

United States Bankruptcy Court for the District of Kansas

Filing Bankruptcy Without an Attorney

Employees of the Clerk's Office are forbidden by law, under 28 U.S.C. § 955, from giving legal advice and cannot help you complete the required paperwork.

I. Introduction

An individual is permitted to file a personal bankruptcy petition *pro se* (without an attorney's help). However, filing bankruptcy is a very complex undertaking, and the Court strongly recommends that you consult an attorney. An individual is not permitted to file bankruptcy on behalf of a corporation, limited liability company, or other similar entity, or on behalf of another person, without an attorney.

Debtors filing bankruptcy without an attorney are responsible for knowing the requirements of the Bankruptcy Code, Federal Rules of Bankruptcy Procedure and local bankruptcy rules.

Missing a deadline, failing to properly complete forms and documents, failing to perform a required task, or failing to respond properly to an action could result in the dismissal of your case, denial of discharge, or losing property that you might otherwise have been entitled to keep.

The following information may be helpful as you contemplate a bankruptcy filing. This information should not be relied upon as a substitute for obtaining representation by a qualified bankruptcy attorney, or for reading federal laws and local bankruptcy rules.

Bankruptcy Basics

<http://www.uscourts.gov/services-forms/bankruptcy/bankruptcy-basics>

***Pro Se* Filers**

<http://www.uscourts.gov/services-forms/bankruptcy/filing-without-attorney>

Official Forms

<http://www.uscourts.gov/FormsAndFees/Forms/BankruptcyForms.aspx>

U.S. Bankruptcy Court, District of Kansas

<http://www.ksb.uscourts.gov>

U.S. Trustee

<http://www.usdoj.gov/ust>

II. Federal laws and local rules governing bankruptcy

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.

[District of Kansas local bankruptcy rules](#) also contain requirements about bankruptcy. The following are a few 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 parties about activities in the 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**
- D. Kan. LBR 9036.1 **Debtor Electronic Bankruptcy Notification**

III. Where to file your bankruptcy case

Generally, individuals living in Kansas may file a personal bankruptcy case in any one of three divisional offices in the District of Kansas listed below. See 28 U.S.C. § 1408 for more information about where you can file your case.

<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</p>	<p>Clerk’s Office US Bankruptcy Court 401 N Market Room 167 Wichita KS 67202</p>
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Documents may be mailed to an office or may be presented in person during the Court’s business hours:

Monday through Friday, excluding holidays, from 9:00 a.m. to 4:00 p.m.

If you have questions, please contact the divisional office where your case is filed, at one of the numbers listed above. **Important Note:** You will be required to attend scheduled meetings and hearings while your case is pending, usually in the city where your case is filed.

IV. General Information

Maintain a copy of your documents for your records

If you wish to have a file-stamped copy of the documents you are filing for your own records, and you are:

Delivering the documents to the Clerk's Office in person: bring an extra copy of the documents with you

Filing the documents by mail: include an extra copy of the documents plus a self-addressed stamped envelope large enough to hold the documents.

Format and contents required in certain documents

Your bankruptcy petition must contain your complete address and a telephone number where you may be reached weekdays, and only the last four digits of your Social Security Number (SSN).

Your Statement About Your Social Security Numbers (Official Form 121) containing your full SSN, must be signed by you (and your spouse, if filing jointly) 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. Forms are available on the [United States Courts website](#).

Documents you file with the Court must contain original signatures and the case caption (your complete name, your spouse's complete name, if applicable, and your bankruptcy case number).

Credit Counseling Course—required prior to filing the bankruptcy petition

You must complete a credit counseling course within 180 days **prior** to filing your bankruptcy petition. To find an approved credit counseling provider, see the [U.S. Trustee's website](#).

Filing Fee(s)

The Clerk's Office can accept cash or money orders from you for any Court filing fees. The Clerk's Office cannot make change; payments must be for the exact amount of the fee. Personal checks are not accepted. If you are unable to pay the filing fee in full upon filing and wish to pay the new case filing fee in installments, please complete the Application for Individuals to Pay the Filing Fee in Installments (Official Form 103A) and submit it 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 in full or in installments, you may request a waiver of the filing fee. Complete the Application to Have the Chapter 7 Filing Fee Waived (Official Form 103B) and submit it with the Chapter 7 bankruptcy petition. A judge will determine whether you qualify for the filing fee waiver.

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 instead of U.S. mail. Pursuant to D. Kan. 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 chooses to receive the court notices and orders by email, or declines to participate in DeBN and instead receive such notices and orders by U.S. Mail.

For more information about DeBN: [DeBN FAQ.pdf](#)

Creditor Matrix and Verification of Matrix

The matrix is the list of your creditors used by the Court to notify your creditors of your bankruptcy case filing and 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.

The matrix must be formatted as described in D. Kan. LBR 1007.2, as illustrated in the example below.

Sample Matrix

The list below provides an example of how to format the information listed on your creditor matrix:

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

Financial Management Course (Debtor Education)—required prior to discharge

You must complete a financial management course **after** filing your bankruptcy petition in order to be eligible to receive a discharge of your debts through bankruptcy. See the [U.S. Trustee's](#) website for a list of approved providers of this course.