

## **Eviction Judgments<sup>1</sup> (Nov. 2024)**

The information contained herein is for individual debtors representing themselves who have had a final judgment of eviction entered against them before their bankruptcy case was filed and who want to stay in their residence after the bankruptcy case is filed. Debtors are required to take specific actions if they wish to obtain a stay of eviction and remain in the rented residence for the first 30 days after filing bankruptcy. Further action is required if a stay after the initial 30 days is sought. The staff of the Clerk's Office is prohibited from providing legal advice and cannot help complete forms or advise as to what actions must be taken.

**If you answer Yes to question 11 on Form 101 Voluntary Petition that you rent your residence and your landlord has obtained an eviction judgment (see image) . . .**

11. Do you rent your residence?	<input type="checkbox"/> No. Go to line 12.
	<input type="checkbox"/> Yes. Has your landlord obtained an eviction judgment against you?
	<input type="checkbox"/> No. Go to line 12.
	<input type="checkbox"/> Yes. Fill out <i>Initial Statement About an Eviction Judgment Against You</i> (Form 101A) and file it as part of this bankruptcy petition.

. . . then you must complete the top portion of Form 101A *Initial Statement About an Eviction Judgment Against You* and serve a copy as instructed on the form.

**If you want to stay in your rented residence after you file your case for bankruptcy**, complete the certification on the bottom portion of the form. Form 101A must be filed with your bankruptcy petition and a copy of the eviction judgment needs to be attached.

**Note:** The deposit referred to in Form 101A for the rent that would be due during the 30 days after debtor files must be in the form of a money order or certified cashier's check and must be made payable to the lessor/landlord. **The Clerk's Office will not accept a personal check or cash.**

**Review the information found at the bottom of Form 101A regarding Stay of Eviction.** The form contains important information regarding the automatic stay during the first 30 days after you file and the automatic stay after the initial 30 days.

**If you wish to stay in your rented residence and continue to receive the protection of the automatic stay for more than 30 days after you file your bankruptcy**, you must complete Form 101B *Statement About Payment of an Eviction Judgment Against You*, perform the steps set out in the form and file it within the time indicated on the form.

[Official Form 101A Initial Statement About an Eviction Judgment Against You](#)

[Official Form 101B Statement About Payment of an Eviction Judgment Against You](#)

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<sup>1</sup> The information contained herein is not a substitute for legal advice from an experienced attorney, does not constitute legal advice, and may not be cited as legal authority. The information contained herein does not replace the provisions and requirements of the United States Bankruptcy Code, 11 U.S.C. § §101-1532, the Federal Rules of Civil Procedure, the Federal Rules of Evidence, the Federal Rules of Bankruptcy Procedure, the Local Rules of the United States District or Bankruptcy Courts for the District of Kansas.