter 7 Filing Fee

If you cannot afford to pay the Chapter 7 filing fee either in full or in installments, you may request a waiver of the filing fee by completing an Application to Have the Chapter 7 Filing Fee Waived (Official Form 103B). This form must be submitted with the Chapter 7 bankruptcy petition. A judge will decide whether you have to pay the filing fee, and may waive the fee only if you qualify.

Financial Management Course (Debtor Education)

In addition to the pre-filing Credit Counseling Certificate, a debtor is not eligible to receive a discharge until he or she has completed an instructional course regarding personal financial management. Please refer to the U.S. Trustee link on the Court’s website, for a list of approved providers of this educational requirement.

Debtor Electronic Bankruptcy Notification (DeBN)

DeBN is a free and voluntary service that allows debtors to receive faster delivery of court-generated notices and orders from the Bankruptcy Court via email rather than by U.S. mail. Pursuant to Standing Order 15.1 (adopting Interim LBR 9036.1), each debtor who files a voluntary petition in bankruptcy must individually complete and file a Debtor’s Electronic Noticing Request form at the time of filing the bankruptcy petition. The DeBN Request Form must indicate whether the debtor wants to receive court notices and orders by email or whether the debtor declines to participate in DeBN. If the debtor declines to participate in DeBN, court notices and orders will be mailed to the debtor by first class mail, via the Bankruptcy Noticing Center (BNC). See the court’s website for additional information at:

http://www.ksb.uscourts.gov/images/ksb_pdfs/DeBN_FAQ.pdf.

The website also provides a fillable DeBN form at:

http://www.ksb.uscourts.gov/images/ksb_forms/DeBN_Request_Form.pdf.

Joe Creditor
525 Creditor Ave Ste 200
Anywhere KS 62002

Dr Phil Creditor
Professional Bldg Ste 60
Hometown KS 62002

Local Phone Company
PO Box 9999
Anywhere KS 62002

ABC Company
Attn Account Rep
PO Box 1111
Creditorsburg OK 61001

*INFORMATION
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*MATRIX
SAMPLE*