

Community Legal Aid

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio

www.communitylegalaid.org

How do I file for bankruptcy?

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The first thing you need to do when filing for bankruptcy is to find a bankruptcy attorney and discuss what your options are. If you qualify to file for bankruptcy, your attorney will help you collect any information and documents you will need.

Before you file, you also have to complete the first part of a credit counseling course. This is to show the court that you are committed to getting back on your feet financially, moving forward. You will need to complete the second part of this course a little later in the process.

While you prepare to file, your attorney will put together a lot of paperwork that lists all your financial information, so the court has all the information they need to make a decision. You will have to share a lot of information with your attorney in order to do this, and they'll have you look it over and sign it when they're ready to file.

As soon as your attorney files your bankruptcy with the court, you will automatically be protected from any creditors trying to collect on any of your debts. This is called an "automatic stay," and it also stops any other pending court actions against you.

After your bankruptcy case is filed, your case will be assigned to an attorney who works with the bankruptcy court, but does not represent you personally. Their job is to process paperwork and move your lawsuit through the court process.

This attorney is known as a bankruptcy trustee. They'll schedule a hearing with you where they'll go over your income, assets, and debts, and ask any questions they may have.

Approximately two months after your hearing, you will receive your "discharge." This means that the court will get rid of all your debt.

The most important thing in filing for bankruptcy is to find an attorney to represent you. They can advise you on what you need to do and what you need to have to file. And keep in mind that you will have to complete a credit counseling course before you file your bankruptcy.

Printed: December 1, 2020

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